

EQIA Submission – ID Number

Section A

EQIA Title

SACRE Membership review - 2023

Responsible Officer

Joel Cook - ST GL

Type of Activity

Service Change

No

Service Redesign

No

Project/Programme

No

Commissioning/Procurement

No

Strategy/Policy

No

Details of other Service Activity

Review of Outside Body Membership - Local authority responsible for considering appropriate membership arrangements as and when it deems necessary

Accountability and Responsibility

Directorate

Strategic and Corporate Services

Responsible Service

GLD

Responsible Head of Service

Joel Cook - ST GL

Responsible Director

Benjamin Watts - ST GL

Aims and Objectives

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Take a decision on Standing Advisory Council on Religious Education (SACRE) Membership update, both as part of planned review following the release of Census data and in light of 2023 court judgement which amended the eligibility of Humanists as a non-religious group.

Previous decision taken in 2022 confirmed the compliance with the legislation as it was written at the time. Subsequent legal actions have now amended the required interpretation of the Group A eligibility as permitting the inclusion of Humanists as a non-religious group on Group A (previously reserved for only representatives of established religions).

Background and context:

SACRE sits as an outside body, with responsibilities relating to advising the local authority and education providers regarding the teaching of religious education. It draws membership from a range of people, with the membership separated into specific sections (with each section having one vote at full meetings of the SACRE).

(a) Christian denominations (other than the Church of England) and other denominations and religions as in the opinion of the Authority reflect the principal religious traditions in Kent. The number of representatives approved under the category shall, so far as is consistent with the efficient discharge of this group's functions, reflect broadly the proportionate strength of that denomination or religion in the area.

(b) The Church of England

(c) Teacher Associations having regard to local circumstances.

(d) The Local Authority

KCC is responsible for considering the appropriate representation for Group (a) – Christian denominations and other denominations and religions. Such consideration may be given from time to time as the Local Authority deems necessary and in response to specific requests for updates to representation.

Equality implications:

Any decision on SACRE Membership relating to those Groups involving religious organisations would have an intrinsic implication for all those included within Religion and Belief as a protected characteristic. Considering that this category includes those of no faith and those with faith, it actually includes all persons.

It may be argued equally on both sides that the original intention of the legislation was to reserve Group A for only representatives of established religious groups and that the change to permitting Humanists representing beliefs or world views, as opposed to religious faith, creates a negative impact on those organisations representing religions. On the other hand, the inclusion of Humanists providing input in relation to a non-religious group supports broader consideration of the worldview and belief perspective.

The impact of the decision is therefore overall neither positive or negative in that it has varying impact depending on the relevant part of the 'religion and belief' protected characteristic.

Mitigation considerations relating to other possible interested parties (not clarified within the Judgement) includes a commitment to explore co-option for other relevant representatives should the issue arise.

Section B – Evidence

Do you have data related to the protected groups of the people impacted by this activity?

Yes

It is possible to get the data in a timely and cost effective way?

Yes (census data provides figures)

Is there national evidence/data that you can use?
Yes (census data provides figures)
Have you consulted with stakeholders?
No
Who have you involved, consulted and engaged with?
No consultation required due to limited scope of decision and as no changes were proposed.
Has there been a previous Equality Analysis (EQIA) in the last 3 years?
No
Do you have evidence that can help you understand the potential impact of your activity?
Yes
Section C – Impact
Who may be impacted by the activity?
Service Users/clients
Yes
Staff
No
Residents/Communities/Citizens
Residents/communities/citizens
Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?
Yes
Details of Positive Impacts
The SACRE itself will be impacted due to the change in membership. Impact of this change on the operations or decision-making of the SACRE is expected to minimal (one new voting member on a Group of more than 10 people)
The impact is positive for the Humanist group because the revised legal position has confirmed their eligibility to join SACRE Group A and KCC’s relevant membership review recognises them as an interested stakeholder that can contribute to the consideration of Religious Education.
Negative impacts and Mitigating Actions
19. Negative Impacts and Mitigating actions for Age
Are there negative impacts for age?
No
Details of negative impacts for Age
Not Applicable
Mitigating Actions for Age
Not Applicable
Responsible Officer for Mitigating Actions – Age
Not Applicable
20. Negative impacts and Mitigating actions for Disability
Are there negative impacts for Disability?
No
Details of Negative Impacts for Disability
Not Applicable
Mitigating actions for Disability
Not Applicable
Responsible Officer for Disability
Not Applicable
21. Negative Impacts and Mitigating actions for Sex

Are there negative impacts for Sex
No
Details of negative impacts for Sex
Not Applicable
Mitigating actions for Sex
Not Applicable
Responsible Officer for Sex
Not Applicable
22. Negative Impacts and Mitigating actions for Gender identity/transgender
Are there negative impacts for Gender identity/transgender
No
Negative impacts for Gender identity/transgender
Not Applicable
Mitigating actions for Gender identity/transgender
Not Applicable
Responsible Officer for mitigating actions for Gender identity/transgender
Not Applicable
23. Negative impacts and Mitigating actions for Race
Are there negative impacts for Race
No
Negative impacts for Race
Not Applicable
Mitigating actions for Race
Not Applicable
Responsible Officer for mitigating actions for Race
Not Applicable
24. Negative impacts and Mitigating actions for Religion and belief
Are there negative impacts for Religion and belief
Potentially
Negative impacts for Religion and belief
<p>There is an arguable negative impact arising from the change in relation to those hold organised religious faith may disagree with the updated legal position permitted a non-religious group representation on Group A of SACRE, which was previously reserved specifically for representation of organised religious groups other than the Church of England.</p> <p>As both religious faith and no religious belief are covered by Religions and Belief protected characteristic, the impact is shared across all people in different ways.</p>
Mitigating actions for Religion and belief
<p>The offer of observer status and consideration of co-option still exists for all relevant Groups on SACRE should there be a need to get additional insight or where there is additional interest from stakeholders representing organisations not formally represented on SACRE.</p> <p>The actual negative impact of any group or organisation not being able to be a voting member is minimal due to the meeting arrangements - only Group Conveners may cast a single vote at SACRE meetings when matters for decision require a vote (this is extremely rare due to the desire to regularly seek general consensus) and Groups decide how the group convener will vote according to their own arrangements -</p>

KCC does not manage or administer this element but as per above, voting is extremely rare.

Responsible Officer for mitigating actions for Religion and Belief

Joel Cook

25. Negative impacts and Mitigating actions for Sexual Orientation

Are there negative impacts for Sexual Orientation

No

Negative impacts for Sexual Orientation

Not Applicable

Mitigating actions for Sexual Orientation

Not Applicable

Responsible Officer for mitigating actions for Sexual Orientation

Not Applicable

26. Negative impacts and Mitigating actions for Pregnancy and Maternity

Are there negative impacts for Pregnancy and Maternity

No

Negative impacts for Pregnancy and Maternity

Not Applicable

Mitigating actions for Pregnancy and Maternity

Not Applicable

Responsible Officer for mitigating actions for Pregnancy and Maternity

Not Applicable

27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships

Are there negative impacts for Marriage and Civil Partnerships

No

Negative impacts for Marriage and Civil Partnerships

Not Applicable

Mitigating actions for Marriage and Civil Partnerships

Not Applicable

Responsible Officer for Marriage and Civil Partnerships

Not Applicable

28. Negative impacts and Mitigating actions for Carer's responsibilities

Are there negative impacts for Carer's responsibilities

No

Negative impacts for Carer's responsibilities

Not Applicable

Mitigating actions for Carer's responsibilities

Not Applicable

Responsible Officer for Carer's responsibilities

Not Applicable