

Committee: Council

Date: 13 July 2016

Subject: Changes to Membership of Committees and related matters

Lead officer: Ged Curran, Chief Executive

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Recommendations:

That the Council

1. notes that, in respect of the Mayor of Merton's Charitable Trust, Councillors Agatha Akyigyina and Pauline Cowper have resigned with effect of 22 June 2016 and secondly that the Council note the appointment of the Mayor Councillor Brenda Fraser and Deputy Mayor Councillor Stan Anderson as trustees from 22 June 2016.
 2. agrees the updated terms of reference of Standing Advisory Council On Religious Education (SACRE), as detailed in Appendix A
 3. notes the changes to the membership of Committees that were approved under delegated powers since the last meeting of the Council.
 4. following the changes of memberships, re-appoint Councillors Daniel Holden and Adam Bush as the Vice-Chair of Sustainable Communities Overview & Scrutiny Panel and the Pension Fund Advisory Committee respectively
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report asks the Council note the membership changes to the Merton's Charitable Trust and changes made to committee membership under delegated powers since the publication of the agenda for the Council meeting held on 18 May 2016.
- 1.2. The report also asks the Council to approve a revised terms of reference of Standing Advisory Council On Religious Education (SACRE)

2 DETAILS

- 2.1. Following the Mayor of Merton's Charitable Trust meeting held on 22 June 2016 a change in Membership has occurred. Councillors Agatha Akyigyina and Pauline Cowper have resigned and the Mayor Councillor Brenda Fraser and Deputy Mayor Councillor Stan Anderson were appointed as new trustees.
- 2.2. The Council is required to establish SACRE (Standing Advisory Council on Religious Education) under Section 3.90 – 3.97 of the Education Act 1996 as amended. The proposed revised terms of reference, as detailed in Appendix A, replace the incomplete version previously agreed by Council.

2.3. The following membership changes have been made under delegated powers in accordance with section A4 of part 3F of the Constitution:

Committee	Member resigning	Replaced by	Date
Children and Young People's Scrutiny panel	Councillor Geraldine Stanford	Councillor Jerome Neil	20 May 2016
Joint Health Overview & Scrutiny Committee	Councillor Greg Udeh	Councillor Peter McCabe	20 May 2016
Joint Regulatory Services Committee	Councillor Martin Whelton	Councillor Nick Draper	23 May 2016
Sustainable Communities Overview & Scrutiny Panel	Councillor Daniel Holden	Councillor James Holmes	24 May 2016
Sustainable Communities Overview & Scrutiny Panel	Councillor Michael Bull	Councillor Najeeb Latif	24 May 2016
Sustainable Communities Overview & Scrutiny Panel	Councillor James Holmes	Councillor Daniel Holden	3 June 2016
Sustainable Communities Overview & Scrutiny Panel	Councillor Najeeb Latif	Councillor Michael Bull	3 June 2016
Sustainable Communities Overview & Scrutiny Panel	Councillor Michael Bull	Councillor Hamish Badenoch	6 June 2016
Sustainable Communities Overview & Scrutiny Panel	Councillor Hamish Badenoch	Councillor Michael Bull	15 June 2016
Pension Fund Advisory Committee	Councillor Adam Bush	Councillor Stephen Crowe	15 June 2016
Standards and General Purposes Committee	Councillor Michael Bull (Substitute Member)	Councillor Linda Taylor (Substitute Member)	28 June 2016
Standards and General Purposes Committee	Councillor Linda Taylor (Substitute Member)	Councillor Michael Bull (Substitute Member)	1 July 2016
Pension Fund Advisory Committee	Councillor Stephen Crowe	Councillor Adam Bush	7 July 2016

3 CONSULTATION UNDERTAKEN OR PROPOSED

3.1. N/A

4 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

4.1. None for the purposes of this report.

5 LEGAL AND STATUTORY IMPLICATIONS

5.1. The information regarding membership changes in this report complies with legal and statutory requirements. Council is required to accept nominations made by political groups.

6 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

6.1. None for the purposes of this report.

7 CRIME AND DISORDER IMPLICATIONS

7.1. None for the purposes of this report.

8 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

8.1. N/A

9 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

Appendix A – Revised Terms of Reference for Standing Advisory Council On Religious Education (SACRE)

10 BACKGROUND PAPERS

10.1. Documents from the authorised officer confirming approval of the membership changes agreed under delegated powers.

Standing Advisory Council On Religious Education

Membership:

See section 3 below

Constituted by: Council

Powers and Duties determined by: Section 390 of the Education Act 1996

Authority: Section 390 of the Education Act 1996

The Council shall be called the Merton SACRE (Standing Advisory Council on Religious Education).

It is established under Section 3.90 – 3.97 of the Education Act 1996 as amended.

1. Introduction

It is required by law that religious education (RE) is taught in schools to children up to the age of 18 but it is not part of the National Curriculum. Instead RE is a local responsibility. SACRE oversees RE and collective worship in Local Authority (LA) schools on behalf of the LA. The Funding Agreement for an Academy without a religious designation states that it must arrange for RE to be given to all pupils in accordance with the requirements for agreed syllabuses that are set out in section 375(3) of the Education Act 1996 and paragraph (5) of Schedule 19 to the School Standards and Framework Act 1998. Academies can opt to use a locally agreed syllabus.

The Merton SACRE will operate within the law and guidance in force issued by parliament, the courts and the Department for Education (DfE). If there is any conflict of interest between this constitution and the law, SACRE will comply with the law.

2. Role, functions, duties and responsibilities

The broad role of the SACRE is to support the effective provision of RE and collective worship in schools. The London Borough of Merton will work with the Merton SACRE to monitor and review the existing provision of RE and collective worship.

The functions of SACREs are set out in Section 391 of the Education Act 1996 (as amended). Other responsibilities are outlined in DfE Circular 1/94: "Religious Education and Collective Worship".

The duties and responsibilities are:

- a. To advise the LA on such matters concerned with school worship and with Religious Education according to an Agreed Syllabus as the LA may request or as the SACRE may see fit. These matters might include methods of teaching, choice of materials to deliver the Agreed Syllabus, and the provision of teacher training.
- b. To provide advice and support on the effective teaching of the Agreed Syllabus.

- c. To evaluate how well the Agreed Syllabus supports the quality and provision of Religious Education in schools.
- d. To require the LA to set up a Statutory Conference to review the Agreed Syllabus at any time if, in the opinion of SACRE, this becomes necessary. The Agreed Syllabus must in any case be reviewed and updated at least every 5 years.
- e. 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 of RE and the learning of pupils.
- f. Offer schools and the LA advice concerning how an existing syllabus can be interpreted so as to fit in with wider changes in education.
- g. To receive and determine whether an application from a Headteacher to vary the requirement for worship of a broadly or mainly Christian character is appropriate for the whole school or for groups of pupils. For an agreement to be made, the Headteacher, governors and parents need to be in agreement.
- h. To publish an annual report on its work of SACRE and on actions taken by any of its groups. This report will be made available to DfE, NASACRE, Headteachers; the appropriate Council Committee and senior LA officers; and to the public.
- i. To support schools to work effectively to promote multi-faith and belief understanding and to combat religious prejudice and discrimination.

3. Membership

There are two kinds of membership:

- a. Those nominated by the sponsoring groups and formally appointed by the Local Authority and who work within one of the 4 groups
- b. Those co-opted by SACRE

The Merton SACRE will be represented by members who can fully support the effective provision for RE and collective worship in schools. All members shall be delegates who are interested in education in general and RE in particular.

In accordance with the provision of Section 390 of the Education Act 1996 (as amended) the membership will be allocated to four groups as follows:

Group A

Such religions and belief groups (other than the Church of England) as, in the opinion of the LA, appropriately reflects the principal religious and belief traditions in the Borough of Merton.

Where a faith group not currently represented on Group A wishes to join SACRE, the representative will be asked to attend a SACRE meeting to present their request.

SACRE will then refer the matter to the Local Authority, recommending either approval, rejection or co-option, with reasons.

Group B

The Church of England.

Three representatives, at least one of whom should be nominated by the Southwark Diocesan Board of Education.

Group C

Such associations representing teachers and Headteachers as, in the opinion of the Local Authority, ought, having regard to the circumstances of the borough, be represented.

Group D

The Local Authority.

Three elected Councillors, as nominated by the political groups represented on Merton Council at the Council's Annual Meeting in May.

The power to appoint members is vested in the Local Authority in consultation with the appropriate representative body.

Before any appointment is approved the LA will take all reasonable steps to assure itself that the nominee is representative of the relevant faith group or association in Merton and that they fully support the effective provision of RE and collective worship in schools.

4. Deputies

Any member unable to attend a meeting may nominate a named deputy to attend and vote in their place. Named deputies should be notified to the Clerk and the Chair in advance of the meeting.

5. Co-options

The SACRE may co-opt further members if it is felt that the existing members do not adequately reflect the principal belief groups and/or religious traditions of the area, or for particular purposes and such length of time as representative groups on the SACRE shall decide.

SACRE will decide co-options following nominations from members of SACRE or representative groups. SACRE should consider the following when co-options are decided. Candidates should:

- a. have some experience as religious educators;
- b. have an inclusive view of the aims of religious education and collective worship;

- c. where possible be representative of specific education phases, to provide a balanced spread across various phases.

Co-opted members shall hold office on such terms as may be determined at the time of co-option by the SACRE members. This may be for a fixed-term project, or for term of four years.

There is no right of succession for co-opted members. SACRE shall agree through a vote if a replacement co-opted member is required and fulfils the stipulations set out above.

Co-opted members may participate fully in the discussion of the SACRE but may not vote or participate in the co-option of others.

6. Term of office of members

Members of Group D (elected members) shall be elected at the Annual Meeting of Merton Council.

All other appointments to SACRE shall generally be for a term of up to 4 years. The SACRE will review its membership annually at its Summer Term meeting.

7. End of membership

Any member from any Group will be removed from SACRE if:

- a. They reach the end of their term of appointment and have not been re-nominated.
- b. They write to the Chair or Clerk of SACRE tendering their resignation.
- c. They were appointed to the SACRE by virtue of holding a particular office and they no longer hold that office.
- d. They do not attend 3 consecutive meetings without a satisfactory reason. SACRE will decide whether their reason is satisfactory.
- e. Their representative group states, in writing to the Chair or Clerk of SACRE, that one of their nominated members should no longer act as its representatives on the SACRE.
- f. The LA determines, on reasonable grounds and in discussion with the Chair and Vice Chair, that a member is unable, unwilling or an unsuitable person to be a member of SACRE.

8. Vacancies

In the event of a vacancy the Clerk shall:

- Advise the representative group of the vacancy and invite them to nominate a replacement
- Refer any nomination to the LA for approval

- Confirm that nominee's appointment as a SACRE member once LA approval has been received.

In the absence of nominees from a representative group the Local Authority, following discussion with the Chair and Vice Chair, may nominate and appoint any person that it considers to be representative of that group and deems appropriate to fill the vacancy.

9. Chair and Vice-Chair

The Chair and Vice Chair shall be elected by the SACRE members for a period of four years, with the option for renewal, at the Summer Term meeting, or at any meeting during the year when the positions are vacant, provided that the meeting is quorate.

The Clerk should invite nominations from SACRE members prior to the start of the meeting.

Voting for the Chair and Vice Chair will be by a simple majority of SACRE members.

If there is more than one nomination for each position then a secret ballot will take place. In the event of a tie the Clerk will settle the matter by tossing a coin.

In the case of no nominations an executive committee consisting of a member of each group shall be set up.

The Chair will be responsible for:

- the management of meetings;
- representing the SACRE to other bodies;
- holding an annual meeting with the Director (Children, Schools & Families) to review the Annual Report
- such other duties as the SACRE considers appropriate.

The Vice-Chair will be responsible for:

- deputising for the chair as required;
- representing the SACRE to other bodies in the absence of the chair or in agreement with the chair;
- such other duties as the SACRE considers appropriate.

10. The Local Authority Officer

SACRE will be supported by an Officer from the LA's Children, Schools and Families Department who will:

- attend each meeting;

- advise on the convening of the Agreed Syllabus Conference in liaison with the SACRE Chair;
- represent the views of the LA at the meetings;
- advise the LA on the funding needed to enable SACRE to perform its required functions.

11. The Clerk

The Local Authority will appoint, fund, supervise and support a Clerk who will:

- attend the full meetings of SACRE, any agenda-setting meeting and Agreed Syllabus conference meetings;
- take appropriate minutes and notes at meetings;
- maintain and update the records of SACRE and its meetings;
- provide a copy of the minutes and papers of meeting to the members of SACRE and LA;
- perform any other necessary administrative duties, including those required by this Constitution.

12. Voting

In general proceedings, routine decisions can be approved by SACRE members giving their consent by a show of hands. Agreeing a revised Agreed Syllabus (ASC), constitutional reform, and matters of controversy as agreed by the chair should be dealt with by a unanimous vote in groups/ committees.

Each of the four constituent groups on SACRE shall have one vote, totalling 4 votes in all. Decisions made within each representative group, including how to cast that group's vote on any question to be determined by the whole SACRE, require a majority vote. Groups will determine their own internal voting arrangements. Decisions within a group about how their group vote is cast do not require unanimity. Each group is to regulate its own proceeding including provision for resolving deadlock.

The validity of the proceedings of SACRE or of the members of SACRE of any particular category shall not be affected by a vacancy in the office of any member of SACRE, or on the ground that a member appointed to represent any religion, religious denomination or association does not at the time of the proceedings represent the religion, religious denomination or association in question.

13. Quorum

A quorum shall consist of one third of the appointed members and must include representation from each of the four constituent groups.

14. Frequency of meetings

There will normally be 3 SACRE meetings per year, one in each school term. It is for each of the four constituent groups to determine whether they wish to meet on an ad hoc basis outside meetings of the full SACRE.

Special meetings may be called by the Chair and LA acting jointly.

15. Notice of meetings

The Clerk will, no later than 5 working days before the meeting, circulate the agenda and supporting papers to the members.

Items for the agenda may be submitted by any of the members of the four groups, and such items should be sent to the Clerk not less than 14 days before a meeting.

16. Minutes

The minutes of each meeting shall be sent by the Clerk to each member as soon as practicable after a meeting. The minutes shall be approved and signed at the next meeting.

17. Convening an Agreed Syllabus Conference

The LA is required to convene an Agreed Syllabus Conference (ASC) to review the Agreed Syllabus every five years. An ASC may be convened more frequently if, in the opinion of SACRE, it becomes necessary to review the Agreed Syllabus.

18. General

The SACRE may if it wishes establish working parties to take forward specific projects. These working parties will report back to SACRE regularly.

In accordance with the statutory requirements of the Education Act 1996 and associated regulations, the press and public will be entitled to attend meetings of the Council, but may be excluded from the meeting during the consideration of items containing information capable of being treated as exempt information if meetings of SACRE were meetings of a Local Authority.

All papers of the SACRE shall be available on the local authority's website, except in relation to any matter deemed by the SACRE to be confidential.

19. Complaints

To make a complaint about SACRE as a whole or individual members acting in their capacity as SACRE members you can contact the Local Authority's Complaints Team by:

Email: complaints@merton.gov.uk

Writing to: The Complaints Team, Merton Civic Centre, London Road, Morden, SM4 5DX

Telephone: 020 8545 3060 (weekdays, 9am - 5pm) – you may be asked to confirm the details of your complaint in writing or via email.

20. Review

The Constitution/ Terms of Reference will be reviewed every four years.

The date of the next review is: 2020.

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