

## **CAERPHILLY COUNTY BOROUGH COUNCIL**

**REPORT TO: STANDING ADVISORY COUNCIL FOR RELIGIOUS EDUCATION**

**DATE: 13TH JUNE 2018**

**SUBJECT: SACRE MEMBERSHIP UPDATE / WELSH GOVERNMENT GUIDANCE**

### **A PURPOSE OF REPORT**

To consider the current membership of Caerphilly SACRE in light of correspondence received from Welsh Government attached at Appendix 3.

To inform SACRE of recent membership requests and to seek its views as to whether it wishes to recommend to Council any changes to its Membership.

### **B BACKGROUND - CURRENT MEMBERSHIP**

All Local Authorities have a statutory duty to constitute a SACRE within their local area.

Representation on SACRE is required as follows:

- (i) Such Christian and other religious denominations as, in the opinion of the Local Authority, will appropriately reflect the principal religious traditions in the area
- (ii) Associations representing teachers
- (iii) The Local Authority

The current arrangements for Caerphilly SACRE are as follows:

#### **1. Faith Group Representatives (Committee A) (5 places)**

There have been no recent changes to membership and all positions are currently filled. At its Spring Term meeting it was confirmed that the Clerk to SACRE would liaise with those representatives who have not attended for some time to determine whether they wish to remain on the committee. As a result, the Salvation Army have indicated that they will nominate a replacement representative over the summer. The remaining members are unchanged.

Additionally, members are asked to consider information contained in Section C of this report in relation to membership requests and correspondence received from Welsh Government

#### **2. Teacher Association Representatives (Committee B) (6 places)**

There are three vacancies in this group arising from the recent resignations of Mrs Nicola Boardman (NUT). Ms Bethan Davies (UCAC) and Mrs Helen Marsh (ASCL). Efforts are ongoing to fill the vacant places with representatives from the relevant unions, with some success to date (refer to membership list at Appendix 1).

#### **3. Local Authority Elected Members (Committee C) (6 places)**

All positions are currently filled.

#### **4. Co-opted positions (without voting rights) (2 places)**

These appointments are made at the discretion of the Committee.

The first position is currently vacant but is reserved for a representative from Race Equality First or an equivalent organisation (to address the lack of representation from non-Christian religious communities within the faith group section of SACRE). At their Autumn Term meeting on 19th October 2017, SACRE unanimously agreed that the position should continue to be reserved for a representative from Race Equality First or an equivalent organisation.

The second position is currently filled by a primary school teacher representative, but they have not attended a meeting of SACRE for some time. The Clerk to SACRE has written to the representative on several occasions to determine whether they wish to remain on the committee but has not received a response by the given deadline. Therefore Members are asked to consider how they wish to proceed on this matter.

### **C MEMBERSHIP REQUESTS AND WELSH GOVERNMENT CORRESPONDENCE**

At their last meeting on 19th October 2017, SACRE were advised of membership requests received from Mr Michael Gray (a Methodist Church member and lay preacher) and Mr Ken Chamberlain (of the British Humanist Association). It was explained that Mr Gray would meet the criteria for a faith group representative (subject to endorsement from the Methodist Church) whilst Mr Chamberlain could only be considered for a co-opted position, as he did not meet the criteria for a faith group representative under the guidance from Welsh Government. However, SACRE noted that both requests would need to be declined because there were no vacancies in either of the respective groups at the time.

SACRE agreed for Mr Gray and Mr Chamberlain to be notified of the current membership situation (and for their interest to be held on file pending a suitable vacancy). It was also agreed that the Clerk to SACRE would contact those representatives who have not attended a meeting for some time to determine whether they wish to remain on the committee. It was explained at the meeting that this could potentially open up some vacancies across Committee A and the co-opted group.

Since this time, discussions have taken place regarding the Humanist situation in regards to membership of Committee A across SACREs in Wales, and WASACRE have written to Welsh Government asking for clarity on the matter. Clarification has recently been received in a letter from Kirsty Williams AM Cabinet Secretary for Education which is attached at Appendix 3.

As members will be aware Circular 10/94 provides guidance on how the membership of SACRE is constituted including Committee A.

The Circular states at paragraph 103:

“The inclusion of representatives of belief systems such as humanism, which do not amount to a religion or religious denomination, on Committee A of an agreed syllabus conference or Group A of a SACRE would be contrary to the legal provisions referred to at paragraph 102”.

Whilst the appointment of persons to a SACRE is a matter for local authorities and the SACREs, Welsh Government has taken legal advice into consideration and have advised that representatives from non-religious belief systems may be appointed to Group A of a SACRE or ASCs, to ensure that SACREs/ASCs fully reflect the beliefs of the communities that they are representing and to comply with current legislation.

However, WG consider the non-religious beliefs adhered to by the person to be appointed must be analogous to a religious belief, such as humanism. To be “analogous” WG consider the non-religious beliefs must in accordance with case law under the European Convention of Human Rights and the Human Rights Act 1998 attain the necessary level of cogency, seriousness, cohesion and importance to attract protection under the Convention Rights.

An appointment is dependent on the relevant local authority’s opinion as to whether such a representative would help ensure that the relevant traditions in the local authority’s area are appropriately reflected in Group A. The final decision of an appointment rests with the local authority, and they are best placed to assess whether a SACRE has the necessary expertise and experience to properly discharge its function.

The letter from WG advised that for the avoidance of doubt, the guidance set out in the letter attached at Appendix 3 supersedes paragraph 103 of Circular 10/94.

The letter also acknowledges that there are other areas of contention within the document that need to be addressed. As there are some complex issues, consideration of those matters is still on-going and therefore a review of the guidance will be considered once all information on this matter has been received.

On the basis of this letter Mr Chamberlain has requested that the Council take steps to increase the membership of SACRE so as to include a representative of Humanists as full members of Group A.

Should SACRE wish to increase the membership of Committee A, then a recommendation will need to be made to Council for approval.

## **D RECOMMENDATIONS**

1. That SACRE note the details of the current membership and the ongoing arrangements to fill the teacher representative vacancies, including details of any replacement representatives from the relevant unions if secured by the time of the meeting.
2. That SACRE note the details regarding co-opted positions and advise how they wish to proceed on this matter.
3. That SACRE determine whether it wishes to recommend to Council an increase in the number of members comprising Committee A.

## **E BACKGROUND PAPERS**

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| Appendix 1 | Caerphilly SACRE Membership as of June 2018                  |
| Appendix 2 | Minutes of the SACRE Inaugural Meeting - 18th September 1996 |
| Appendix 2 | Letter from Kirsty Williams AM                               |