



Title of meeting:	Cabinet Member for Children, Families and Education
Date of meeting:	30 October 2024
Subject:	Proposed changes to the constitution of the Portsmouth Standing Advisory Council for Religious Education (SACRE)
Report by:	Justine Ball, SACRE Professional Adviser
Cabinet Member:	Councillor Suzy Horton, Cabinet Member for Children, Families and Education
Wards affected:	All wards
Key decision:	No
Full Council decision:	No

1. Purpose of report:

A SACRE's constitution is broadly determined by the Education Act 1996, Sections 390–399 and Statutory Instrument 1994 Number 1304: The Religious Education (Meetings of Local Conferences and Councils) Regulations 1994. SACREs need to have constitutions which should conform to the legislation.

2. Recommendations

That the Cabinet Member for Children, Families and Education:

- i) Accepts the request by the SACRE to revise its constitution; and**
- ii) Endorses the proposed Portsmouth SACRE constitution as amended by the SACRE at its meeting on 12 June 2024.**

3. Background

- 3.1 A constitution will usually state which bodies are the sponsoring bodies for Groups A, C and D. The constitution should be reviewed by the Local Authority's legal services as the Local Authority is the appointing body, but SACRE can ask for changes to the constitution if it is no longer fit for purpose, using the legal requirements as a starting point.
- 3.2 Some SACRE constitutions also contain terms of reference. These are added to give clarity to the constitution and are intended to be helpful to non-specialist readers, such as defining what a term might be or what an acronym refers to. Some also incorporate a code of conduct for SACRE members, though in Portsmouth's case this is a separate document.

- 3.3 SACRE's constitution was last reviewed at its meeting of 1 November 2023 (minute no. 35). At that meeting, the SACRE resolved to:
- a) Invite SACRE members to participate in small working group meetings on Teams to consider the membership for each Group (Group A members to consider Group A membership; Group B to review Group B membership etc).
 - b) Invite each working group to make recommendations to the SACRE about whether they would like to make amendments to the membership for their Group.
 - c) Note that any amendments to the SACRE constitution will be presented to the Cabinet Member for Children, Families and Education.
- 3.4 Following the meeting on 1 November 2023, the Professional Adviser to the SACRE set up Teams meetings and/ or consulted members of each Group by email to seek a consensus about the future membership of each Group.
- 3.5 The Professional Adviser and SACRE Clerk also conducted a best practice review of the constitutions of other SACREs including those of the Isle of Wight, Southampton, Newham, Lewisham and Bristol. This review identified several areas where clarity on matters of procedure within the constitution could be made and these have been included.
- 3.6 At its meeting on 12 June 2024 (minute no. 25), the SACRE considered a new draft constitution in the light of the consultation and best practice review and resolved to:
- a) Agree the draft Portsmouth SACRE constitution attached to this report, subject to amendments relating to descriptions of religions, faiths or traditions (Group A) and the Authority's legal advisors.
 - b) Recommend to the Cabinet Member for Children, Families and Education that the Local Authority accepts the request by the SACRE to revise its Constitution and endorses the revised Portsmouth SACRE Constitution proposed.
 - c) Publish the agreed SACRE constitution on the Authority's website so that it is available to SACRE members and members of the public.
 - d) Review the constitution every four years.

4. Reasons for recommendations

- 4.1 Every SACRE needs a constitution to ensure it operates efficiently and fulfils its statutory duties.
- 4.2 The constitution provides a structure for its work and ensures SACRE meetings are held in a way that is publicly accountable.



4.3 The SACRE constitution needs to be reviewed if there is a change in legislation or of the religious demographics of the area. It is good practice, though, to review the constitution on a four yearly basis given the term of appointment for members.

5. Integrated impact assessment

5.1 An integrated impact assessment has been completed.

6. Legal implications

6.1 The SACRE has been established in accordance with section 390 of the Education Act 1996 as amended. SACREs are legally constituted bodies, appointed by the local authority to perform statutory functions.

6.2 Under section 390(4) the members of the group should be "a group of persons to represent such Christian denominations and other religions and denominations of such religions as, in the opinion of the authority will appropriately reflect the principal religious traditions in the area".

6.3 The Council is required to consult the Portsmouth SACRE on a review of its constitution and consider any recommended changes put forward following that consultation alongside its own review of the makeup of SACRE and how it operates.

6.4 Alterations to the SACRE constitution must be approved by Cabinet.

6.5 The Cabinet Member is able to make the recommendations set out in this report, in accordance with the City Council's constitution.

7. Director of Finance's comments

7.1 There are no financial implications with the proposed change in the Constitution. The overall cost of SACRE is monitored as part of the council's budget monitoring process.

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Signed by:

Appendix A - DRAFT Portsmouth SACRE Constitution, dated June 2024 with new or amended text highlighted in red typeface.

Background list of documents: Section 100D of the Local Government Act 1972



The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by Councillor Suzy Horton, Cabinet Member for Children, Families and Education: