

Written briefing for the Education Committee

1. We are all aware of the increasing concerns raised by parents about the costs of school uniforms and the School Uniforms (Guidelines and Allowances) Bill seeks to provide the Department of Education – the Department - with the necessary powers to address such concerns.
2. At its meeting on 6 February 2025, the Executive agreed to the draft School Uniforms Bill and to its Introduction to the Assembly.
3. The Bill will place a statutory duty on the Department to publish guidance. This guidance must be adhered to by grant-aided and independent primary and post-primary schools, so will have statutory effect. Any school not adhering to the statutory guidance can be subject to a direction from the Department that must, legally, be complied with.
4. The Bill also provides information about the coverage and content of the statutory guidance. This includes that:
 - it can differentiate between year groups and school types e.g. key stages within primary/ post-primary etc. should that be needed;
 - it can set out who a school must consult with in developing its school uniform policy – it remains a matter of choice for a school to require its pupils to wear a school uniform;
 - any school uniform policy must be published on the school website and include a rationale for the uniform requirements, as well as information on the actual costs, how affordability as well as comfort and practicality have been taken into account, the parent/pupil consultation undertaken and where the uniform can be bought;
 - any re-usability schemes and requirements for branded items, including but not limited to, PE/ sports kits will need to be covered by the school in the policy – this of course follows the consultation with parents and pupils and the publication of costs and information on where kit can be purchased
 - any incentive offered by a supplier will also need to be published.
5. The details to be contained in the statutory guidance do not appear in the Bill as this is not necessary or desirable in legislative terms. What is on the face of the Bill are the powers necessary to give statutory effect to the guidance containing these details. This has been drafted by the Office of the Legislative Counsel (OLC) based on policy instructions from the Department.

Consultation findings

6. The analysis report on the consultation was published on 12 December 2024 and can be accessed via this link: [Outcome of Consultation: School Uniform Policy | Department of Education](#).

7. The consultation ran from 20 June 2024 to 27 September 2024, was hosted online via Citizen Space and made available in both English and Irish versions. In addition, a children's easy read version was also made available.
8. The Department received 3,444 responses to the online survey as follows:
 - parent/carer 3063 (88.94%);
 - pupil 75 (2.18%);
 - representative of a school 111 (3.22%);
 - representative of other organisation 57 (1.66%);
 - other 138 (4.01%).
9. The Department commissioned the Education Authority's (EA) Youth Service team to take forward a series of engagement exercises with children and young people during the consultation period. The activities included:
 - circulation on the schools' C2k network of an 'easy read' consultation document and survey (available in both English and Irish) to all pupils. Participants were asked to select 'I agree', or abstain from answering if they did not agree;
 - facilitated focus groups with young people over the summer at summer schemes etc;
 - facilitated engagement with harder to reach young people e.g. those who attend Education Other than at School (EOTAS); and
 - engagement through the school council network to get views on the proposals in the consultation.
10. This work resulted in 4,008 responses from children and young people in addition to the Citizen Space responses. There was also engagement with the Northern Ireland Youth Assembly, to gain insight from this body who submitted a response to the consultation via Citizen Space.
11. The Department also commissioned the Department of Finance's Innovation and Consultancy Services (ICS) to facilitate an event for manufacturers, suppliers and retailers of school uniforms. A request for those involved in the manufacture or supply and sale of school uniforms and who were interested in sharing their views on the consultation proposals was issued on the Department's social media accounts in August 2024, with the event taking place in September 2024.
12. Key points from the consultation analysis include that over 77% of respondents support the Departmental guidance being made statutory. The consultation was based on six key principles, namely that school uniforms should be affordable, comfortable, sustainable with policies developed in partnership with pupils and their parents/carers, published and regularly reviewed. There was over 97% support for these principles.

13. The consultation sought views on what should be contained within any statutory guidance, particularly around the cost and affordability of school uniforms, the use of branded items and single supplier arrangements. 92% agreed it should be compulsory for schools to demonstrate how they have taken costs into account when designing their uniform, with 90% agreeing cost details should be published by schools and 88% agreeing that schools should explain any decision to use unusual colours or designs. 85% agreed that school crests should be available to buy separately and 83% that a crest should be reusable.
14. In relation to PE kit, 86% agreed that branded sports kit should not be a compulsory element and 71% that only when a child is representing the school – individually or as part of a team – should specific branded or school sports kit be required. 89% agreed that schools should aim to have team kits available for loan.
15. There was 95% support for all schools being required to list more than one supplier and 94% for schools publishing any financial or in-kind benefits derived from arrangements with suppliers or manufacturers.
16. There was 92% support for schools establishing a Uniform Bank. In terms of consultation, 73% supported engagement by schools with pupils and 87% with parents in developing uniform policies. There was 82% support for schools publishing information about this consultation, 81% support for publishing details on the development of a uniform policy and 89% support for schools demonstrating how their policy fulfils the conditions of comfort, flexibility and safety.

A school uniform cap

17. There was 88% support for a cost control measure being introduced e.g. a cost cap. Other suggestions in this area included the banning of branded PE kit or blazers, ensuring competition via more than one supplier. Some concerns were expressed about unintended consequences such as prices rising to the level of a cap. 90% supported the Department having as a key consideration that schools should be encouraged to change practice in setting their uniform policies to ensure there is a competitive market.
18. Officials engaged with OLC about appropriate legal means to enable a cap to be provided for as a potential means of managing costs associated with school uniforms. As agreed by the Executive on 5 December 2024, this is an enabling power to allow lessons to be learned from other jurisdictions, advice to be considered from the Competitions and Market Authority who responded to the consultation and to ensure that no unintended consequences arise over time.

19. The draft Bill therefore provides an enabling power that the Department may set a cap – via the statutory guidance – on the number of branded uniform items a school can require and/or on the costs of individual items or total uniform requirements. This includes day-to-day uniform items such as blazers, ties, jumpers, emblems and branded PE or sports kit.
20. Recognising that there is significant interest in these provisions - and the need to undertake further work on the detail of what the most effective cap would be - these provisions are drafted subject to commencement order.

Position in other jurisdictions

21. In 2019 the Welsh government made its school uniform guidance statutory. Scotland has committed to introducing statutory guidance and released updated, non-statutory guidance on 12 September 2024. The Republic of Ireland currently has non-statutory guidance in place.
22. In 2021 legislation was introduced in England to enable the Department for Education there to issue statutory guidance on the cost of school uniforms and this guidance issued in November 2021. Further legislation limiting the number of branded items – across day wear and PE/ sports kit – to 3 at primary stage and 4 at post-primary if one item is a tie, has been introduced in Westminster. The provisions are included in the draft Children's Wellbeing and Schools Bill. The need for this further legislation highlights the complexities around setting and maintaining any cap on school uniforms.

Reporting And Monitoring

23. The Bill provides that the Department of Education must review its statutory guidance. In doing this, the Department will wish to monitor how effective the introduction of the statutory guidance is. The draft Bill provides the necessary powers to support such work, especially when taken alongside existing sources of information. This includes, but is not limited to, the Education and Training Inspectorate (ETI) reports as sources of information.
24. In addition, the Bill provides that the Department can act if satisfied that a school's pupils are liable to any disciplinary measure or participatory disadvantage for non-compliance with uniform policy. This can also therefore form part of the information the Department uses to monitor schools' implementation of the statutory guidance.
25. 77% of the consultation respondents agreed that schools should review their uniform policies every 3 years and 79% agreed with monitoring and evaluation proposals e.g. the Education and Training Inspectorate reporting, an independent evaluation into the effectiveness of statutory guidance within 3 years.

26. Ensuring that introducing statutory guidance makes a difference, that schools adhere to it, that pupils are not disadvantaged by the cost of uniform requirements set by a school – either when attending or considering attending a school – will be a key part of the monitoring arrangements enabled by the introduction of this Bill.

Conclusion

27. The School Uniforms Bill as introduced delivers the powers needed to make Departmental guidance on school uniforms statutory and to give strength to such guidance. These matters were consulted on, receiving a high response rate and a high level of support.
28. The Bill provides powers making DE guidance to schools statutory, considering a cap on the costs associated with school uniforms based on an enabling power, incorporating some monitoring arrangements whilst allowing further detail to be managed through the statutory guidance, placing a duty on schools' governing bodies to adhere to the guidance and what that means in operation. Additionally, ensuring that children attending independent schools who would be eligible for uniform grant can access this.
29. Further details are appropriate for inclusion in the statutory guidance. This will set out the requirements for schools to review, consult and publish specific information about their uniform policies which must demonstrate how their uniform fulfils the conditions of comfort, flexibility and safety, what it costs, as well as the range of suppliers it is available from.
30. The underpinning purpose of this work is to support parents and carers who are struggling the most with the cost of living.