

**To the Chair and Members of the
STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION (SACRE)**

**CONSTITUTION, TERMS OF REFERENCE AND GOVERNANCE ARRANGEMENTS
2017/18**

EXECUTIVE SUMMARY

1. This report seeks agreement to the Constitution and Terms of Reference for the Committee.

RECOMMENDATION

2. The Committee is requested to:-
 - 1) Agree the Constitution and Terms of Reference attached at Appendix 1 to the report;
 - 2) Adopt the seven principles of Public life detailed at paragraph 5;
 - 3) Operate in accordance with the CIPFA good governance principles; and
 - 4) Receive a copy of Religious Education in English schools: Non-Statutory guidance 20 10 attached at Appendix 2.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER

3. The Council is committed to maintaining the highest standards of Governance, and the proposed Terms of Reference allow for the proper discharge of its functions by a Committee or Sub-Committee ensuring openness and transparency in terms of the Council's decision making processes. This ensures this obligation is met.

BACKGROUND

Terms of Reference and Constitution

4. At the first meeting each year, Terms of Reference for Committees are approved.
5. The current Constitution and Terms of Reference for SACRE is attached at Appendix 1 of the report these incorporate the key functions, roles and responsibilities of the SACRE and aim to ensure it operates effectively. Some additional wording has been added to the current Terms and these

have been highlighted in the text.

Seven Principles of Public Life

In addition to the Constitution and Terms of Reference the SACRE members are also asked to recognise and adopt the seven principles of public life (Nolan Principles) whilst acting in their capacity as SACRE members. These principles are widely recognised as the key principles to be adopted by individual's carrying out public service. These are as follows: -

i. Selflessness:

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

ii. Integrity:

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

iii. Objectivity:

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

iv. Accountability:

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

v. Openness:

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

vi. Honesty:

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

vii. Leadership:

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Good Governance In The Public Sector

The chartered Institute of Public Finance and Accountancy (CIPFA) has also established a number of key principles which support a framework of good governance adopted by bodies and organisations carrying out a public function, The key principle is to act in the public interest at all times and this requires:

A. Strong commitment to integrity, ethical values, and the rule of law; and

B. Openness and comprehensive stakeholder engagement.

In addition to the requirements for acting in the public interest, achieving good governance in the public sector also requires:

C. Defining outcomes in terms of sustainable economic, social, and environmental benefits;

D. Determining the interventions necessary to optimise the achievement of intended outcomes;

E. Developing the capacity of the entity, including the capability of its leadership and the individuals within it;

F. Managing risks and performance through robust internal control and strong public financial management; and

G. Implementing good practices in transparency and reporting to deliver effective accountability.

Religious Education in English schools: Non-Statutory guidance 20 10:

To supplement the terms of reference and constitution this document is attached at Appendix 2 to ensure all Members have a reference document to assist them in their role as members of SACRE.

OPTIONS CONSIDERED AND REASON FOR RECOMMENDED OPTION

8. SACRE can accept, reject or accept in part, the terms of reference and constitution set out in this report. However, any changes must ensure that the SACRE is operating within the legislative requirements. It is recommended that all the proposals are accepted.

RISKS & ASSUMPTIONS

9. There are no specific risks associated with this report. This report seeks to ensure principles of good governance are identified and adhered identified risks associated with this report.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

10.

	Working with our partners we will provide strong leadership and governance.	The Council is committed to maintaining the highest standards of Governance and robust Terms of Reference allow for the proper discharge of the Council's functions, ensuring openness and transparency.
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LEGAL IMPLICATIONS

11. Sections 101 and 102 of the Local Government Act 1972 empower the

Council to arrange for the discharge of any of its functions by a Committee or Sub-Committee. The proposals outlined in the report are consistent with these powers.

CONSULTATION

12. Relevant lead Officers for the Committee, have been invited to submit any proposed revisions to Committee and Sub-Committee Terms of Reference, the details of which are set out within paragraph 7 of this report, to ensure that the Terms of Reference are robust and fit for purpose.

HUMAN RESOURCES IMPLICATIONS

13. There are no human resources implications associated with this report.

EQUALITY IMPLICATIONS

14. The SACRE will operate in accordance with the relevant equalities legislation and best practice principles.

FINANCIAL IMPLICATIONS

15. There are no specific financial implications associated with this report.

TECHNOLOGY IMPLICATIONS

16. There are no specific technology implications associated with this report.

BACKGROUND PAPERS

None

REPORT AUTHORS

Andrew Sercombe, Governance and Members Services Manager
Tel: 01302 734354

Amber Torrington, Governance Officer
Tel: 01302 734672, Email: amber.torrington@doncaster.gov.uk

CONTRIBUTORS

Jonathan Sharp, Senior Education Standards and Effectiveness Officer
Tel: 01302 737250, Email: jonathan.sharp@doncaster.gov.uk

Damian Allen
Director of People

**CONSTITUTION AND TERMS OF REFERENCE
STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION (SACRE)**

Introduction

1. It is required by law that religious education must be taught to all registered pupils in maintained schools up to the age of 18, except for those withdrawn by their parents. Religious Education is a distinctive but core part of the basic curriculum for maintained schools in England. It is not part of the National Curriculum, because it is a local responsibility, but it is taught alongside the National Curriculum.
2. Since 1988, the Local Authority has had a statutory duty to establish a permanent body called a Standing Advisory Council on Religious Education (SACRE). A SACRE is part of the Local Government machinery; its main function is to advise the Local Authority on matters related to agreed syllabus RE and collective worship in the majority of maintained schools. The exceptions are:
 - (a) religious education in voluntary aided schools where RE is determined by the Governors and taught according to the school's trust deed;
 - (b) collective worship in all schools with a religious character where worship can be reflective of that religious faith; and
 - (c) Academies (even those which follow the LA agreed syllabus)
3. The locally agreed syllabus is the statutory document for religious education in the Local Authority. It is produced by an agreed syllabus conference (ASC). The agreed syllabus has to be reviewed every five years.
4. SACRE will operate within the law and current guidance issued by parliament, the courts and the Department for Education (DfE). If there is any conflict of interest between this constitution and terms of reference and the law SACRE will comply with the law.

Statutory Responsibilities

5. Doncaster SACRE must:
 - (a) Advise the LA on such matters connected with agreed syllabus religious education and collective worship either in response to a referral from the LA or as it see fit;
 - (b) Publish an annual report on its work and on actions taken by its representative groups, specifying any matters on which it has advised the LA, broadly describing the nature of that advice, and set out reasons for offering advice on matters not referred to it by the LA;
 - (c) Send a copy of the report to the relevant government agency;

- (d) Consider applications from a head teacher that the school be released from the requirement for collective worship to be “wholly or mainly of a broadly Christian character” for some or all of their pupils (this is known as a determination);
- (e) Meet in public unless confidential information is to be disclosed; and
- (f) Produce minutes of its meetings available for inspection at the LA’s offices and on the Council’s Website (so far as the minutes relate to the parts of meetings that were open to the public).

Doncaster SACRE should:

- (g) Monitor the provision and quality of agreed syllabus RE and of collective worship;
- (h) In partnership with the LA, consider whether any changes need to be made to the agreed syllabus or in the support offered to schools in the implementation of the agreed syllabus, to improve the quality, teaching and learning in RE;
- (i) Offer advice to the LA, and through the LA to schools, concerning how an existing agreed syllabus can be interpreted so as to fit in with a broad, balanced and coherent curriculum;
- (j) Require the LA to set up an occasional body called an agreed syllabus conference (ASC) to review the agreed syllabus every five years. If, at some other time, and after discussion and a vote (the LA group on SACRE is not entitled to cast a vote in this context) the majority of the committees of the SACRE asks the LA in writing to reconsider its agreed syllabus, it must convene a conference for that purpose.

In addition, Doncaster SACRE may:

- (k) Decide to advise Doncaster LA on matters to do with RE and collective worship;
- (l) Co-opt individuals who are not members of any of the four groups to provide educational expertise, young peoples’ views or religious or non-religious views that reflect a diverse multi-cultural society.

CONSTITUTION

Membership of SACRE

6. The Doncaster SACRE will be represented by members who are committed to education and representing the views of others. They will have responsibility for supporting children's learning in RE and collective worship, and for working for the highest standards in both. They are committed to social harmony and community cohesion.
7. SACRE members will represent their community in the work of SACRE and communicate the interests of SACRE back to their community.
8. The LA must appoint representatives to each of four groups, representing respectively:

Group A: Such Christian and other religious denominations as, in the LA's opinion, will appropriately reflect the principal religious traditions in the Doncaster area.

Group B: The Church of England

Group C: Such associations representing teachers and head teachers as, in the opinion of the LA, ought, having regard to the circumstances of the Borough Council, to be represented.

Group D: The Local Authority: those appointed should represent the political balance of the Council

Composition

9. The composition of the groups shall be as follows:

Group A: Christian and other religious denominations
Eleven (11) members representative of:
Christian non-conformist/Free churches – Four
Roman Catholic – One
Judaism – One
Hinduism – One
Islam – One
Baha'i – One
Sikhism – One
Muslim – One
Humanism (co-opted) – One

Group B: The Church of England: Four (4) representatives

Group C: Teachers: Five (5) representatives

Group D: The Local Authority: Four (4) representatives

10. When appointing a person to be a member of a group on SACRE, the LA takes all reasonable steps to ensure that the nominee is representative of the religion, denomination or associations in question.
11. The SACRE shall review the composition of each committee and the attendance annually (at the Autumn Term meeting).

Co-opted Members

12. Other persons may be co-opted by the representative groups on the SACRE for such purposes and such length of time as representative groups on the SACRE might decide. Co-opted members do not belong to any of the groups and do not have voting rights. Co-opted members may resign at any time and may be removed by the representative groups or the LA at any time.
13. Any member of SACRE unable to attend a meeting should appoint a named substitute to attend in his/her place.

Chair and Vice-Chair

14. The Chair and Vice-Chair shall be elected by the representative members of the SACRE.
15. The Chair and Vice-Chair, where possible, will represent different groups on the SACRE.
16. Voting for the Chair and Vice-Chair will be by a simple majority.
17. Persons continuing to be members of the SACRE are eligible for re-appointment to the position of Chair and Vice-Chair.
18. The main specific role of the Chair is to manage the work of SACRE in accordance with statutory requirements and local circumstances.
19. The Chair will be responsible for:
 - (a) the management of meetings;
 - (b) representing the SACRE to other bodies;
 - (c) leading the SACRE in its own self-evaluation and development/training programmes;
 - (d) such other duties as the SACRE considers appropriate
20. The Vice-Chair will be responsible for:
 - (a) deputising for the Chair as required;
 - (b) representing the SACRE to other bodies in the absence of the Chair or in agreement with the Chair;

- (c) such other duties as the SACRE considers appropriate.

Voting Procedures in SACRE

21. On any issue to be decided by the SACRE, except as provided in statement 14 above, only the four representative groups shall be entitled to vote. They have equal voting rights: one vote per group.
22. Issues shall be decided by a simple majority vote.
23. A proposal shall not be deemed to be carried unless it has been approved by at least three of the four groups, unless otherwise required by law or guidance.

Voting Procedures within Representative Groups

24. Before any representative group casts its single vote on any issue to be decided by the SACRE it shall meet to decide the issue. The decision of the representative group shall be determined by a simple majority vote in which each member of the group has one vote.
25. If there is a tied vote the group shall abstain from voting on the issue in SACRE. There shall not be a casting vote.

Quorum

26. Meetings of the SACRE shall be quorate if at least one representative member from each of the four representative groups is present. If the meeting is not quorate either business shall not be transacted or the meeting could continue but decisions would have to be ratified at the next SACRE meeting.

Terms of Office of Representative Members

27. The representative members shall hold office until such time as they resign or they become ineligible for membership. When a vacancy does arise the LA must attempt to appoint a replacement member to the SACRE to represent the same group as the retiring member.
28. Interests, whether personal or prejudicial, should be declared. If a member has a prejudicial interest they should declare that interest and withdraw from the meeting and take no part in the decision.
29. Members or co-opted members who fail to attend three or more consecutive meetings without a satisfactory explanation will have their membership reviewed by the SACRE. The LA may remove any representative or co-opted member who has failed to attend three consecutive meetings without valid reason.

Agenda

30. Matters for the agenda of any meeting shall be sent to the Clerk at least 21 days in advance of the meeting. The Clerk should meet with the Chair to agree the content and business to be considered on the agenda for each meeting.

Validity of proceedings

31. The validity of any proceedings of the SACRE or of any representative group shall not be affected by either:
 - (a) a vacancy among representative members; and
 - (b) any assertion that a representative member does not at the time represent the denomination or associations which he/she was appointed to represent.

Administrative arrangements

32. The LA shall provide a person to act as Clerk to the SACRE (who will be supported by an officer from Governance Services for meeting administration purposes) who will:
 - (a) attend the full meetings of SACRE, any agenda setting meeting with the Chair and agreed syllabus conference meetings;
 - (b) distribute agendas, take appropriate minutes and notes at meetings
 - (c) Maintain and update the records of SACRE and its meetings
 - (d) Perform any other necessary administrative duties; and
 - (e) Provide a copy of the draft minutes and papers of meetings to the members of SACRE and LA (5 clear working days before the next meeting take place).
33. The LA shall provide accommodation for the meeting of the SACRE, which will usually take place at the Civic Office, Waterdale, Doncaster, unless otherwise stated on the agenda for the meeting.
34. The Director of People or anyone nominated by him/her shall be entitled to be present throughout the proceedings of the SACRE and shall be entitled to give advice on behalf of the LA as he/she thinks appropriate. He/she will ensure that the LA provides sufficient funds and support for SACRE to perform its duties, and take note of and respond to advice from SACRE.
35. The attendance of a LA officer at a SACRE meeting may be specifically requested by the SACRE when it requires advice or guidance on a particular issue.

36. unless agreed otherwise by the SACRE the agenda and reports for each meeting shall be circulated at least **5 clear working days** before the meeting to each member of the SACRE.
37. The specific responsibilities of the SACRE consultant is to:
- (a) attend each meeting of the SACRE and support the SACRE to fulfil its legislative duties in Doncaster;
 - (b) work with the Chair and Clerk to prepare the SACRE agenda and any report, papers or advice required;
 - (c) provide advice to the SACRE on professional issues. Professional Advisors are not members of the SACRE and cannot vote;
 - (d) advise and update SACRE members on any new government guidance or policy documents;
 - (e) regularly report back to SACRE on work completed on behalf of SACRE; and
 - (f) provide expertise and advice in the areas of RE and collective worship.

Frequency of meetings

38. SACRE must meet sufficient times to fulfil its statutory duty. There will normally be three SACRE meetings per year, one in each of the academic terms. Meetings will be convened by the LA.
39. Special meetings may be called by the Chair and LA acting jointly.

Disputes and complaints

40. The SACRE is intended to be a collective, co-operative body and needs to ensure that no particular sector or member is unduly favoured. Problems and issues should normally be debated and resolved at the SACRE meetings. However, if parties feel that these have not been resolved, the following process should be followed and minutes taken:
- (a) Stage 1: The parties who are in dispute meet with the Chair if the SACRE and the Professional Advisor who will assist in finding or recommending a solution.
 - (b) Stage 2: A special meeting of the SACRE is convened, with papers prepared by the parties representing different views. The Chair and the Professional Advisor also prepare a paper offering possible options for resolution. If the problem is not resolved, the dispute is referred to Stage 3.
 - (c) Stage 3: If the issue is not resolved then guidance or clarification will be sought from the relevant Government Department.

- (d) Complaints from members of the public will be handled by the Council's Complaints Procedure.