

RECORD OF EXECUTIVE DECISION

Tuesday, 15 November 2022

Decision No: (CAB 22/23 35741)

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	Cabinet Member for Children and Learning
SUBJECT:	SACRE - ANNUAL REVIEW OF CONSTITUTION
AUTHOR:	Alison Philpott

THE DECISION

- (i) To recommend Southampton City Council Cabinet approve the amended Constitution for SACRE attached at Appendix 1 including the addition of a Humanist voting member in Group A as well as retaining an annually reviewed membership representative for a member with no specific religious affiliation. recognising secular representation as a 'belief' within the meaning of the Human Rights Act 1998 and accurately reflecting the changing nature of religious and non-religious beliefs in current society and the Southampton area.
- (ii) To note Cabinet will be asked to delegate authority to the Executive Director of Wellbeing, following consultation with the Chair of Sacre to agree an application process and determine any applications / appoint members to the vacancies approved in (i) above.
- (iii) To note Cabinet will be asked to delegate authority to the Executive Director of Wellbeing, following consultation with the Chair of Sacre to carry out a further review of SACRE membership once the Census 2021 data has been published in 2023 and to bring back any further recommendations on Membership changes to the next annual review of the SACRE Constitution in November 2023.

REASONS FOR THE DECISION

Data that was analysed in last year's review from the available school information systems indicate that the proportions of parents of over 13,500 children (40%) recorded that their child has "no religion" which is the largest single group represented across current pupils across the city. This remains the case in the most recent pupil level data.

During the review (November 2020) full voting membership for Humanists as a specific group was considered, but not recommended. The two previous decisions have been considered in this review and there was insufficient

evidence that Humanists would represent all people who would be within this population group hence the proposed Humanist member plus retaining the non-affiliated member.

A review of pupil data continues to show a need to reflect wider 'belief' systems (including a belief in secularism) and recognises based on the current evidence that a place should be made available to accommodate this within the SACRE Constitution. In order to ensure all groups representing secular or non-religious beliefs have an opportunity to apply for a place on SACRE an application process, has been proposed so SACRE can aim to ensure appropriate representation from across all groups, within the SACRE legal framework, who may belong to the population group in the city, and recognise this would include people who would say they are Humanists, hence the proposal of a full member representative for Humanists. No other group with worldview values and beliefs have approached or been involved in SACRE.

If this proposal is rejected and the current constitution reviewed in November 2021 persists then it is probable that the South Hampshire Humanists and / or other affected groups will seek a Judicial Review with an aim to have the decision overturned. This would potentially have a financial and reputational implication to SCC.

DETAILS OF ANY ALTERNATIVE OPTIONS

To either give full membership to Southampton Hampshire Humanists, but thereby preventing other non-faith groups being represented, or having no non-faith groups represented on SACRE which would disenfranchise a sizeable proportion of those living in Southampton and prevent their views and opinions from helping to shape the overall nature of Religious Education in maintained schools specifically under SACRE statutory duties, and those non-maintained who follow the Locally Agreed Syllabus.

Alternatively, to continue with either non-affiliated membership or co-opted member status, however this has previously been the subject of legal challenge by a Local Humanist group and while a legal challenge may be defensible under current legislation, it is unlikely to be in the public interest to defend such proceedings when there is evidence supporting the need to review membership to include more secular belief systems being represented on SACRE.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None

CONFIRMED AS A TRUE RECORD

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision.

Date: 15th November 2022

Decision Maker:
The Cabinet

Proper Officer:
Judy Cordell

SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny "Call-In" provisions.

Call-In Period expires on

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*