



Committee for Education

OFFICIAL REPORT (Hansard)

School Uniforms (Guidelines and
Allowances) Bill: Department of Education

11 June 2025

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Nick Mathison (Chairperson)
Mr Pat Sheehan (Deputy Chairperson)
Mr Danny Baker
Ms Cheryl Brownlee
Mrs Michelle Guy
Mr Peter Martin

Witnesses:

Ms Margaret Rose McNaughton Department of Education
Mrs Shirley Sweeney Department of Education

The Chairperson (Mr Mathison): I welcome Margaret Rose McNaughton, director of transport and food in schools, and Shirley Sweeney, head of the school uniform policy team. Both witnesses are from the Department of Education, and they join us on Zoom.

I will hand over to you for any initial remarks that you want to make or any comments or information that you want to put on the record with the Committee at this stage. We will then move to questions and answers.

Ms Margaret Rose McNaughton (Department of Education): I do not have anything specific to say. I listened to the previous evidence session, and it is very evident that some people are struggling with the cost. It was very useful to hear the case study. Other than that, I have nothing further to add.

The Chairperson (Mr Mathison): Thank you, Margaret Rose. It is good to hear the lived examples of the impact of school uniform costs on parents.

I will open up with questions. The question on all members' minds today is about the guidelines. We have discussed at length the way in which the Bill is structured to put a duty on the Department to create guidelines that schools must adhere to. Until we see the guidelines, we are a little in the dark about what the Department intends to include and — perhaps, crucially — not include. We had anticipated — in fact, we had an assurance — that the guidelines would be with us by the end of last week. Can you give us any insight into why the guidelines have not been provided and when we might expect to receive them?

Ms McNaughton: First, we have a fair amount of work to do yet on the guidelines, and we need to get legal advice on how far they go, so that we are sure that we have covered all aspects of the Bill. In addition, we need to do a piece of work on the practicalities of the guidelines. We are going through each area, line by line, asking, "What does that actually look like in practice for the schools?".

I apologise, Chair. I gave you an assurance that the guidelines would issue, but, unfortunately, we are not in a position to do that. My apologies for that.

The Chairperson (Mr Mathison): Has something changed in the development of the guidelines? It was certainly suggested, I think, that the guidelines were largely done and, in fact, would not depart that far from what was already in place. To help us to understand, is this a direction from the Minister that something needs to change? Is it reflecting Committee discussions? What is the factor at play here?

Ms McNaughton: The only factor at play with us is that, I suppose, I was too optimistic about when the guidelines would be available. We are aware, having listened to many of the discussions in the Committee, that there are likely to be a fair number of amendments. We do not yet know what those amendments will be, but we are going through the guidelines. They are, as you said, based on the previous non-statutory guidelines, which we always said would form the basis of the statutory guidelines. They are based on those and on consultation responses.

We are simply not yet at the point where we can have an assurance ourselves that the guidelines are in keeping with the Bill as it is at the moment and, indeed, are flexible so that we can then look at the potential amendments. All that we have at the moment is based on Committee discussions and discussions that we have had individually with the parties. That is all that we know about the likely amendments. That is where we are at this stage, and we really do need to get legal advice on the guidelines. I really could not give you any indication as to the length of time that that will take.

The Chairperson (Mr Mathison): It would be the Committee's intention to be as open and transparent as possible with the Department on this process. That is in everybody's interests. We are on a very tight timescale for completing the Committee Stage. There is an appetite, again in keeping with the Minister's initial request, to complete this before recess. The Committee does have an appetite to deliver that, but that reduces our time to have lengthy discussions on amendments. None is agreed, but, as soon as any amendments are agreed, I do not anticipate that there will be any issue with the Committee sharing those with you. However, there is a tight timescale at play, which is making that more challenging.

Just to be very clear, if the Committee is of a mind to keep with the Minister's clear direction of travel and his request when he first contacted us about the Bill that he wanted it done by recess and that there was an imperative to deliver it within that timescale, and if the Committee is doing its level best to deliver on that, are we going to be in a scenario where we will be producing a Committee report without having had sight of the guidelines?

Ms McNaughton: Recess begins on 5 July, so that is highly possible, yes. I have to be honest with you: that is possible.

The Chairperson (Mr Mathison): Is that a desirable position for the Committee to be in when this is a piece of legislation that is all about what is in the guidelines? We could be labouring away on developing amendments that are not even required because we have not seen the Department's intentions.

Ms McNaughton: I do appreciate that. Our intentions were all set out in the consultation document. We have not deviated from that in any way, other than, as I said, to be mindful of potential amendments. I am mindful of the previous Committee discussion that we attended — at the end of May, I think — when there was the issue of inclusivity. We are looking at that at this stage and wondering what the proposals are around that, because, if an amendment such as that comes through and that turns out to be another key principle, we need to be clear about what that means, and we need to be really clear with schools about the implications for them and what schools will have to do. That is only one example. Obviously, we already have one amendment that we know about. It has come in from an independent Member. We are anticipating other amendments. That is where we are at.

The Chairperson (Mr Mathison): I will finish with this question. I will put it on record first that, if we do not have sight of the guidelines by the time that we are agreeing a Committee report, that will be deeply disappointing to all members of the Committee. We had had such clear assurance that that scenario was not going to arise, and it appears from your evidence today that that is precisely what we are looking at. The Committee, I feel, has listened to the Minister, who asked us to:

"work harder". — [Official Report (Hansard), 7 April 2025, p31, col 1].

Those were his words in the Chamber, but it appears that we are not being met halfway on that. That is a disappointment.

That said, you have been very clear about the need to work to a timeline around the November prospectus publication for schools. There seems to have been, maybe, a lack of anticipation in the Department that the Bill would be amended at all or that it would be amended substantively. If there are substantive amendments coming through, does that impact on your ability to deliver guidelines on time for schools? Again, we still do not have a date for when you need those guidelines to be with schools. I would also like clarity on that.

Ms McNaughton: First, if a number of amendments come through, of course, when we get to Consideration Stage, it will take a lot of work to get the guidelines to reflect what is in the Bill. That is what we need to do; the guidelines must reflect what is in the Bill. In clause 1(4), we have the ability to include transitory guidelines. We know what the very basis of the Bill is: it is about affordability. The proposals were clear about issues such as single supplier and about branded items. We still have the ability to get transitory guidance out to schools, and that would be pending the work that we need to do on other issues that come in that need to be reflected in the guidelines. We are still absolutely working to ensure that schools are clear before they develop their prospectuses, because a parent needs to know what the school uniform requirements are before they apply for a school.

The Chairperson (Mr Mathison): I will leave it at that and bring in the Deputy Chair.

Mr Sheehan: Thanks, Margaret Rose. It is clear that we will not get any guidelines until you and the Minister have seen any amendments. You said that you were anticipating amendments. You should not have had to anticipate anything. If you had asked, I would have been more than happy to provide you with the amendments that we are tabling.

Ms McNaughton: Apologies. I was not aware that that was even possible as part of the process. We did meet all the parties, and we did say that we would be more than happy to talk to people about any potential amendments that they had. That is still the case. That would be very helpful. Even now, I am more than happy to meet to discuss any potential amendments.

Mr Sheehan: I can assure you of one thing: none of the amendments that we are tabling has anything to do with Peter's obsession about boys wearing skirts and even now summer dresses as well. There will be nothing about that in them. I say that in case that will help you to formulate your guidelines.

Ms McNaughton: There are a number of other issues, I have to say, that we really need to be clear on. When we are writing the guidelines, we have to look at it from the perspective of the school leaders and what it means for them. How do they practically bring it into being? It is easy, I suppose, to say that you should not have one single supplier. We need to go further than that and say that there could be times when that might be the best and most suitable option for the school, depending on where it is.

Mr Sheehan: I am sorry to cut across you, Margaret Rose, but I have only a limited time and I want to ask you a last question. I would prefer to see all the guidelines at the one time when they are ready. However, for clarity, have you been instructed by anyone in the Department or by the Minister himself not to provide the guidelines to the Committee until they have sight of all the amendments?

Ms McNaughton: No, we have not.

Mr Sheehan: OK. Fair enough.

Mr Baker: Other members have made a lot of my points. I just want to put my disappointment on record. It was heavily put to us that the guidelines would cover a lot of what has been raised in the Committee. I am of the view that, the more that we put into primary legislation, the better. I have been convinced today that we need to table more amendments to make sure that the measures are in primary legislation, because it is very disappointing that the guidelines are not with us. It was only a matter of weeks ago that we were promised that they would be with us by the end of last week. I do not know what has happened. I suspect that something has happened for them not to be in front of us,

and I do not think that that is good enough. Thank you for the work that you are doing. I just wanted to put that on record.

Mrs Guy: Thanks, folks, for the evidence today. As Danny said, most of the key questions have been asked. Why are you seeking legal advice only now? Is that not something that you would have perhaps anticipated requiring before this stage, especially if it is going to hold everything up for an indefinite period?

Mrs Shirley Sweeney (Department of Education): We have sought legal advice throughout the process. I will address the Chair's point about getting the guidelines to schools in a timely fashion in order to allow them to publish their prospectus information so that parents can have the clarity that Margaret Rose referred to. That is why we are looking at a draft set of guidelines that we know will be amended. We know that amendments will be coming. We have always known that, so it was not that we were ever drafting guidelines thinking that they would be the finished article with a small tweak here or there. However, we want to get legal advice on those now, because the difference between non-statutory guidance and statutory guidance is quite significant. Every word could have a specific impact on schools that we need to have thought through. We need to make sure — the Committee has raised this point with us a number of times — that it is not left to schools' interpretation or that schools are left unclear about what is being required of them.

With regard to the wording etc, we need to get to a final draft for now on the Bill as introduced knowing that it will be changed and so that the basic language that we are using and the basic requirements that we are putting on schools will be understood. It has to be in a finalised enough state for the Departmental Solicitor's Office (DSO) to be able to look at that and formulate a view on it. If this is the way that the guidelines are written, with whatever changes that we need to add to them and we know that those will be needed, what does that mean for schools? Is there anything that we should reword or that could be open to interpretation? It just needs to be in a reasonable state to be shared with DSO.

Mrs Guy: OK. It would be helpful for the Committee to see what you currently have in draft guidance. We understand that it is a work in progress, but we are kind of flying blind here. It would be great to have something, and we got an indication that we would have something. I do not think that anybody would be concerned if we got some kind of draft through just to help us with our scrutiny and to even give schools some sense of what is coming down the track.

Ms McNaughton: It is an important point that schools need to be aware of what is coming down the track. We have tried in the past to make them aware of that. I go back again to the letter that was issued last September. That letter was quite clear about what was coming down the track. Indeed, many schools have actually taken it on board and have started to change their uniforms. It was really good to hear about the Craigavon school, and we are aware of other schools that are now changing their uniforms.

The one thing that bothers us is the practicality of the issue. We are trying to work through all the practicalities to make sure that we do not put something on to schools that they cannot deliver or put something on them that is not in keeping with the Bill. That is our biggest concern at the moment. Everything that we write for the guidelines has to be in keeping with the Bill, because they will be statutory, so schools will have to follow them.

Mrs Guy: Our strong impression is that there are concerns in the Department that are causing a change of timing or direction. Your attitude the whole way through the process has been quite matter-of-fact, that it is all great and that schools know that this is coming. There has not been any sense of concern on our part that we would not see guidelines. It seems that some of the inclusion stuff is causing people to feel a little spooked. Almost all the evidence that we have received throughout the process, including from schoolkids and a range of organisations, has been very consistent and matter-of-fact about some of the inclusion stuff on trousers, for example, which is just not a controversial thing in 2025. Is that what the issue is?

Ms McNaughton: No. I used inclusion as an example because it was talked about in the previous meeting. We are looking at every line of the guidelines as they are at the moment to see what they mean for schools. We have some issues with how schools could implement them. Schools will have to implement whatever guidelines go out there.

Mrs Guy: Sorry to interrupt, but girls wear trousers —.

Ms McNaughton: I do not mean —.

Mrs Guy: It is not hard to implement that.

Ms McNaughton: Sorry?

Mrs Guy: That is the main point that seems to be coming through, including from some of the questions from some of my colleagues. The idea of girls wearing trousers seems to have caused some kind of derailing of the process.

Ms McNaughton: Absolutely not; I can assure you of that. It probably was not a good example to use; it was an issue that was discussed during our previous Committee meeting. That is absolutely not the reason for it at all.

Mrs Guy: The consultation report from the Department raises the issue as well. None of this is a surprise. I hope that that is not holding up the process. The time frames and the need to get this done with urgency were impressed on us. It feels very strange that, suddenly, after weeks of questioning and evidence, and given the nature of some of the questions that are coming forward from members, we are not going to get our guidance and we have to get legal advice. It just feels a little bit unusual to us.

The Chairperson (Mr Mathison): A brief response would be great, Margaret.

Ms McNaughton: I accept that I was probably over-optimistic. I hold up my hands in that respect. We are genuinely trying to be as open as we can. We are basing our guidelines on the issues that are in our consultation proposals, but we are very mindful of the potential for other amendments to come through. We really need to get our legal cover on the guidelines first before they go anywhere. We could put something into the guidelines that would really be difficult not only for schools but for parents, potentially. That is why we need to be absolutely clear on where we are, even on the basics of what we have in our proposals at the moment, setting aside any potential amendments.

Mrs Guy: Thank you very much, Margaret. I would not be so rude as to tell you to work harder, because I know how that feels, so I will let you get on with it.

The Chairperson (Mr Mathison): No other members have indicated that they want to ask questions. There are a couple of other points that I want to raise. We covered the issues on the guidelines in a fair bit of detail. I think that the Committee's feeling on that is clear. I am going to revisit something from the most recent time that you were here. The Committee has been considering whether there is any need to look at the date at which guidance needs to be provided to schools and whether that needs to be provided for in the Bill. I did not get an answer when I asked that question previously. This is really a question to help me to understand the timescales that we are operating in and when all this needs to come into effect. Are we any clearer on the latest date that you can propose to Committee by which the guidelines need to be with schools to have effect for the writing of their prospectuses in late 2025?

Ms McNaughton: Shirley, can I ask you to work back from the indication for the prospectuses?

The Chairperson (Mr Mathison): I know that we went through the admissions process and all that at our previous meeting. I will give context to the reason why I am asking. A significant amount of attention was given to how urgent it was to complete Committee Stage so that that could be done. Therefore, we just want to understand what the latest possible date is that the guidelines can land with schools so that they will take effect in the timescale on which we know that the Minister seeks to operate.

Mrs Sweeney: Without going back over things and repeating them, I will say that, ideally, we hope to write to schools again to update them before the end of term.

Once Consideration Stage and Further Consideration Stage happen, we will see the final shape of the Bill. At Final Stage, it will be voted through or not, and it will not be amended further. At that point, we will be able to finalise the guidelines. As I said, that is the reason why we are trying to work on those draft guidelines, and the issues on the wording are coming through more clearly to us now and need

to be tested with DSO. We have been working to the earliest point that we can communicate with schools, as opposed to the latest stage by which they need the guidelines.

Schools should give no commitment or place requirements in prospectuses that would sit outside the Bill's requirements on affordability, branded items and consultation with parents and pupils. We aim to write to schools as early as possible, even before Royal Assent is given, because, whilst the guidelines will not be statutory at that point, they will set out what is known to be coming in as statutory before —.

The Chairperson (Mr Mathison): Sorry, may I just interrupt? I do not want to go around in circles on the issue. The Minister was clear that Consideration Stage would run as soon as possible after the Assembly sits again in September. He would be looking to get that in the Order Paper as quickly as possible. There are further stages to complete. When we hit Final Stage, I am just trying to get a sense from you of the latest date that guidelines can be with schools so that they can be reflected in prospectuses.

I understand that lots of things are in the mix, but we need to understand the point at which the measure will take effect. Are we still on track for it to be in for November prospectuses, or will the complications and difficulties that the Department is articulating on creating guidelines push it forward? The Minister was clear that that could not be countenanced as an outcome, so I want to know what date schools need it by.

Mrs Sweeney: It will not be, Chair. I would say October, ideally.

The Chairperson (Mr Mathison): What is the date that schools need this by?

Mrs Sweeney: Depending on scheduling, hopefully, October.

The Chairperson (Mr Mathison): October; OK.

Mrs Sweeney: That is what Margaret Rose was talking about. There are so many permutations, and we are looking at whether there are a number of amendments that could draw out some complications that we require to take more time over or legal advice on, so we will put in place transitory guidelines. The Bill gives us the powers to provide those guidelines so that they will be in effect for admissions for September 2026. You are right to say that the Minister has been very clear that it has to have effect. It will have effect, and we are working on every contingency plan that we need to in order to ensure that that happens.

The Chairperson (Mr Mathison): I maintain that schools are probably under no legal obligation to do anything until the Bill gets Royal Assent, but that is by the by. If the Committee were minded to put a date in the Bill of the first date by which guidelines must be provided to schools, would you have a date? Could it possibly be October? Could you pin that down?

Mrs Sweeney: Yes, but, again, that is dependent on when Final Stage occurs. Just thinking it through, I can say that that would probably be a point for legal advice. You are correct that the Bill does not come into operation until it gains Royal Assent. We are talking about advising schools of the requirements for their admissions process for September 2026 prior to its becoming legal, but it will be legal at that point to make sure that everyone is in line with what will be the Act, if that makes sense.

The Chairperson (Mr Mathison): I hope that it does not come across as though I am trying to be awkward. It is just that I am really interested to know, because we are concerned about how schools will manage the process, so that is why we are asking when they will need to know. We will leave it there.

I have one last question, which is on clause 3. It is one of the clauses that is an enabling power. It is not going to come into effect at the point at which the Bill acquires Royal Assent. It relates to limiting branded items. The Department will bring forward guidelines on that. We have heard evidence on the cost cap, and we have heard from the Competition and Markets Authority (CMA) and you about some of the concerns on that. The Committee has taken that into account. If we were to bring forward a more practical and straightforward intervention on limiting branded items to bring us in line with what it looks as though will be delivered in England, would the Department be able to activate that fairly quickly in guidelines?

Mrs Sweeney: To be clear, are you talking about that coming in under a commencement order provision?

The Chairperson (Mr Mathison): Yes.

Mrs Sweeney: The commencement order provision is pretty straightforward; it is not a lengthy process.

The Chairperson (Mr Mathison): If, at any stage — say, Consideration Stage — the Committee were to table an amendment to bring into effect a limit being placed on the number of branded items, could that be delivered? Are you in a state of preparedness for that, if it were to happen?

Mrs Sweeney: There is a challenge. England's Children's Wellbeing and Schools Bill is going through its House of Lords Committee Stage. We have seen in some of the debates on it that they are specifying three or four items in the primary legislation, depending on whether the school is primary or post-primary. Concerns are still being expressed about the cost of those individual items and the unintended consequences of that measure. We will have no evidence to draw on about what works or does not work. It is a balance of whether the Committee is thinking of putting something explicit in the Bill or of something that would go immediately into guidelines. That will probably be challenging, because it is going to be bit of trial and error, potentially, whereas having something in the guidelines allows a bit more agility.

The Chairperson (Mr Mathison): I appreciate that I have taken up additional time, but this is important for informing our discussions. The challenge that the Committee is facing is that we are starting to look at some of the alternative mechanisms that could be used, because we do not know what you are going to ask schools to adhere to. We have not seen the guidelines, and we are circling back to that challenge about there being concern. We are hearing the evidence, and we have heard clearly from stakeholders that they want a clear indication of how this will impact cost. Due to the fact that we do not know what exactly will be in the guidelines, we are perhaps being led down the track of asking whether we need to do something more interventionist on that basis. It possibly takes us back to the beginning of our discussion.

Ms McNaughton: May I make one comment on capping the number of branded items? One concern that I have with that is that if a school were allowed to have, say, three branded items, it could have a very expensive blazer with a crest. Obviously, that would add to the cost. Setting that aside, they have to look at the overall costs. We will look at what is happening in England, and it looks as though that is what is going ahead. One concern that I have is that you could have three very expensive branded items.

The Chairperson (Mr Mathison): We will leave it there. We will reflect on some of that in our discussions in the next agenda item. Thank you for your attendance. Will there be scope for you to attend next week if we need to pick up any further issues?

Ms McNaughton: Absolutely. It was not our intention not to appear last week. This was probably my fault, again, but it was my understanding that we would be given a wee bit of notice about when to come. I had an appointment that I could not get out of last Wednesday afternoon, so that is why we were not at the Committee meeting. We know now that it sits every week, so we will make that provision.

The Chairperson (Mr Mathison): I apologise from my side if any of that was not clear. We certainly would not want to create a scenario in which there is uncertainty about that. I apologise if that was the case. Given how tight our timescales are, the more opportunities that we have to engage, the better. I apologise if there has been a misunderstanding.

Nothing further has been indicated, so we will bring that item to a close. Thank you both for your time today.

Ms McNaughton: Thank you.

Mrs Sweeney: Thank you.