



City of Westminster Cabinet Member Report

Decision Maker:	Cabinet Member for Younger People and Learning
Date:	25 January 2021
Classification:	For General Release
Title:	Westminster City Council's Constitution for "The SACRE"
Wards Affected:	All Wards
Key Decision:	No
Financial Summary:	There are no financial implications arising from this report.
Report of:	Jackie Saddington Head of School Governor Services and Adviser to The SACRE.

1. Executive Summary

- 1.1 SACREs are legally constituted bodies, appointed by the local authority to perform statutory functions. The SACRE has been established under the provisions of section 390-397 of the 1996 Education Act. Every SACRE needs a constitution to ensure it operates efficiently and fulfils its statutory duties. The constitution provides a structure for its work and ensures SACRE meetings are held in a way that is publicly accountable.
- 1.2 It is the responsibility of the local authority to write the constitution in accordance with the Education Act 1996 or to approve a constitution proposed by the SACRE itself having been devised in accordance with the Act.

2. Reviewing the Constitution

- 2.1 The constitution will need reviewing 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. The review should be undertaken in partnership with the LA but all four groups that constitute "The SACRE"

must agree to those changes, unless they are mundane such as the removal to references of bodies that no longer exist.

- 2.2 The constitution for the Westminster SACRE was last reviewed in May 2014.
- 2.3 Prior to the June 2020 meeting of “The SACRE”, a Member had questioned whether the election process for the Chair and Vice Chair was clear enough, with the move to virtual meetings. As a result, the Chair had requested that the constitution was reviewed and a draft copy brought to the meeting on 10 June 2020.
- 2.4 The constitution was reviewed by the LA adviser and the consultant to “The SACRE” and a draft copy presented to the members on 10 June 2020. At this meeting the members asked for further revisions and for the constitution to be updated and brought to the next meeting.
- 2.5 At the meeting of “The SACRE” held on 6th October 2020, members unanimously agreed that the Local Authority should be asked to approve the constitution, as shown at Appendix A.

3. Recommendation

- 3.1 That the Cabinet Member for Younger People and Learning approves the recommendation of “The SACRE” to adopt from 1st February 2021 the constitution set out at Appendix A as Westminster's constitution for “The SACRE”.

4. Reasons for Decision

- 4.1 “The SACRE”, having taken advice from the adviser to “The SACRE” and the Local Authority adviser, have concluded that the revised constitution for “The SACRE” will best serve “The SACRE” needs.
- 4.2 All groups of “The SACRE” have contributed to the recommendation and unanimously agreed to adopt the constitution once agreed by the Local Authority.

5. Background

- 5.1 Every SACRE must have a constitution.
- 5.2 The Local Authority must approve the constitution of “The SACRE”.

6. Financial Implications

- 6.1 There are no financial implications to the recommendation.

7. Legal Implications

7.1 “The SACRE” has been established under the provisions of section 390-397 of the 1996 Education Act.

8. Consultation: None

BACKGROUND PAPERS

The documents referred to in compiling this report are:

Education Act 1996 Sections 390-397

Constitution for “The SACRE”

If you have any queries about this report or wish to inspect any of the Background Papers, please contact: Jackie Saddington, Tel: 07739 315427 email: Jackie.saddington@rbkc.gov.uk

For completion by the **Cabinet Member for Younger People and Learning**

Declaration of Interest

I have <no interest to declare / to declare an interest> in respect of this report

Signed:

Date:

NAME:

State nature of interest if any

(N.B: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter)

For the reasons set out above, I agree the recommendation(s) in the report entitled **Westminster City Council's Constitution for “The SACRE”** and reject any alternative options which are referred to but not recommended.

Signed

Cabinet Member for Younger People and Learning

Date

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment:

If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Head of Legal and Democratic Services, Chief Operating Officer and, if there are resources implications, the Director of Human Resources (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Member: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication to allow the Policy and Scrutiny Committee to decide whether it wishes to call the matter in.