



Committee for Education

# OFFICIAL REPORT (Hansard)

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

25 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  
Ms Cara Hunter  
Mr Peter Martin  
Mrs Cathy Mason

**Witnesses:**

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

**The Chairperson (Mr Mathison):** Joining us, we have Margaret Rose McNaughton, director of transport and food in schools in the Department; and Shirley Sweeney, head of the school uniform policy team in the Department. Thank you for joining us. The purpose of attending the Committee is probably largely to give the opportunity for questions and answers. We are happy to hear any opening remarks that you may want to make to members at this stage, or we can move straight into questions and answers.

**Ms Margaret Rose McNaughton (Department of Education):** I will give you a little update on the work that we have been doing since we last met. As I previously said, we have been testing the guidelines' workability and practicality with schools, and we want to do that with some parents as well. That process has begun, and we met a number of school leaders online on Monday. That was the first of those sessions. It covered the primary- and secondary-school landscape. On foot of that discussion, we are considering what, if any, further clarity will be required — there will be further clarity — in the guidelines. The focus groups will then test the guidelines with the parents in particular. Those focus groups are due to take place this week and next week; I am not sure of the date when they started. When we get the feedback from those, we will need to look again at what, if anything, we need to change in the guidelines and what clarity we need to provide.

In addition, we have had a couple of letters from the Committee. You asked for a response by Tuesday, but we simply were not able to get the response to you on time. We need legal advice on that. Once we get the legal advice, we will respond as soon as possible. Obviously, we need to go through internal approvals, but we will get those to you as quickly as we can.

That is where we are. I am happy to take any questions.

**The Chairperson (Mr Mathison):** Thank you, Margaret Rose. I have a couple of specific clause-related questions that I might want to raise, but, on the general sense of where we are at, you referred to doing work to test the guidelines with parents, school leaders and teachers. My understanding was that the Minister was of the view that the Bill had the capacity to go through all its legislative stages before summer recess. Can you help me to understand how we are just testing guidelines for practical workability at this stage in the process?

**Ms McNaughton:** We are testing the practicality of the guidelines as they were written in relation to the Bill as introduced. We know that the Bill is likely to change, and we will have to address in the guidelines whatever amendments come through, but we want to be clear that schools understand what the guidelines are making them do.

**The Chairperson (Mr Mathison):** Just to come in, I do understand. That is absolutely right, and we would be critical of the Department if you presented us with guidelines that had not been tested with schools and parents. Of course we would. My concern is that the Minister put it to us that extending the Committee Stage to the end of the summer, which, in practical terms, does not really give us an opportunity to engage with education stakeholders, was a compromise position. He believed that the Bill would complete all its stages, including Committee Stage, with guidelines ready to go by the end of this month.

**Mr Sheehan:** The end of May.

**The Chairperson (Mr Mathison):** It was the end of May for the Committee Stage, I think, and all the stages by recess. If that was the timeline that the Department expected to operate to, how can we be in a position where the practical outworkings of the guidelines have not been tested? Was the Bill progressed too quickly? Had the work not been done?

**Ms McNaughton:** The guidelines had not been developed when the Bill was introduced. After the Bill was submitted, it went through First Stage and Second Stage and then on to Committee Stage. When we went through the guidelines line by line, as we are now with the Bill, it became apparent that there were issues. People can take a different interpretation of some of the things that we say in the guidelines. That is why we are in the position that we are in now. We need to be absolutely clear that the guidelines will work. This is all about making them work for schools and, subsequently, for parents, because if they do not work for schools, they will not work for parents either.

**The Chairperson (Mr Mathison):** For the Committee to understand the timeline that we are on, when do you think that that testing work will be complete, and that is notwithstanding any amendments. This is a point that I raised about the Committee Stage in the debate in the Chamber: a lot of what was presented by the Minister and, indeed, the extension of the Committee Stage seemed to be based on the presupposition that there would not be amendments. However, notwithstanding any amendments, and just looking at the Bill as drafted, when will the testing phase end where you are confident that the draft guidelines on the Bill are robust and easily understood by schools and that their legal effect is clear?

**Ms McNaughton:** As I said, the focus groups are taking place. I am not 100% sure of the dates, but I think that it is this week and next week. We then need to get the feedback from those. Shirley and I will be working on this all over the summer. I cannot give you a date for when the guidelines will be ready, but certainly, on the Bill as drafted, we are very hopeful that they will be ready by the end of the summer. We will then have to look at the amendments, when we get those, to see what changes need to be made to the guidelines as a result and, at that point, decide whether we have to go back to test those with schools. If the rationale for the amendments is clear, and if we are sure about what they are doing to the Bill and asking of schools, we will be able to discuss that with the schools.

**The Chairperson (Mr Mathison):** This is my last general point before I ask a Bill-specific question, and then I will open it to other members. Will we see the guidelines before Consideration Stage? To my mind, it will be very difficult for members to reflect on whether amendments are required or whether the issues are already covered by the guidelines and to have a coherent debate on potential amendments to the Bill if we do not know what is in the guidelines. Can you give us an assurance that we will get them for that stage?

**Ms McNaughton:** No, I do not want to give you any assurance on that today, Chair. We will need to work out in the Department where we are at that stage and to what extent they can be shared. That is not a decision for any of us here to take. We will obviously discuss it internally.

**The Chairperson (Mr Mathison):** From the Committee's perspective, this has been a really difficult process, because we feel that we are shooting in the dark. We are doing our very best to try and produce amendments that we think will deliver impacts around affordability and some of the equality issues on which we have heard clear evidence from constituents and in the consultation, but we do not even know what the guidelines on the Bill as drafted will look like. I am concerned that that will make debating the Bill at the remaining stages of its passage through the Assembly very challenging. It just feels entirely disconnected from the message that the Minister presented to us that the Bill as drafted was ready and good to go and that there was nothing more complex to be considered; it was ready to be done and dusted. I am really concerned. For the integrity of the Committee process, it is really important that I put it on the record that the lack of the guidelines is causing real problems in how we progress our work. The fact that we do not have assurances that the guidelines will even be available in time for Consideration Stage will, I think, make that task extremely difficult for all Members when we come to debate the Bill in the Assembly. I will leave it at that.

On that point, the Committee has been looking at a range of amendments, and I note that clause 1(4)(a) and (b) give the Department the powers, maybe with some flexibility, to look at transitional or savings arrangements that may need to be put in place. It would be good to hear from the Department on my reading of that. Are those flexibilities built into the Bill on the understanding that there may be a need to create a phased approach to the introduction of some measures, including, potentially, through amendments, to give scope for a bit of a soft landing for schools, so that they can phase things in? Have I understood those powers correctly? I think that the Committee would be keen to get assurances on that. Nobody wants to deliver something that will create chaos overnight, and we are also keen to understand that the Department is clear on what the powers in the Bill will allow them to do.

**Mrs Shirley Sweeney (Department of Education):** As you said, clause 1(4) absolutely provides for transitory, transitional or saving provisions. It is intended to allow for the type of approach that you described. Fundamentally, this has to be workable for schools if it is to benefit parents. That is the thread that runs through every piece of work. That is in the Bill as introduced; it applies to the framework of the "mays" and the "musts", as they are in the current Bill. A number of the amendments look at changing some "mays" into "musts". We probably would need to take legal advice on how those two pieces sit alongside each other. Where something "must" be covered in the guidelines, it must be covered, so we would need to take legal advice on the extent to which transitory, transitional or saving provisions could be applied to that. I do not think that it is intended to be a general catch-all. It is in the Bill as introduced with that framework approach.

**The Chairperson (Mr Mathison):** To be clear, notwithstanding legal advice, the intent behind the clause is to provide some flexibility to how the guidelines might have a phased introduction in schools and the practical workability of that?

**Mrs Sweeney:** Yes. Fundamentally, yes.

**The Chairperson (Mr Mathison):** OK. That is very helpful. Thank you.

**Mr Sheehan:** Thanks, Margaret Rose and Shirley. You said that you are testing the guidelines with parents, schools and focus groups and so on. If the guidelines can be shared with them, why can they not be shared with the Committee?

**Ms McNaughton:** We have not shared the guidelines with them, Deputy Chair. We have given them an indication of what is likely to be in the guidelines, based on the particular matters for inclusion that are detailed from clause 2 onwards. Those issues include the single supplier and the branded items. Through that, we are testing what those participants' understanding is of those issues. One area that we have to be clear on is the impact that picking a single supplier might have on rural schools, bearing in mind that the accessibility for parents in rural areas is not the same as it is in urban areas. The guidelines have not been shared with those participants.

**Mr Sheehan:** Can you give us an indication of what might be in the guidelines?

**Ms McNaughton:** We have constantly said that you can look at all the issues that are in the current guidelines and then at the particular matters that are mentioned in the Bill. We will be putting in guidelines around the branded items, the single suppliers and designing the uniform. Those issues are already in the current guidelines, along with those to do with comfort, a transition period, sustainability issues, the need for policy to be developed in partnership with pupils and parents, the requirement to publish — we have been very specific about the issues that schools are going to have to publish — and the reviews of the uniform policy. There is a bit around monitoring.

We also refer to the legislation on equality, human rights, disability and other matters, because, again, those things run through all of this legislation. They sit over and above what we are trying to do with the School Uniforms Bill, because every public authority has to have regard to and comply with the equality legislation. We will equality-proof and rural-proof the guidelines as and when they are finalised. Those are the broad issues that will be in the guidelines, but, of course, the devil is in the detail.

**Mr Sheehan:** Fair enough. What are the expectations around affordability? What will the savings be for families when it comes to buying school uniforms? Have you any idea of what the financial savings will amount to, percentage-wise?

**Ms McNaughton:** I do not want to put any kind of figure on that at this stage, but schools will need to look at their lowest-income households. Those will probably be taken as households with children in receipt of free school meals. That is the best indicator — the only indicator — that we have at the moment. If uniforms are set at that level for everybody, that would mean that they should be affordable.

**Mr Sheehan:** What feedback have you been getting from the schools you have dealt with so far?

**Ms McNaughton:** In general, the schools that we have spoken to so far have welcomed the guidelines, but the one thing that they want is for them to be very clear. They do not want something that can be interpreted in different ways. It was clear from what we suggested on Monday that they could potentially be interpreted in different ways. That is really concerning, because it leaves the way open for loopholes and for schools to get around things. That is absolutely not what we want to happen.

**Mr Sheehan:** Neither do we, Margaret Rose. Thanks for that.

**Mrs Guy:** Thanks very much for coming today and for your responses — the document that is included in our packs. I want to get a wee bit of clarity. These are genuine questions. I have a wee bit of a concern, because there is repetition in the language in your responses to some of the amendments:

*"not linked to provisions in the Bill about pupils or clothing",*

that we are trying to find technical reasons to disqualify some of the amendments. Can you speak to that? If I look at the memorandum that comes with the Bill, I see that it mentions putting:

*" affordability, comfort and sustainability at the centre of ... decision-making"*

that you want to see from schools around uniforms. It feels as though a lot of the amendments are compatible with that. Will you give me a bit of comfort that we are not trying to get rid of some of them technically?

**Ms McNaughton:** I will start, and then Shirley can come in. Our comments on your amendments are intended to be helpful.

**Mrs Guy:** They are, so thank you.

**Ms McNaughton:** When we look at this, the first thing that we ask ourselves is, "What problem are we trying to solve?" When we link some of the amendments to the Bill as drafted, it is not clear what problem we are trying to solve and why it would take legislation to solve it. If it is about equality issues, those are wider issues that are fundamental to any policy that is prepared by the Department. Shirley might want to come in a bit more on the specifics of the language.

**Mrs Sweeney:** Yes. This is based on the legal advice that we have taken. Part of the challenge is that, in layman's terms, I see some of what the amendments are trying to do, but when they are placed in the legislation, they do not align. Our legal advice has looked at which clause they have been set under, and technically they do not always align. We have indicated that as best we can. It all has to be rooted in the provisions of the Bill, based on legal advice, fundamentally, as opposed to how I, as a non-legal person, might read it. That is a key challenge in all this. As we have said many times, each word in legislation is intentional and has to be so carefully thought through. Could it be interpreted in different ways, leaving it more open to challenge? Are schools going to be challenged on that? If they are not adhering to the guidelines, that is fine, but if it is because wording is having an unintended effect, that is not fine. We really need to be careful about the language used and the provisions that the Bill seeks to put in place.

Taking some of the amendments as an example, what is meant by "accessibility of play-based curricula and outdoor learning" in the context of the Bill? Could that be interpreted as meaning that schools have to provide access to outdoor learning? That may not be the intention, but if that wording were used in the Bill, could it be interpreted in that way? What if you are in an urban school that does not have access to much outdoor space? It is about thinking through every potential unintended consequence. It comes back to what Margaret Rose said. Beyond the requirement for the guidelines to include provision about the:

*"comfort and practicality of clothing for pupils",*

what is the intention of and the need for the amendment? It is about looking at each amendment through that lens. As Margaret Rose said, that is intended to be helpful, but it is based on our taking legal advice.

**Mrs Guy:** OK. We are going around in circles by restating again and again that, if we had the guidelines, this conversation would be easier. I appreciate your perspective and that you are taking legal advice, but, in the absence of the guidelines and not being clear about how the provisions will work in practice, we are trying to make sure that the Bill delivers as we intend it to, so I guess that it is a game of chess that we will play all the way through this.

Branded items seem to be a key aspect of affordability. We have heard evidence from the Department that you are looking at branded items, and stuff on that is already in the Bill. I am still not clear on your definition of "branded items". Have you bottomed that out yet?

**Ms McNaughton:** The definition of "specific styles", which includes branded items, is at clause 8(2). No —.

**The Chairperson (Mr Mathison):** It is at clause 9, I think.

**Ms McNaughton:** *[Inaudible.]*

**Mrs Sweeney:** Sorry, Michelle. Is the question more about what the guidelines might say would be branded items as opposed to what is already in the Bill?

**Mrs Guy:** If you are going to limit the number of branded items, we want a sense of what you consider to be a branded item that qualifies to be part of that. Are we talking about colours or a logo or something else? We have been through that before, but I am not sure that we have settled on a definition. Again, I ask about that because we are trying to think of definitions and about how things might operate. We would like some clarity on that, and I want to understand whether you have that clarity yet at your end.

**Ms McNaughton:** We do not have full clarity on that yet, but we are trying to bottom that out with our work with schools and subsequently with parents. Most people's understanding of "branded items" is the big sports gear branding —.

**Mrs Guy:** Sorry to interrupt, Margaret Rose. I know that we have different perceptions of what people might understand, but, at this stage of the process on the Bill, and that being such a crucial element of it, do you really not know what "branded items" means?

**Ms McNaughton:** It is not that we do not know. We have our views on what we intended branded items to be. I will go back to the proposals in the consultation document. It said:

*"The term 'branded item' is not just an item with a logo. It is used to describe an item of clothing with distinctive characteristics which make it unique to the school. As a general rule, if an item cannot be purchased at a range of suppliers it is unlikely to be a branded item. Such items are often designed specifically for the school and are unique in colour, design or fabric."*

By unique, we do not mean black, grey, brown: it can be —.

**Mrs Guy:** *[Inaudible.]*

**Ms McNaughton:** That is our starting point:

*"For instance, a blazer with a school logo embroidered onto it, a sweatshirt, blazer or jumper with a specific coloured trim, or trousers with a unique style which are therefore only available from a specific supplier, would all be classed as branded items. In comparison, a navy skirt or a grey cardigan that can be bought from a variety of retailers would not be considered a branded item."*

Given the proposals in the consultation document, we have thought about those matters, Michelle: it is just that we need to be clear in the guidelines.

**Mrs Guy:** I know that you have thought about it. There are elements of that throughout the documentation. It is just about whether you are clear on what your final definition of "branded" is. I do not want to be pedantic about one particular point: it is about getting a sense of how developed the Department's work is on all of this. I picked that one out because it is critical, especially around affordability, that we know that at this stage.

**Ms McNaughton:** That is what we will be going with. That will be subject to testing. What are the views of the parents and the schools on that? We heard from some schools on Monday that the pupils wanted to have a specific sportswear/PE kit, the idea being that the school would design its uniform around that. My issue was that parents needed to have a say, because they will decide on affordability. While the pupil voice is very important, there is also a need to make sure that parents' voices are included.

**Mrs Guy:** I agree, but "We don't know" seems to be the answer.

**The Chairperson (Mr Mathison):** OK, that is fine. We do not have much, so we will move on.

**Ms Hunter:** Thank you for being here, ladies. I have one question. I am tabling an amendment to the Bill based on road safety. We met Stephen from the Bill Office yesterday, who told us that the phrase "road traffic" might be more appropriate than "road safety". Is there anything already in the guidelines to do with road safety or road traffic?

**Ms McNaughton:** At this stage, there is nothing on road safety or road traffic. One of the amendments that you sent through to us mentions that: is that correct, Shirley? I cannot put my hand on it here.

**Ms Hunter:** Yes.

**The Chairperson (Mr Mathison):** It did.

**Ms McNaughton:** In the first instance, what is the problem that we are trying to solve? How can we do it? Do we have to use the legislation to do it? Is it about markings on clothes to help with road safety? If we are talking about road traffic, what does that mean?

**Ms Hunter:** This came off the back of a motion that was agreed in the Assembly on the dangers that children face. It is about where we are from, and particularly in the winter months. We have later starts, particularly in rural areas. Children face danger from road traffic. Sadly, a young girl in Mid Ulster died recently after being hit after getting off a bus. The topic of school uniforms is, ultimately, about affordability for families. However, it is also a moment for us to shape the Bill and safeguard our kids. I shared some ideas with members briefly yesterday about Velcro patches or armbands: anything

that is cost-effective but ultimately protects our kids. That is where my mindset is. I hope to speak with the Bill Clerk later this week or next week to tidy that up, but he said that "road traffic" might be more appropriate.

**Ms McNaughton:** OK. I honestly do not know what the answer is; we would need to test that with our legal people to see how it fits in with the purpose of the Bill. I am sorry that I cannot be of any more assistance in that regard.

**Ms Hunter:** No worries. Thank you very much.

**The Chairperson (Mr Mathison):** I think that I have just had an indication from Peter.

**Mr Martin:** As long as that is OK, Chair.

**The Chairperson (Mr Mathison):** Yes.

**Mr Martin:** It sounded as though you had a question at the end of that sentence.

**The Chairperson (Mr Mathison):** I was just double-checking that I had not missed anybody.

**Mr Martin:** No, you have not.

Margaret Rose, this is perhaps the easiest question so far: what is the purpose of the Bill?

**Ms McNaughton:** The purpose of the Bill is to make it mandatory for the Department to publish guidelines on the cost of school uniforms. We brought forward the Bill in the first instance because of the very real concerns that exist among parents about the cost of uniforms every year. That is the main purpose of the Bill. We have, of course, looked at comfort and sustainability, but the main purpose is to make it mandatory for the Department to make guidelines for schools on their school uniform policy. Clause 2(1) states:

*"Guidelines under this Chapter must include provision addressing unfair costs".*

The fundamental issues addressed by the Bill are the guidelines and the unfair costs.

**Mr Martin:** Thank you for that. I am tempted to ask whether you and Shirley dream about uniform clauses at night, but I will skip past that.

There has been a bit of chat about commencement, which is clause 15. The clause states that the Department will place into law sections 3 and 4 at whatever time it deems appropriate. So, at Royal Assent, we will have everything but sections 3 and 4, and, at some point, they will come into being. If the entirety of the Bill were to come into operation at the same time — effectively, at Royal Assent — would that cause any particular problems? What might that mean for parents or schools?

**Ms McNaughton:** Shirley might want to come in. A lot of it will depend on whether clauses 3 and 4 are amended so that the wording changes from "may" to "must", and therefore clause 15 would be amended consequently.

**Mrs Sweeney:** Fundamentally, what goes into the Bill will determine what must go into the guidelines. Schools must adhere to everything that is in the guidelines. The more prescription that there is in the Bill, the more that we need to think, "Well, how workable is that for schools? What is the impact on the ground, and will it, ultimately, make that difference for parents? Will it address affordability?".

We are quite concerned about the commencement order approach and the enabling provisions around clauses 3 and 4. Unintended consequences could arise. We will never predict them all. Schools may decide to work to the upper limit of a cost cap, or, if the number of branded items is limited, those could be the most expensive branded items. There are a number of real-world situations that we are seeing in real time and have seen over the past number of years. There are things that impact on costs for manufacturers, suppliers and retailers.



If the Bill requires us to have a cap in place, whether for branded items, a cost cap or both, but especially a cost cap, how will we move quickly to address those consequences? In reality, we may not be able to. If the Bill specifies a cap on either branded items or cost, we will not be able to move quickly. We have no evidence to draw on yet. We know the approach taken in the legislation in England, but that is still in the House of Lords. We have no evidence of how it will work for schools and parents.

If the Bill makes limiting branded items or a cost cap a must, then, realistically, we will need time to calculate what those branded items or that cost cap should be. If those provisions have to come in the day after Royal Assent, they will not be precise. It will not serve anybody well should any of those things not be thought through precisely. That is why we have always proposed that there be further consultation on the cap provisions — there are all those potential complexities.

The Competition and Markets Authority gave evidence to the Committee, and it gave us evidence through the consultation process, as well. We are getting into the economics and the detail of it. Those aspects are beyond the expertise of a policy official. The benefit of being flexible is that things can change as they need to, to serve the purpose of the Bill, which is workability for schools, and, fundamentally, affordability for parents. It allows flexibility, which is absolutely necessary. If caps are in place, they may need to be changed. The Competition and Markets Authority said that you could let the guidelines work for a couple of years and then see whether a cap is needed, bringing that in, if necessary. You could take a different approach of bringing in a transitional cap, reviewing it and then amending it or lifting it, if needed. We have the power to put it back if that needs to be done in the future.

The biggest risk would be if we had it in clauses 3 and 4 that those provisions must be put in place upon Royal Assent, because we need to have consultation; we genuinely need to get this right. We cannot presuppose what the outcome of a consultation on the cap would be. We will not know how any of the caps might work until they are implemented. The best opportunity to make a difference is to have flexibility to adapt, remove or replace them, and to bring them back in. Otherwise, this would go into primary legislation. Our current primary legislation is the Education and Libraries (Northern Ireland) Order 1986, and we are nearly 40 years on from that, so we are talking about this being primary legislation that would be in place for a long time. Any impact or unintended consequence that are driven by these requirements being in the Bill will take further primary legislation to fix, and, while that was going through due process, the issue, whatever it may be, would remain; we would not have any power to adapt or to fix it. There are so many risks and unknowns in that. It would be very concerning.

**Mr Martin:** OK. I have one more quick question. You gave quite complicated and complex evidence there, but I think that I got through it all. You are essentially saying that the intent of the Bill — the purpose that I asked Margaret Rose about — is to deliver more affordable uniforms, but that, if clause 15, which is the commencement order, and enabling clauses 3 and 4, were to be done away with in terms of being changed to "musts" rather than "mays", and if the Bill was poorly drafted and became legislation, it could disadvantage the very parents whom we are trying to help.

**Mrs Sweeney:** Yes. As I said, the biggest risk is that, although we may have the best of intentions, we will not be able to think of every potential impact prior to implementing the guidelines. We cannot predict things that will happen on the other side of the world that might drive up costs. The biggest risk is to parents, but there is also a risk to retailers and suppliers. The more prescription that is in the Bill, the bigger the risk.

**Mrs Guy:** May I ask one wee follow-up question to that?

**The Chairperson (Mr Mathison):** Very briefly, yes.

**Mrs Guy:** My question genuinely seeks to understand this. You raised a concern that, if we were to limit the number of branded items, people might make them really expensive, but you have also told us, many times, that other parts of the Bill will guard against excessive costs. Do other provisions of the Bill not, therefore, negate that?

**Mrs Sweeney:** It depends on the level of prescription. Where it is enabling — where it states that we "may" address it — it gives us flexibility. An amendment was being looked at that might create a limit of three branded items in the wording "specific styles" in clause 9. To look at the outworkings of that, if you were to take any one piece of the wording of clause 9, such as "particular makes or brands" or

"unique combinations, colours or fabrics", you will see that it is carefully framed. Even if an amendment were to come through in relation to colours, does that mean that a school should specify that there should be black shoes or a particular colour of blazer, jumper or tie? That is at the three limit. It is about how workable that is for schools. It really is dependent on which amendment you are thinking about making to the Bill.

**Mrs Guy:** I am probably being stupid, but the point is that you have said that there is provision in here around excessive costs. If they did that, that would kick in. They cannot do that, because if they make the blazer, say, £200, that would be excessive. They cannot do that. That is based on what you have told us about how it works.

**Mr Baker:** Exactly.

**The Chairperson (Mr Mathison):** Clause 2(3) talks about what is reasonable or unreasonable. If the guidelines are watertight on what is reasonable when it comes to all the different things that schools should or should not be asking, does that not negate the risk of schools doing some other thing to hike costs?

**Mrs Sweeney:** There is that aspect, but, again, these clauses are written for the Bill as introduced with those being enabling provisions. It is about balancing what any amendment is trying to achieve and the risk associated with unintended consequences. Yes, currently, we can state what is reasonable or unreasonable, but we would not have seen that as meaning that a blazer cannot cost more than a certain price. If that is what the Committee thinks is needed in the guidelines, that is probably another conversation.

**Mrs Guy:** We have not been that prescriptive in any of the amendments. We have not done that. We just had a limit on the number.

**Mr Martin:** She does not know that.

**Mrs Sweeney:** OK. There is nothing that I can see there. It would need to play out, and then, under clause 8, we would have to react to a situation. Again, it is about balancing what needs to be in the legislation with what is in the guidelines. We can adapt the guidelines quickly, but we cannot change anything in the primary legislation without further primary legislation.

**Mrs Guy:** We understand that point. It has been well made a number of times. Your central point is that this is about affordability. A lot of us feel that there is a weakness in the Bill, as it stands, in guaranteeing that we can bring costs down. Maybe the guidelines will come forward, and we will have comfort from that, but, again, as it stands right now, we just do not feel that comfort.

**The Chairperson (Mr Mathison):** Cathy has indicated. I will take that as the last indication. Nobody else wants to come in, so we will close the session after this.

**Mrs Mason:** To be honest, my point is exactly what Michelle was saying. I was completely confused because I thought that what is in there was to ensure that these uniforms would be affordable no matter what — whether that limit on the branded items was in there or not. I was quite confused as to how, if we put that in about the limit on branded items, how that would make that any different. You have sort of answered that in response to Michelle.

The other thing that I want to clarify is what Michelle initially asked about the definition of "branded items". I am still not quite clear about that following the answer to Michelle, especially if you are saying that the guidelines that you are going through with schools at the minute are being interpreted in different ways. Are you saying — I picked this up from what you were saying to Michelle — that we now need to define in the legislation what a "branded item" is?

**Ms McNaughton:** That was not our intention. We intended that the guidelines would set out very clearly what we mean by a "branded item" and what we consider to be reasonable or unreasonable when it comes to branded items. That is set out in paragraph 2.10 of the public consultation document. Those were our proposals at that point, and that is still what we envisage to be in the guidelines. It was not our intention to have the formal definition in the Bill.

**Mrs Mason:** Are you content that the formal definition will be in the guidelines?

**Ms McNaughton:** We will have to be very clear with schools what we mean by "branded items".

**Mrs Mason:** When you talk to schools at the minute, is there a difference of opinion on that or on how to interpret what "branded items" are?

**Ms McNaughton:** It is the interpretation of that. If the guidelines say, for example, you can have three branded items, which may well be three items with a school crest on them, and if the school can get a supplier to provide four or five branded items for a similar cost or a very small difference in cost — bearing in mind that it is all about competition and driving down the cost — is that going to be prohibited? Is that what we want to do?

**Mrs Mason:** How are we defining what the cost is going to be?

**Ms McNaughton:** We are not defining what the costs will be.

**Mrs Mason:** Exactly, so that would be the flaw.

**Ms McNaughton:** Schools need to look at where their uniforms are at the moment and what their ask is every year from parents. They need to look at their uniform policies and at what is in the Bill so far about what they should and should not do and what will be in the guidelines. It is about looking at all of that together, working through those and then setting out very clearly in their published policy how they have reduced the cost of their uniform, if indeed they have had to reduce the cost. Bear in mind that some schools have uniform policies that are extremely cost-effective. We heard before from a school in Craigavon. Some schools are actually doing those things at the moment. Not all schools, as we have always known, are not following the non-statutory guidance. Many schools have been and are very alert to the needs of parents and pupils within the schools. Sorry, I have probably gone on a bit.

**The Chairperson (Mr Mathison):** That is OK. Thanks, Margaret Rose. Danny wants to make a small point and then that will finish us off.

**Mr Baker:** Yes, just a small point. You mentioned a school in Craigavon, which is a very good example. I have had the privilege of going around schools this year because my wee lad is going into first year. The schools present what the uniform will be, and for the vast majority, it is a blazer, a jumper, a tie, a coat, a PE top, bottoms and a zip top. It adds up to about 10 branded items with the school crest. We heard evidence that, in England, the average price for a post-primary uniform is £92. The schools that I visited are not even close to that. It will cost me, this year, probably a couple of hundred pounds, and that is the problem. That is what we are trying to set here because, in my opinion, the way the Bill is drafted, it is not doing enough for affordability. It really is not. For me, the Bill is much more than that because it says on the face of it that it is about affordability, comfort and sustainability. That is not coming across when you are trying to explain the guidelines. It is about as clear as mud if I am being honest with you.

**Ms McNaughton:** OK. We have tried to address what we can in the Bill while allowing the flexibility to be clearer in the guidelines and change the guidelines, if need be, but I understand. As part of the research, we went to a number of different retailers and suppliers to see what price you could get a uniform for. It is very obvious that you can get a uniform for £120 or £130 pounds, and that includes a blazer and sturdy shoes. It is not unreasonable to expect schools to reduce their costs quite significantly — those schools that already have high costs.

**The Chairperson (Mr Mathison):** Thank you, Margaret Rose. We will draw that to a conclusion there. We will, hopefully, be bringing the Committee Stage to a conclusion next week, and then you guys will have time over the summer to reflect on where we land next week. Thank you both for your time.