

Slough Borough Council

Report To:	Council
Date:	25 April 2024
Subject:	Review of the Membership of SACRE
Chief Officer and Contact Officer:	Stephen Taylor, Monitoring Officer
Ward(s):	All
Exempt:	NO
Appendices:	Appendix – Minutes of SACRE meeting held on 2 November 2023

1. Summary and Recommendations

- 1.1 This report considers whether Council should amend the terms of reference of the Council's Standing Advisory Committee on Religious Education (SACRE) to enable a representative with no religious belief, such as a humanist, to join Committee 1 of SACRE, in the light of a recent High Court decision.

Recommendations:

That having regard to the views of SACRE, the terms of reference of SACRE not be amended at this time but that SACRE be asked to review the membership of SACRE during the 2024/25 Municipal Year.

Reason:

To give Council the opportunity to review SACRE's membership following the recent High Court decision and SACRE's consideration of the matter.

Commissioner Review

Commissioners are content with this report.

2. Report

Background

- 2.1 SACRE advises the Borough Council on such matters connected with religious worship in community or foundation schools which do not have a religious character, and the religious education to be given in accordance with an agreed or other syllabus as the Borough Council may refer to it or as it may see fit. SACRE further advises in particular on methods of teaching, the choice of materials and the provision of training for teachers.
- 2.2 SACRE is comprised of 4 groups representing Christian Denominations and Other Faiths (Committee 1); the Church of England (Committee 2); Representatives of Teacher Associations (Committee 3) and Representatives of the Borough Council (Committee 4).

- 2.3 Following a request that a humanist be made a voting member of SACRE on Committee 1, there were various discussions at meetings of SACRE on 3 March 2023 and 17 June 2023 as to whether there was any scope to propose the expansion of Committee 1 in order to include representatives from non-religious groups and if so, whether Council should be asked to amend SACRE's terms of reference.
- 2.4 According to the Terms of Reference, Committee 1 is comprised of 12 members who represent the following faith groups:
- The Free Churches (1)
 - The Black Free Churches (1)
 - The Roman Catholic Church (1)
 - Hinduism (1)
 - Islam (4)
 - Judaism (1)
 - Sikhism (2)
 - Baha'is (1)
- 2.5 A humanist is already a co-opted member of Committee 1 who participates in discussions.
- 2.6 According to the 2021 Census, the denominations and the number of adherents in Slough were as follows:

Based on the 2021 Census for Slough	
Denominations	Adherents
Christian	50,664
Muslim	46,661
No religion	20,726
Sikh	17,985
Hindu	12,343
Buddhist	776
Other religion	716
Baha	8
Jewish	85
Humanist	6

- 2.7 As stated above, 6 residents specifically consider themselves to be humanists.

3. Legal Context

3.1 The Education Act 1996, s 390(4) requires that the membership of SACRE must consist of 4 groups as follows:

- Group A must include representatives from Christian denominations and other religions and denominations of such religions which appropriately reflect the principal religious traditions in the area.
- Group B must include representatives of the Church of England
- Group C must include representative of an association of teachers.
- Group D must include representatives from the local authority.

The number of representative members should be based on the proportionate strength of that denomination or religion in Slough area¹.

3.2 The SACRE may also include co-opted members in line with the Education Act 1996 s 390(3) and (7) but they have no voting rights. Each representative group has a single vote.

3.3 The issue whether other religions include non-religious beliefs was considered by the High Court on 26 May 2023 in the case of **Bowen v Kent County Council**². The High Court held that it is for each local authority to consider whether the beliefs attain a certain level of cogency, seriousness, cohesion and importance so as to merit consideration at all, irrespective of whether the belief system is religious or non-religious. Humanism is well recognised as a belief which should be afforded equal treatment. Whilst religious education will remain predominantly based on religion rather than non-religious beliefs, the local authority needs to ensure that the number of non-religious belief holders is reflective of the extent of the non-religious belief content required within the syllabus. It does not need to be rigidly dictated by the proportion of people with a particular non-religious belief in the local area. It does not follow that any and every non-religious belief need to be treated similarly and it is ultimately for the local authority to exercise its discretion when determining who to appoint to ensure consistency with the efficient discharge of the group's functions.

3.4 In summary, the High Court has held that a decision not to appoint a person simply because they hold non-religious beliefs is likely to be discriminatory and unlawful in circumstances where the data shows that the number of residents holding a particular non-religious belief is high and the non-religious is already included in the syllabus. It is understood that humanism is already included in 91% of syllabuses.

3.5 Accordingly, a person of no-religion or a humanist will not qualify to join Committee 1 as of right, in the light of the High Court judgment, but the Council is not obliged to approve the appointment of a humanist to join Committee 1 simply because they are a humanist. The Council is entitled to take into account the relative numbers of humanists in the Borough and may also wish to look at whether to encourage membership from other denominations in the Borough who may have a greater representation in the Borough.

¹ Education Act 1996, s 390(6).

² [2023] EWHC 1261 (Admin)

5. Consideration of the matter by SACRE

- 5.1 At its meeting on the 2 November 2023, SACRE considered whether to make a recommendation to Council that a Humanist representative be appointed to SACRE as a full voting member of Committee 1 (Christian Denomination and Other Faiths). SACRE was also invited to consider whether to review other representative faiths and beliefs represented in SACRE.
- 5.2 Having considered a report on the matter together with the advice of the SACRE professional advisor, SACRE resolved that the Council not be recommended to invite a Humanist representative to join Committee 1 as a full voting member. The minutes of the meeting are attached at Appendix 1.

6. Next Steps

- 6.1 Although SACRE specifically considered the issue as to whether a humanist should be invited to become a member of Committee 1, it made no recommendation in relation to a suggested review of other faiths and beliefs represented in SACRE. It is suggested that SACRE be asked to review this during the 2024/25 Municipal Year and, in the process of doing so, gather any further relevant information with a view to reporting back to Council on its future membership including whether it would be appropriate to include a humanist representative in Committee 1.

7. Background Papers

None.