

GWYNEDD COUNCIL CABINET



Report for a meeting of Gwynedd Council Cabinet

Date of meeting: 2 April 2019
Cabinet Member: Councillor Gareth Thomas
Contact Officer: Garem P Jackson
Contact Telephone Number: 01286 679089 ext 32089
Title of Item: REVIEW OF THE GWYNEDD STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION (SACRE) CONSTITUTION

1. THE DECISION SOUGHT

(i) The recommendation of the Education Department and the Gwynedd SACRE Committee is to change the membership of Group A :

- Group A - Christianity - keep at 6
Propose to invite one representative from the beliefs
Buddhism, Islam, Hinduism, Judaism, Sikhism and the Humanists
- Group B - representation of Teachers and Headteachers - keep at 5
- Group C - Elected Members - keep at 7
- Co-opted - SACRE Committee to retain the right to co-opt members

(there are 3 votes, which is 1 for each Group. The Co-opted members do not have a vote)

(ii) The recommendation of the Education Department and the Gwynedd SACRE Committee is to allow the application of the Humanists to become part of Group A on the Gwynedd SACRE Committee.

2. THE REASON FOR THE NEED FOR A DECISION

- 2.1. The Council has not considered the constitution since 1996.
- 2.2. The Education Minister's letter on 03/05/18 confirms that representatives from non-religious beliefs can be appointed to Group A in order to ensure that SACRE reflects the beliefs of the communities it serves in full, and in order to conform to current legislation. This letter specifically supersedes paragraph 103 of Circular 10/94 [**Appendix**].
- 2.3. A request from Bangor Humanists to join as member(s) of Group A on the Gwynedd SACRE Committee.

- 2.4 In considering the request of the Humanists to join as a member of Group A, it is timely to give consideration to other beliefs in order to give attention to a variety of the beliefs of Gwynedd on the SACRE committee.
- 2.5 The SACRE must be inclusive, containing a variety of broader religious traditions than we currently have and the advantages of having a variety of this broader diversity when developing the religious education curriculum which prepares our young people to become ethical, informed citizens of Wales and the world.

3. PRESENTATION AND RELEVANT CONSIDERATIONS

Background

The Education Act 1996 places a duty on the local authority to establish a standing council to advise it on religious education.

SACRE Functions

- Advise the Local Authority on worship in schools and the the religious education to be provided in accordance with the agreed syllabus, including teaching methods, advice on materials and the provision of training for teachers;
- Consider whether it should be recommended that the Local Authority's current agreed syllabus should be reviewed by calling an Agreed Syllabus Conference (ASC);
- Consider requests from schools to come to a decision (to be excluded from the requirement that religious worship should be "Christian");
- Report back to the Local Authority and Welsh Government on its activities annually.

SACRE Membership

The Act notes that SACRE should include representatives from among the following:

- A group of persons to represent the Christian denominations and other religions as, in the opinion of the authority, will appropriately reflect the principal religious traditions in the area ('Group A')
- A group of persons to represent such associations representing teachers as, in the opinion of the authority, ought to be represented, having regard to the circumstances of the area
- A group of persons to represent the authority

Only the above representative groups have the right to vote, and each group will have one vote.

SACRE itself could also co-opt members (but they would not have a vote)

Circular 10/94

In addition to the statutory provision, in 1994 the former Welsh Office published guidance on Religious Education and Collective Worship on the form of Circular 10/94, which includes provisions involving the implementation of SACRE.

Gwynedd Council SACRE

The SACRE membership was determined by the Gwynedd Council Education Committee in 1996, and the current membership is as follows:

Christians and Other Faiths (Group A)

The Methodist Church (1) - awaiting a nomination
The Congregationalists (1) - awaiting a nomination
Presbyterian Church of Wales (1)
Union of Welsh Baptists (1)
Catholic Church (1)
Church in Wales (1)

Teachers representing the following Unions

ASCL (1)
NAS/UWT (1)
UCAC (1)
NUT (1)
ATL (1) – awaiting a nomination

Elected Members Membership (7)

(based on political balance)
Plaid Cymru (4)
Independent (3)
(Ex-officio Members, the Chair and Vice-chair of the Council)
The SACRE has not been reviewed since then.

Recent Developments

Humanists have been eager to be represented on SACREs as members of Group A. Whilst many include them as co-opted members, the general custom is not to permit them to become full members. This is based on the guidance in the legislation and in the interpretation and guidance given in Circular 10/94, where paragraph 103 states:

"Including the representatives of belief systems such as Humanism, that are not tantamount to religion or a religious denomination, on... SACRE A Group, would be contrary to the legal provisions referred to in paragraph 102 of the circular."

The issue has been the subject of considerable discussions on a national level, including a legal challenge from Humanists UK against Glamorganshire Council on the basis that refusing to include humanists as a full member is contrary to the Human Rights Act and the European Convention on Human Rights.

Consequently, the SACREs Association wrote to Kirsty Williams AM, Cabinet Secretary for Education in Welsh Government, earlier this year to ask for clear advice and guidance in light of this conflict between two legal systems.

In response, the Education Director of Local Authorities wrote on 3 May 2018 to confirm Welsh Government's opinion, that representatives from non-religious beliefs can be appointed to Group A in order to ensure that SACRE reflects the beliefs of the communities it serves in full, and in order to conform to current legislation. This letter specifically supersedes paragraph 103 of Circular 10/94

[Appendix]

In relation to non-religious beliefs, it states "...that non-religious beliefs cultivated by the individual to be appointed must be compatible with a religious belief, such as humanism. In order to be "compatible", we consider that the non-religious beliefs, in accordance with the case law under the European Convention of Human Rights and the Human Rights Act 1998, must reach the required level of force, seriousness, coordination and importance to ensure protection under the Convention Rights.

A request was received from Bangor Humanists to appoint a humanist as a full member of the SACRE. Recent guidance from Welsh Government means that the authority may consider the application
[Appendix]

There has been review of SACRE membership since 1996, and it would also be appropriate and timely, therefore, to consider the constitution of the SACRE in its entirety.

Considerations

The number of representatives appointed to Group A to represent each denomination or religion required to represent, briefly reflects the denomination or religion's proportional strength in the local area. The letter dated 3 May 2018 explains:

- *an appointment depends upon the opinion of the relevant local authority regarding whether such a representative would help ensure that the relevant traditions in the local authority's area are reflected appropriately in Group A. The local authority is responsible for determining appointments, as it is the best situation to assess whether SACRE has the required expertise and experience to deliver its function appropriately."*

Evidence

SACRE's constitution was determined in 1996 based on the following information

The Roman Catholic Church	11.1%
Church in Wales	18.4%
Presbyterian Church of Wales	43.3%
The Methodist Church	5.6%
Congregationalist Union	16.3%
Baptist Union	4.3%
Other Denominations	1%

The latest figures we have are the figures from the 2011 Gwynedd Census, and a summary of these are seen below. No specific category is noted for Humanists in the census, however, they could be incorporated in any of the following categories - *Other religion, No religion or Religion not noted.*

	COUNTY	ARFON	DWYFOR	MEIRIONNYDD
Christianity	59.5%	55.6%	64.6%	62.3%
Buddhism	0.3%	0.4%	0.3%	0.3%
Hinduism	0.2%	0.3%	0.1%	0.1%
Judaism	0.0%	0.1%	0.0%	0.0%
Islam	1.1%	1.9%	0.4%	0.3%
Sikhism	0.0%	0.0%	0.0%	0.0%
Other religion	0.5%	0.5%	0.4%	0.6%
No religion	29.7%	32.5%	25.8%	27.8%
Religion not noted	8.6%	8.6%	8.4%	8.6%

4. NEXT STEPS AND TIMETABLE

- 4.1 Submit the decision to the SACRE Committee.
- 4.2 Act on the change to the Constitution in accordance with the decision of the Cabinet.

5. ANY CONSULTATIONS UNDERTAKEN PRIOR TO RECOMMENDING THE DECISION

5.1 The opinion of Gwynedd's Education Department and the Supporting Improvement Adviser (with Religious Education expertise):

- The Education Department wishes to ensure that the religious education presented in our schools reflects the nature of the local community and the views of Gwynedd residents. The diverse religious community in Gwynedd needs to be reflected.
- The committee would benefit from hearing the voices of various religions in their religions which are essential for the Religious Education Learning Field curriculum.
- It would promote contact between Head teachers, Teachers and Pupils with different beliefs directly face to face, rather than just from books.
- It would be an opportunity to create bridges and promote a more tolerant community of various beliefs.
- The current agreed syllabus (based on the National Exemplar Framework for Religious Education) refers to the need to give pupils opportunities to "draw on their own experiences and on a variety of informed religious and non-religious sources, including other disciplines, in order to gather evidence and develop appropriate arguments" (KS3).
- The current specification for GCSE Religious Studies refers to the need to present non-religious beliefs to pupils. Getting input from local Humanists will ensure that the views of Humanists are correctly represented in the lessons.

5.2 The Gwynedd SACRE Committee's opinion on inviting other religions - It would be an opportunity for Gwynedd SACRE to be more inclusive by containing a wider variety of traditional religions than we currently have, and these advantages of having this broader diversity when developing the religious education curriculum is what prepares our young people to become ethical, informed citizens of Wales and the world.

5.3 The Gwynedd SACRE Committee's opinion on inviting religions compatible with a religious belief - that non-religious beliefs cultivated by the individual to be appointed must be compatible with a religious belief, such as humanism (in accordance with the opinion of Welsh Government), with the condition that these non-religious beliefs are taught at Gwynedd Schools. It was confirmed that Humanism is presented in some Gwynedd schools and therefore, that the Gwynedd SACRE Committee supported the Humanists' bid for a seat in Group A.

5.3 Wales Association of SACREs, the Association has enquired about the guidance from the Education Minister that is in her letter dated 03/05/18, confirming that representatives from non-religious beliefs can be appointed to Group A in order to ensure that SACRE reflects the beliefs of the communities it serves in full, and in order to conform to current legislation. This letter specifically supersedes paragraph 103 of Circular 10/94 **[Appendix]**

5.4 Views of the Statutory Officers:

i. Monitoring Officer: The Legal Service has had input into the report and therefore nothing further to add in terms of propriety.

ii. Head of Finance Department: Nothing to add to the report from a Financial propriety perspective.

Background Document

Welsh Office Circular 10/94

Relevant Appendices to the Recommendation

Application letter from Bangor Humanists October 2017

Kirsty Williams's letter, Welsh Government

Religion Statistics of the Gwynedd 2011 Census