

**Swindon Borough Council**

**Standing Advisory Council On Religious Education**

**CONSTITUTION**

**Last Updated: 30 March 2004**

## **1. Introduction**

- 1.1 A Local Education Authority is required by Section 390 of the Education Act 1996 to constitute a Standing Advisory Council on Religious Education (SACRE). The SACRE shall operate in line with legislation and guidance. This Constitution sets out the framework within which the SACRE should operate, in accordance with the Education Act 1996 and the School Standards Framework Act 1998, including the requirement for the SACRE to broadly represent the proportionate strength of local religious groups.

## **2. Functions of the Sacre**

- 2.1 SACREs have a range of functions, some of them advisory, and some of them executive.
- a) Advisory Functions: To advise the Council upon such matters connected with:
- i) Religious worship in community schools or in foundation schools which are not defined as having religious character; and
  - ii) The religious education to be given in accordance with an Agreed Syllabus; or
  - iii) Matters the Council may refer to the SACRE or the SACRE itself may think fit, including methods of teaching, the choice of materials and the provision of training for teachers.
- b) Executive Functions:
- i) To consider and determine in accordance with Section 394 of the Education Act 1996 applications from the Head Teachers of community schools or foundation schools which are not defined as having religious character in relation to the requirement of Christian collective worship to apply at their school.
  - ii) To consider whether or not to require a review of any Agreed Syllabus for the time being adopted by the local education authority (see paragraph 6.3).
  - iii) To publish an annual report.

## **3. Membership of the Sacre**

- 3.1 The SACRE shall include representative members as detailed in 3.2 below and may include co-opted members as set out in 3.3 below. Substitute members can attend in accordance with 3.4 below. The total membership of the SACRE shall not at any time exceed 30, excluding the number of co-opted members.
- 3.2 Representative Members:
- 3.2.1 The Council shall determine from time to time the number of representative members of the SACRE and the individual appointments shall be made by the Council after taking all reasonable steps to assure itself that the individual is representative of the denomination or association concerned.
- 3.2.2 It is suggested that there be four groups of representative members appointed by the Authority and these be constituted as follows:

- i) GROUP A - Five representatives of the Council (Councillors).
- ii) GROUP B – Five representatives of the Church of England.
- iii) GROUP C - Eight representatives of those associations of teachers as, in the opinion of Council, ought, having regard to the circumstances of Swindon, to be represented; to include at least 3 teachers of religious education of whom at least one must be a primary school teacher.
- iv) GROUP D - Eight representatives of such Christian (other than the Church of England) and other religious faiths as will appropriately reflect the principal religious traditions in Swindon and the number of representative members reflects broadly the proportionate strength of that denomination or religion in the area. These are determined as a result of consultation.

3.2.3 The representative members, except the five Council representatives, shall hold office for a period of 4 years expiring in the first instance 4 years from the date of the establishment of the SACRE and every 4 years thereafter. The five Council representatives shall be appointed on an annual basis.

3.2.4 Any representative member appointed to fill a casual vacancy shall hold office only for the unexpired period of office of the member in whose place she/he was appointed.

3.2.5 An individual representative member may be removed from membership by the Council if in the opinion of the Council she/he ceases to be representative, as the case may be, of the denomination or associations which she/he was appointed to represent on the SACRE.

3.2.6 Any individual representative member shall cease to hold membership if failing to attend 3 consecutive meetings of the SACRE or representative group, but may be reappointed.

### 3.3 Co-opted Members

3.3.1 There shall be no more than 4 co-opted members of the SACRE.

3.3.2 The co-opted members shall be appointed only by those members of the SACRE who have not themselves been co-opted ('the representative members').

3.3.3 Co-opted members shall hold office for a specific purpose, on such terms, and for a period of time as may be determined at the time of co-option by the representative members and shall hold office at the pleasure of, and may be removed at any time by, the representative members.

3.3.4 Co-opted members shall not be entitled to vote.

3.3.5 No representative group shall be entitled to co-opt additional members.

### 3.4 Substitute Members

- 3.4.1 A named substitute may attend a meeting in place of a representative member of the SACRE in accordance with the following provisions, but Members of the SACRE are encouraged to use this facility infrequently in view of the need to maintain continuity.
- 3.4.2 The substitute member must have been appointed by Council for a particular body, denomination or association or for a particular representative Group, and can only attend in place of the appropriate representative member. The Secretary to the SACRE shall maintain a list of those named substitutes appointed by the Council. A substitute member shall hold office and may be removed from office in the same way as if she/he was a representative member.
- 3.4.3 The substitute member shall have the same voting rights at a meeting as the representative member in whose place she/he is attending.
- 3.4.4 It shall be the responsibility of the relevant representative member to a) determine whether or not it is necessary for the relevant named substitute to attend a meeting in their place, b) notify the named substitute of the time and place of the proposed meeting, c) brief the named substitute on the proposed meeting and d) notify the Secretary in advance of the meeting that the named substitute will attend the meeting in his/her place.

### 3.5 Resignation

- 3.5.1 Any member of the SACRE may at any time resign his/her office.

### 3.6 Persons Ineligible to be Members of the SACRE

- 3.6.1 No person who has not attained the age of 18 years shall be eligible for appointment as a member of the SACRE.
- 3.6.2 A person shall be disqualified for holding, or for continuing to hold, office as a member if, within 5 years before his or her appointment would otherwise have taken effect, or since his or her appointment, he or she has been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him or her a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine. Where, by virtue of this paragraph, a person becomes disqualified for holding office as a member that person shall give notice of that fact to the Clerk to the SACRE.

## 4. Chair and Vice-Chair of the SACRE

- 4.1 The Chair and Vice-Chair of the SACRE shall be appointed annually by the SACRE from among the representative members. The Vice-Chair should not be appointed from the same representative group as the Chair.
- 4.2 The Chair shall preside at meetings of the SACRE. The Vice-Chair of the SACRE shall preside at meetings of the SACRE during the absence of the Chair. In the absence of both the Chair and the Vice-Chair at a meeting of the SACRE, the

members of the SACRE shall elect one of their number who is a member of a representative group to preside at the meeting during such absence.

- 4.3 The person presiding at a meeting of the SACRE shall have a second or casting vote only in relation to questions concerning co-opted members in accordance with paragraph 5.4 below.

## **5. Voting at Meetings of the SACRE**

- 5.1 Any question to be decided by the SACRE shall require a majority of the votes cast by those present and entitled to vote.
- 5.2 Only the representative groups shall be entitled to vote on any questions and each group shall have a single vote.
- 5.3 If the question before the SACRE is whether or not to require a review of an Agreed Syllabus (see paragraph 2.1 b(ii) ) the representative groups entitled to vote shall not include Group A (Councillors).
- 5.4 If the question before the SACRE is concerned with the appointment of a co-opted member then the Chair shall be entitled to a second or casting vote in the event of a tie.

## **6. Representative Groups**

- 6.1 Representative Groups shall be free to arrange their own rules for the conduct of business, and may if they wish appoint a Chair and Vice-Chair annually from amongst their number.
- 6.2 Any question to be decided by a representative group shall require a majority of the votes cast by those present and entitled to vote. Each member of a representative group shall be entitled to one vote.
- 6.3 A meeting of any representative group may be convened (on a majority vote of those members of the representative group then present) during the progress of a meeting of the SACRE, for the purpose of determining or reviewing the view of that representative group on a question then before the SACRE and upon which that group may cast its vote. The SACRE may adjourn its own meeting for a period that it determines when this occurs.
- 6.4 A separate meeting of a representative group may be convened in accordance with the provisions of paragraph 10, or may be requisitioned in writing, specifying the business to be transacted, by such number of members of that group as equals or exceeds the quorum for that group plus one.

## **7. Validity of Proceedings**

- 7.1 The validity of the proceedings of the SACRE or of any representative group shall not be affected:
- i) By any vacancy in the office of a representative member;
  - ii) On the grounds that a member of the SACRE appointed to represent any denomination or associations does not at the time of the proceedings represent the denomination or associations in question;

- iii) By reason of an individual not having received written notice of a meeting or a copy of the agenda; or
- iv) By reason of any failure to comply with the provisions of paragraph 11.1.

7.2 The validity of the proceedings of the SACRE shall not be affected by the failure of any representative group to agree on how its vote should be cast on any particular issue before the SACRE.

## **8. Secretary**

8.1 The Chief Education Officer or his/her representative shall be Secretary of the SACRE and to each of the representative groups. The Director of Education, their representative or any Officer designated by them shall serve as Clerk to the SACRE.

8.2 Minutes shall be kept of all meetings of the SACRE. The decisions of representative groups shall be reported to the SACRE.

## **9. Quorum**

9.1 The quorum for a meeting of the SACRE shall be not less than two members each of not less than three representative groups.

9.2 The quorum for a meeting of a representative group shall not be less than one third (rounded up to a whole number) of the membership of that representative group when complete.

9.3 If within a period of ten minutes after the time fixed for the start of the meeting of the SACRE or a representative group a quorum is not present, the meeting shall not be held. If during the course of a meeting, a quorum is no longer present, the meeting shall be terminated. If a meeting is not held or is terminated before all the proposed business has been transacted, a further meeting shall be convened as soon as is reasonably practicable.

## **10. Agenda**

10.1 No issue shall be discussed at a meeting of the SACRE or of any representative group, unless notice of the intention to discuss that issue is given in the agenda for the meeting.

10.2 Any SACRE Member or Representative Group can at any meeting of the SACRE propose agenda items for the next meeting.

## **11. Convening meetings of SACRE**

11.1 A meeting of the SACRE shall be convened by the Secretary (or clerk acting in their place) after consultation with the Chair or in their absence, the Vice Chair. The Secretary shall comply with any direction given by the SACRE at a previous meeting or given by the Chair (if consistent with a direction of the SACRE).

11.2 A meeting of the SACRE may be requisitioned in writing specifying the business to be transacted by a representative group, with the agreement of the Chair and Secretary.

- 11.3 Every member (including every named substitute) of the SACRE shall be given, not less than **5** clear days before the date of the meeting, written notice of the meeting and a copy of the agenda for the meeting; provided that where the Chair, in their absence, the Vice-Chair, so directs on the grounds that there are matters demanding urgent consideration, it shall be sufficient if the written notice convening a meeting and a copy of the agenda, are given within such shorter period as (s)he specifies.

## **12. Attendance of the Public and Media at meetings**

- 12.1 The attendance of the general public and representatives of the news media at meetings of the Agreed Syllabus Conference or Standing Advisory Council on Religious Education are subject to the Religious Education (Meetings of Local Conferences and Councils) Regulations 1994.
- 12.2 The public and media may not attend meetings of any representative group.

## **13. Approval and Amendment of Arrangements**

- 13.1 The arrangements for the Standing Advisory Council on Religious Education were approved by the Swindon Education Committee at its meeting on Thursday 20 February 1997, and have been amended by the SACRE subsequently in accordance with the provisions of this Constitution.
- 13.2 These arrangements may not be amended so as to make them inconsistent with the provisions of the 1988, 1996 and 1998 Acts.
- 13.3 To the extent that these arrangements may be amended, those arrangements that relate to the SACRE may only be amended by a decision of the SACRE and those arrangements that relate to a representative group may only be amended by the representative group concerned.
- 13.4 In order to ensure a consistent approach to meetings and that changes to these arrangements are not made without full notice and proper consideration of the implications of any proposed change, any change shall only be made as follows:
- i) in case of the SACRE, only a representative group may propose a change to these arrangements;
  - ii) in the case of a representative group, only a member of that representative group may propose a change to these arrangements;
  - iii) at the first meeting when a proposal to change the arrangements is made there shall be no debate, and the proposal shall stand adjourned to the next meeting of the SACRE (or appropriate representative group) for determination.