

HAMPSHIRE COUNTY COUNCIL

Report

Committee/Panel:	Standing Advisory Council for Religious Education (SACRE)
Date:	3 November 2020
Title:	Determinations Procedures Report
Report From:	Director of Children's Services

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Purpose of this Report

1. The purpose of this report is to update SACRE on progress since our last meeting regarding SACREs procedures for Determination.

Recommendation(s)

2. That SACRE agree to adopt the procedures for Determinations and place this on the HCC website.

Executive Summary

3. This report seeks to inform SACRE of the progress made since the last meeting regarding SACREs request to formulate 'indicative criteria'.

Contextual information

4. At its last meeting on 3 March 2020, SACRE approved the determination process in principle subject to no objections being raised by any Member of SACRE to the indicative criteria that would be drafted and circulated following further legal advice'. The officers agreed to consult with NASACRE and other local authorities about criteria that were being used. They would amend the current process and application form to reflect the changes agreed at the meeting and incorporate proposed criteria.
5. In order to take this forward, the initial task and finish group was reconvened, and the advice gathered so far was discussed. The group asked the advisers

to consult more widely among SACREs regarding indicative criteria and to consult the Hampshire legal team once more before coming to a decision about indicative criteria.

6. SACRE Advisers have therefore been researching more widely to find examples of other SACRE's 'indicative criteria' and further consultation has been undertaken with HCC legal team.
7. A summary of this research is included for SACRE's information in Appendix 1.
8. It is therefore recommended that SACRE approves the procedure for determinations included here as Appendix 2.

Appendix 1

Summary of research among SACREs regarding Determinations and Indicative Criteria

Summary:

1. Information was gained from 15 SACREs in England from a variety of locations. 10 of these were in London, 3 in the North West and 2 in Yorkshire. All but one SACRE consulted have a procedure for Determinations. These vary in detail.
2. None of the SACRE's consulted have separate indicative criteria for Determinations.
3. All of the SACREs consulted have had very few or no requests for Determinations.
4. 2 of the London boroughs have very detailed procedures which indicate what the SACRE will look for from a Headteacher of a school before coming to a decision. This includes:

4.1 information from the Headteacher on pupils' backgrounds

4.2 views from parents, teachers and governors

4.3 evidence of consultation with these groups and
detailed information on why the present format of Collective Worship is not working together with Information gained from 17 English SACRES and 1 Adviser:

4.4 detailed information on the alternative form of worship.

5. An adviser who has detailed knowledge of Collective Worship among AREIAC members (Association of R.E. Inspectors, Advisers and Consultants) was consulted as well as the SACRE's. He advised that before making a decision, SACRE's should check that schools had:
 - a) consulted the school's governing body and got their approval
 - b) evidence that the school's governing body had sought the views of parents and had their support
 - c) ensured that the CW provided took into account "the family background of the pupils"

- d) taken into account that the CW provided was suitable for the “ages and aptitudes” of the pupils
- e) had assurances that the proposed change would not result in a good number of parents withdrawing their child from CW

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	yes
People in Hampshire live safe, healthy and independent lives:	yes
People in Hampshire enjoy a rich and diverse environment:	yes
People in Hampshire enjoy being part of strong, inclusive communities:	yes

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

See guidance at <http://intranet.hants.gov.uk/equality/equality-assessments.htm>

*Insert in full your **Equality Statement** which will either state:*

- (a) SACRE's core business is to ensure high quality religious education in Hampshire which, it is intended, will make a positive difference to the way young people 'think speak and act in the world' (See purpose statement of Living Difference III 2016, the agreed syllabus for religious education in Hampshire).