



Committee for Education

OFFICIAL REPORT (Hansard)

School Uniforms (Guidelines and Allowances) Bill: Northern Ireland Committee, Irish Congress of Trade Unions

28 May 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
Mr Colin Crawford
Mrs Michelle Guy
Ms Cara Hunter
Mr Peter Martin
Mrs Cathy Mason

Witnesses:

Ms Marie O'Shea	Irish National Teachers' Organisation
Ms Maxine Murphy Higgins	National Association of Schoolmasters Union of Women Teachers
Ms Natalie Shiel	NIPSA
Ms Susan Neill	UNISON

The Chairperson (Mr Mathison): I welcome Marie O'Shea from the Northern Committee, Irish National Teachers' Organisation (INTO) and Susan Neill from UNISON. Natalie Shiel, who is a representative from NIPSA is joining us online, I believe. Have I got that correct? It was suggested that she might be joining online. We are also joined by Maxine Murphy Higgins, who is an official from the NASUWT. I will let you all do an introduction on what the Northern Ireland Committee, Irish Congress of Trade Unions (NIC-ICTU) does as an umbrella organisation and then make an opening presentation of up to 10 minutes. Members are keen to hear your views on the School Uniforms (Guidelines and Allowances) Bill in particular, but I know that there are other issues that you want to speak to, which can be picked up as well. I will hand over to you for opening presentations and any additional introductions that you want to cover.

Ms Marie O'Shea (Irish National Teachers' Organisation): Thank you for having us here today. I am the chairperson of the education trade union group on the Northern Ireland Committee, Irish Congress of Trade Unions. Our committee is made up of representatives from the unions for teachers and support staff and covers a wide range of roles. A number of our colleagues are here today. As a committee, we do not have the remit to negotiate terms and conditions for any of the staff who are members of the unions. Those matters are covered by the work of the Northern Ireland Teachers' Council and the constituent member unions that support workers. As a committee, we look at legislation that is coming through that relates to the education sector and policies that are drawn up by the Department of Education or the Education Authority (EA). We make representations on behalf of our members in various meetings and committees, particularly where the legislation or policies have an impact on the workforce in schools and other education settings.

We are happy to be here and to have the opportunity to speak to the Committee. We hope that we will have other opportunities to do so in the future. Thank you for having us. Our colleague Susan Neill will start off with some stuff about the School Uniforms Bill. We have divided up the jobs for today's meeting.

The Chairperson (Mr Mathison): I am conscious that Natalie Shiel does not appear to have got online yet. I hope that the Clerk's team will get that resolved. However, we will move forward with the presentation.

Ms O'Shea: Natalie is at a conference in Fermanagh, so she may not have got the Wi-Fi sorted just yet.

The Chairperson (Mr Mathison): Yes, maybe it is a Wi-Fi issue.

Ms O'Shea: I can say that as a Fermanagh person. *[Laughter.]*

The Chairperson (Mr Mathison): I would not want to pass judgement on Wi-Fi coverage in Fermanagh. Sorry to interrupt, Susan. Hopefully, we will get Natalie online soon.

Ms Susan Neill (UNISON): Thank you, Chair and Committee. I am a regional organiser with UNISON.

UNISON has been campaigning over the past number of years for universal free school meals provision. We have used this campaign platform to highlight the difficulties that families face in covering the growing cost of education, including school uniforms. UNISON supports a uniform policy and believes that it should be legal to comply with the Department's uniform guidance. We believe that the policy will benefit students, parents, carers and the education staff, creating a more inclusive and supportive education environment while also tackling the ever-rising cost of education. We strongly oppose the requirement for branded PE kits. There should be a cost cap, informed by an independent advice panel that includes children, young people, parents and carers. We have discussed that with our sister unions and our position is consistent with the representations that they have made.

I will leave it there for questions before we move on to the issue of school meals.

The Chairperson (Mr Mathison): Do you want to separate the briefing like that?

Ms O'Shea: Is that OK?

The Chairperson (Mr Mathison): It would be good to hear all the opening remarks first, unless you are waiting on Natalie Shiel. That way, members will be free to cover whichever issues are appropriate.

Ms Neill: Thank you, Chair. One of the highest education costs for families is from school meals. That is based on a 2017 study from the Northern Ireland Commissioner for Children and Young People (NICCY). The Committee has shown real interest in universal free school meals provision. Northern Ireland remains the only part of the UK that does not have any form of universal free school meals provision. Northern Ireland should move to introduce the universal provision of free school meals, drawing on developments in England, Scotland and Wales. UNISON believes that the provision of free school meals would assist in addressing child poverty and the cost-of-living crisis and would positively impact on child health and development.

A key campaign aim is to safeguard the school catering workforce, ensuring that their role is valued and protected through a publicly delivered model, not one that is exposed to marketisation or reduced quality. UNISON urges the Department and the Education Authority to assess how universal free school meals would boost catering staff capacity by encouraging the uptake of more hours without risking the staff's own eligibility to free school meals and the uniform grant. UNISON supports expanding the provision of free school meals but shares NICCY's concern that marginal income-threshold increases will not help poor children sufficiently. The eligibility criteria must change to ensure that all children in poverty are supported.

We note that the intention is for the Minister to make a decision on the way forward ahead of the start of the application process for free school meals and uniform grants for the 2025-26 school year. That issue must be urgently considered and a decision published so that parents and guardians are able to

plan ahead for the next academic year. We are seeking an update from the Department, through the Committee, as to when a decision may be made on that.

Ms Maxine Murphy Higgins (National Association of Schoolmasters Union of Women

Teachers): I will pick up on the topics of racism and better relations in schools, which we have talked to you about before. The Education Authority acknowledges that it needs to have a proactive and a reactive response to racism. It is difficult for our schools and EA services, as they really need support from society and political representatives.

The Committee on the Administration of Justice (CAJ) has completed a report on the mapping of far right activity. It has sought to shape and improve the public policy response to racist violence and intimidation, including through the response from the Executive to hate crimes and their programme to tackle paramilitarism, influencing hate crime legislation and the duties to remove hate expression and ensure a more active policing response. One of the CAJ report's main findings highlights the amount of misinformation and disinformation about incidents. We need to build capacity, particularly to combat that misinformation and disinformation. We need to find and shape approaches in the BME and anti-racism sector on how to report and seek effective remedies for online racist agitation. We need to better engage with the mainstream media on mapping racist violence and combating disinformation.

As we know, the public authorities — the Education Authority and the Department — have a specific role in tackling the online racist discourse that is impacting on our schools as well as a broader duty to tackle linked issues such as racist bullying in schools, but they need to be funded to do so. We call on the Government not to allow racism to be another SEN disaster. We knew that racism was going to increase, and I understand that referrals have increased sixteenfold. We need to pre-emptively resource that work.

As you know, the NASUWT and the Irish Congress of Trade Unions have been campaigning for mandatory relationships and sexuality education, the emphasis being on relationships and what good relationships look like. That could help in our fight against racism, as it seeks to promote good relations between different groups in society and entails fostering mutual respect, understanding and integration while continuing to combat discrimination and intolerance, whether it is about gender, religion or the colour of your skin.

I will say a bit about restrictive practices in school. I know that the Committee had a session last week with Rachel Hogan from the Children's Law Centre on restraint, isolation and other issues. Those issues need to be dealt with, and the number of violent incidents in our schools needs to be addressed. We understand that the Education Authority has reduced Team Teach training, as, it says, it is not reducing the number of incidents, but what will we do to reduce it? It comes down to a number of factors, including children not being placed in the correct provision; overcrowding; teachers and classroom assistants not being adequately trained or trained at all; and a lack of support from the health sector. We know that you have heard all that before, but we cannot continue to allow our education system to let down our children and the adults who work with them.

Ms O'Shea: There are a couple of points on SEN transformation that we want to raise with the Committee. Through our engagement with children and young people's services and the EA, we have been kept up to date with the issues around placement difficulties, capacity in the system and the ongoing issues that they have to resolve some of that. We are extremely concerned about the outworkings of that on the school side and the impact that they will have, because, even though a young person may get a placement in a school, it may not be timely enough for the school to have the physical provision in place. That puts pressure on school leaders, school communities and the staff who take responsibility for those specialist provisions.

We also have concerns about the suitability of some of the settings, given the outworkings of the children or young people being there and how quickly they can be remedied to ensure that those children or young people have access to the appropriate setting for their educational development. There are ongoing practical issues for schools and support staff in supporting the children and young people who are in their care and with some of the provision that is made available to them. Sometimes, it gets nearly to crisis point before some of those issues are engaged with, and it should not be like that. Staffing levels need to be looked at in advance of a placement being set up.

On staffing levels, you are aware that there are ongoing issues with recruitment and the number of temporary staff in the sector. We are concerned about that. We are concerned for teachers and support staff, because, where special provisions are put in place, a teacher from the school will often be redeployed to take on that role and the backfill will then happen from within the school's

mainstream setting. A lot of those contracts are temporary, which creates issues for staff. There is very little confidence in the system when it comes to contractual issues, and the outworkings of those for staff.

There is an ongoing issue with the review of the Education Authority's salary policy, with particular reference to SEN allowances. The unions were consulted prior to Christmas on the new recommendations and the salary policy. We have yet to have anything published or brought back to us again in that regard. We continue to have an issue with temporary appointments and the legacy of the non-payment of allowances prior to members of staff going on to permanent contracts. The reality is that, although they get the allowances the minute that they become permanent, they were doing the job — the exact same role — for at least four years prior to that without the allowances. There is disparity in that regard. That is not just something that affects teachers and support staff in special schools; we are seeing it across the Education Authority's support services, education other than at school (EOTAS) and specialist provision settings. There are too many inconsistencies across the sector. We need some movement on those.

The last item that I will raise with the Committee is the proposed legislation on strengthening inspection. The announcement by the Minister of the proposals to change the law to protect inspection by making it an offence to obstruct the inspection process has not really come as a huge surprise to the unions, but it is disappointing that the announcement has come in the middle of ongoing work that was agreed as part of the latest pay deal. An independent panel has been set up to tackle the issues around teacher workload. That is to report in November. In fact, the leads of the unions had their first interaction with that panel only today, so we are in the very early stages of that. We encourage the Minister to wait for the outcome of the review before engaging in a consultation that has the potential to destabilise an already fragile situation. There is a lot of mistrust amongst the workforce. We also highlight the fact that the member unions did not obstruct the completion of safeguarding inspections throughout the duration of the industrial action. Member unions played a significant role in the remodelling of the school inspection process and the current format for schools, and actively encouraged schools to engage with the Education and Training Inspectorate (ETI) to look at how it could improve the different streams for its work. The member unions also continue to regularly invite the ETI to attend conferences and seminars with a range of our members, including school leaders and teachers who are newly qualified or are in the early stages of their careers so that they have an opportunity to understand what the new model of inspection looks like. Our question therefore is this: is the proposed legislation necessary at the moment?

The Chairperson (Mr Mathison): Natalie, I know that you had a few technical glitches. Is your audio OK? Are you able to hear OK?

Ms Natalie Shiel (NIPSA): Yes. Thank you. Apologies.

The Chairperson (Mr Mathison): That is great. Thank you for joining us.

Thank you for your opening presentation. I will begin with a couple of questions related to the School Uniforms Bill that connect to some of the work that you have been doing to tackle racism in schools. The Committee received a briefing on the Bill yesterday from the Northern Ireland Human Rights Commission. It was very clear that it would have liked to see something more clearly in it on children's rights and inclusivity in school uniform policies. Is that something that you would like to see in the legislation, particularly to build in flexibility for anyone who has a particular religious or cultural adherence that impacts on their ability to comply with the school uniform policy? Is that something that you are supportive of?

Ms O'Shea: Absolutely. We encourage the promotion of that, because it allows for equality and inclusion without barriers to education. We do not want to create circumstances in which young people feel that they cannot attend school because they do not comply with the school's uniform policy. That is a huge part of what we expect in the legislation. I think that Susan referred to that as well.

Ms Neill: We very much support inclusivity, but we also need to consider the impact on special educational needs children.

The Chairperson (Mr Mathison): In yesterday's discussion, it was suggested that section 75 covers that, but the Human Rights Commission made it clear that it would like to see the Bill explicitly state that, in anything that covers the potential interfaces between gender, disability, race and religion, the approach of school uniform policy should be inclusive.

Ms O'Shea: It is about considering neurodiversity and special needs children in any policy, because uniforms can have a sensory impact. Something as simple as the material that a uniform is made from can have a significant impact on a young person.

The Chairperson (Mr Mathison): It is very helpful to get that opinion on yesterday's evidence session.

I will ask a question that might be a bit niche, but, given the spread of roles in education that your unions cover, it may be appropriate. I am conscious that the Bill does not include a requirement that guidelines cover the appropriateness of a school uniform for accessing the curriculum. I am thinking of the younger end of school: a play-based curriculum at Foundation Stage. Are you open to exploring such a requirement's being included in the Bill to ensure that school uniform policies at primary level actively encourage access to a play-based curriculum? Our discussions are sometimes very focused on the cost of post-primary uniforms and PE kits. The costs are there, undoubtedly, but the Bill is also an opportunity to get our policies right and make them fit for purpose. Do you have a view on whether school uniform policies always align accurately with the play-based curriculum?

Ms O'Shea: As a former nursery and early years teacher and a school principal, I think that something like that needs to be considered. As somebody who often had a red handprint on their trousers when they went home in the evening, I can only imagine what parents dealt with daily, because we did not interrupt children's play to make sure that they were adequately covered to protect their uniforms. Uniforms can have a significant impact on play-based learning for children in that age range. Play-based learning should be considered in developing the policy and encouraging schools to provide the appropriate coveralls and other things that are needed. Early years work is akin to PE in that it requires specialist equipment, so provision for that should probably be included.

The Chairperson (Mr Mathison): There is a wide range of uniforms in primary schools. Some are restrictive and formal, while others are comfortable and play-based. Do you have a view on whether comfort should be a factor in uniforms when it comes to play-based learning?

Ms O'Shea: The nature of the working environment necessitates something like that. Flexibility is needed so that a uniform can be smart for an event, but that should not be at a restrictive cost to parents; we have to consider that. Children should not need multiple uniforms for what they do. They should be able to adjust their uniform according to their setting.

The Chairperson (Mr Mathison): Thank you. That is all helpful.

Natalie, the Clerk has just pointed out that you want to come in.

Ms Shiel: No; apologies. I thought that the email from the Clerk was about an issue that I will cover later on. We are not at that stage yet.

The Chairperson (Mr Mathison): I have just one final question before I give other members the chance to come in. I will pick up on your comments about restraint and seclusion and some of the other issues that you raised. The conversation can sometimes become a little bit about pitching children's rights against the rights of teachers and classroom assistants in the workplace. It seems clear from your evidence that you support progress being made in that area. Where do you see the Department's introducing statutory guidance on that fitting in with what your members require? Are you supportive of that being developed, or do you have concerns about how it might land?

Ms Murphy Higgins: As you said, it always appears as though we are pitching one against the other. I have said that we can no longer let both sides down. We need to have direction — Rachel set this out well last week — with the higher level being what we are looking for and the lower level being the training that is needed. We need to be clear to our teachers on when they are able to use, for want of a better term, restrictive practices for the safety of a child or the safety of others. Rachel set that out very well: there is a spectrum, and we always need to use the lowest level possible when it comes to restrictive practices. I do not think that any of our members, whether they are teachers or support staff, want to use restrictive practices at all, nor do they want to use reasonable force.

As we have all heard, there are children who are being put into a placement that the school does not feel is appropriate for them and even their parents do not feel is appropriate for them. Not only that, but we do not have the space in a lot of schools to do the sensory work that is required, nor do we

have the training. One of the other issues, which Marie mentioned earlier, is that when a child is placed somewhere, we find that training is never provided in that setting or is provided late. If a child has particular needs, we need the training provided prior to their arrival. I am certainly not an expert, but when you talk to the experts, they say that when a child is in the right place, they will thrive because they are able to thrive. If they are not in the right place and they reach a point where they do not feel safe, that perpetrates the problem.

We all know that the EA is under pressure, but it goes back to what I said a few minutes ago in my evidence: we knew that it was coming. It was not a surprise. I know that we do not have the amount of money that we want and we have to choose the areas where we are going to spend, but we are letting down those children and the adults who work with them. We are putting them at risk.

To go back to your point, we need more up-to-date guidance, and we need to be clear so that all our members, whether they are teachers or support staff, know the parameters that we have. Also, if certain incidents happen, we have to record them and people need to be told what has occurred. We all acknowledge that there needs to be some form of change. We have to realise that those individuals — the children — need to be in the right environment. We are really struggling in that area. We have so many incidents because the children involved are not in the right environment and the staff do not have the right tools available to them.

Ms O'Shea: There has been a huge gap since documentation and guidance on how to approach such situations were last provided to schools. That vacuum has created an uneasiness in schools about staffing levels and what action is appropriate. As I said, it is at times of crisis that staff reach out because they have used every tool in their toolkit to try to address the issue for the young person and are searching for something else. That is not really a position in which anybody wants to be.

The Chairperson (Mr Mathison): I will bring in Natalie. She has raised her hand online and indicated that she wants to come in.

Ms Shiel: On the back of what Maxine touched on, I will comment from the classroom assistant side. Violence against staff is increasing. There is also a two-tier workforce when it comes to the classroom assistants who are dealing with that violence: those who are on permanent contracts and those who are on temporary contracts.

What training there is for classroom assistants is limited to the Team Teach programme, which was mentioned earlier. That relates to restraint techniques, but it is very limited in respect of defence against violence. You are still more likely to have that training if you are on a permanent contract and are qualified. Those on temporary contracts may not receive the training at all. Then, there are issues with being paid the appropriate rate for working with children with complex additional special needs. For example, classroom assistants who are working in specialist provision in mainstream schools (SPIMS) do not automatically get paid the additional support for educational needs (ASEN) rate, especially those who come in through temporary engagements. The issue essentially is that classroom assistants are vulnerable to violence at work. The training to deal with violence that is available to them is inadequate and is not available to all staff equally. Those who are dealing with more complex children are not getting the correct rate of pay.

We are now looking at the new SEN programme, which will focus on early intervention before statements have been issued. We are not confident that the classroom assistants will be appropriately trained or paid at the correct rate to deliver that, especially if they are on temporary contracts. We are also looking at recent figures that have been publicised in the media, which show that, by a very large margin, we have more classroom assistants on temporary contracts than we do on permanent contracts. That means that more staff are vulnerable and underpaid. We need to get staff on permanent contracts, and we need to get them protected and the pay that they deserve. Thank you.

The Chairperson (Mr Mathison): Thank you, Natalie. I will hand over to the Deputy Chair in a moment. I ask members to be quick and concise with their questions, because we have a big panel and a lot of issues to cover. I want to make sure that everybody gets an opportunity. As far as possible, I ask that one panel member takes a topic, just so that we can get through the evidence. I will bring in the Deputy Chair, and I ask those of you who are online and wish to speak to indicate with the raised hand function.

Mr Sheehan: Thanks for your evidence, so far. I want to focus on two issues: school uniforms and the consultation on making the obstruction of inspections unlawful. The Chair has mentioned the evidence

that we received yesterday from the Human Rights Commission, and the advice that inclusivity should be mentioned in the Bill and that there should be a more explicit reference to human rights law under the ECHR. One of the difficulties with the Bill is that it will give the Minister the right to make guidelines. We have been advised by officials that we should not be too prescriptive and that we should just give the Minister the power. As far as I am concerned, that is not a good idea. The Minister might well produce guidelines that I agree with, 100%, but another Minister might come in next week and change those guidelines. It is important, for consistency, that we are prescriptive in the Bill, because it is not just about affordability. It is also about inclusivity and children's comfort, because there are children with special needs who have sensory issues with particular materials, and there is the issue of whether girls can wear trousers.

Later, we will hear from Menstruation Matters. It raised the example of a girl who was wearing a light-grey skirt in school and had leakage during her period. She was, to put it mildly, teased by her classmates and felt very embarrassed and had to go home. Strangely enough, I was recently talking to someone who has some issues with urinary incontinence. They said that the best advice that they had ever got was to buy a pair of black trousers. That was one of the issues that Menstruation Matters raised. The girl in the example that they highlighted asked why she could not wear a pair of black trousers if there was the possibility of leakage during her period. What is your view? I know that it is a fairly broad question, but I am asking about being more prescriptive. The Committee or parties can table amendments that might make the Bill more prescriptive. What are your views on that?

Ms Neill: Everything that you have said should be in the Bill, and schools should be legally required to comply with those provisions. You made reference to what can happen to a young girl in school, and we hear of such examples on a daily basis. We are supportive of the inclusion in the Bill of measures relating to inclusivity, sustainability, comfort and feeling part of the school environment.

Ms O'Shea: If you do not allow for that flexibility, you create an environment in which young people might disengage from education for periods of time. They will not be in attendance, because they will want to avoid the scenario that you outlined. That is not appropriate. We need to make sure that what is put forward for schools can be enforced. There needs to be an understanding that schools have some involvement but that cannot be inconsistent. It needs to be measurable, from nursery right through to the end of their school years, so that there is something consistent. Families need to be aware of what is required of them so that they can understand and plan for that throughout the entirety of their child's school time. We support that.

Ms Neill: We believe that children, parents and carers should be very much part of what the uniform might look like. If schools want to go for a particular colour, be it light grey or whatever, they need to explain and justify why they are doing that instead of black, navy or whatever.

Mr Sheehan: Would you support a situation where a school's board of governors, in setting the uniform policy, can say that girls are not allowed to wear trousers?

Ms O'Shea: No.

Ms Neill: No.

Mr Sheehan: No? You would not agree with that?

Ms Neill: No. We believe that the Bill and the policy should be gender-neutral.

Mr Sheehan: I will move on to the consultation that the Minister announced he was going to launch around inspections. Playing devil's advocate here, I think that the Minister will say that it is an issue of safeguarding and child protection and that inspectors need to be in schools to ensure that there are no issues around child safeguarding. How would you respond to that?

Ms O'Shea: We would agree. We have demonstrated, even throughout industrial action, that we have facilitated safeguarding inspections. I can speak to that as a former principal; we engaged with the safeguarding inspection that happened during our industrial action. We cautioned our members about issuing the letter that they proposed to send to parents about all of this, because we felt that some of its phrasing was not reflective of what was happening in schools and that it was unfair to put school leaders in the position of having to say some of what was said in the letter. Safeguarding is fundamental in any school, and the unions have not stood in the way of that.

Mr Sheehan: Are you telling the Committee that, even during the period of industrial action, inspections around the issue of child safeguarding were taking place?

Ms O'Shea: Yes.

Mr Sheehan: There was no obstruction of those inspections?

Ms O'Shea: No.

Ms Murphy Higgins: Inspections happen in schools four or five years apart so we cannot depend on the ETI to ensure that safeguarding is happening. We understand that it is an oversight body that looks at that, but, realistically, we cannot wait four or five years. Our child safeguarding needs to be there all the time. It even goes back to when we were talking about restraint and exclusion. People need to understand what is required of them. For all of us, the most important thing with safeguarding is to keep our children safe. I do not want to wait for an inspection every four or five years, or maybe more, in order for that to happen. I concur with what Marie said. During our industrial action, we did not prevent safeguarding. We were very adamant with our members that any part of their work that involved safeguarding should be complied with.

Mr Sheehan: OK. Thanks for that. A final point —.

The Chairperson (Mr Mathison): A very brief point.

Mr Sheehan: I was at the recent National Association of Head Teachers conference, where it was stated that the average span between school inspections is seven years, not four or five. Thank you, Chair.

Mrs Guy: Thank you all for attending. I am going to ask you first about the school uniform aspects. Our ability to scrutinise has been really constrained, so I want to give you the opportunity to speak to that. Do you think that PE uniforms should be non-branded? Should branded PE uniforms be completely banned?

Ms O'Shea: There should not be the situation where a branded PE uniform ends up costing more than a uniform that is worn on a daily basis. There are many opportunities for that to be facilitated by things that are available either from specialist school uniform suppliers at a reasonable rate or even from the high street, where people can go in and buy white t-shirts, navy shorts, PE skirts, tracksuit bottoms or whatever is required. You only really need a branded uniform when you are playing in a competition for your school, and that is usually supplied by the school itself as a kit that is put on as you go on to the field to play the game, do cross-country or whatever. That does not need to be across the board, because enough uniform is available. Sometimes, people reference that it is used when you are out on school trips — that you put on the branded gear so that you are identifiable in bigger groups and bigger crowds. That can equally be done with a school jumper as a PE kit, and it does not require that high level of cost.

The Chairperson (Mr Mathison): Natalie has indicated.

Ms Shiel: Sorry, Danny has had his hand up longer than me.

The Chairperson (Mr Mathison): It was just if you wanted to make a point in response to Michelle's question. I was not sure whether you had indicated for that.

Ms Shiel: Sorry; I had. The feedback from our staff was more about affordable quality. They want something that is durable but affordable, and generic items are better for that. If there is a brand on it that is going to make it cost more, is that brand needed? If you can get the affordable quality from somewhere that is non-branded, that is preferable.

Mrs Guy: Just to follow up, NASUWT's briefing welcomed the announcement from the UK Government that they intended to limit the number of branded items in schools in England to three. Would you welcome a similar stipulation here? Is three the number? Have you any thoughts on what kind of restriction you would like to see here on the number of branded items?

Ms Murphy Higgins: As we have all said, why does it need to be branded anyway?

Mrs Guy: The idea of branded —.

Ms Murphy Higgins: They are talking about the badges and the tie and that sort of thing.

Mrs Guy: If you look at brand as the biggest —.

Ms Murphy Higgins: The UK Government are looking at the school blazer with the identifying badge and the tie. They are looking at bringing those items down to a minimum number. People want to be able to identify the school — to see that they are all at a certain school — so you want to keep it at a minimum. If we set out that it will be three items, then yes, but you can see that you are looking at a tie and a badge at least. I do not know about the rest of you with teenage children, but the other aspect is whether they will wear the jumpers that have a bit of branding, because they sometimes fall in and out of fashion.

Mrs Guy: We do try with the jumpers, do we not?

Ms Neill: With regard to the branding, we referred to the crest. If the crest was sold separately and not attached to the blazer, that would be a cheaper option for parents. They could source the blazer more widely and stitch the badge on, which would reduce costs.

Mrs Guy: I will draw on one of the other issues that you mentioned in the briefing about racism and bullying. Your evidence about how serious this issue is in schools was quite stark. You likened it to potentially being another SEN crisis, which is a big statement to make. Locally, we have legislation on bullying. A concern that I have around that, which you may share, is that we do not consolidate and publish data to identify the trends and show the extent of racism or other types of bullying, which could then channel interventions and target that as a problem in schools. The approach is quite reactive and is not proactive enough. The South has a very proactive approach. Can you talk a bit more about the scale of the problem and how we could be handling it?

Ms Murphy Higgins: When I referred to that as a problem, it was more around the number of children coming into our schools who are asylum seekers and people whose first language is not English. We are getting more referrals to the intercultural education service, and that is a very small team, as you probably know. It is more about coming into that. What we are saying about being proactive is that when things happen, like at the Belfast Model School for Girls last year, it was a reactive approach that we needed. We know that we need that, because these things will happen. I linked it to the relationships and sexuality education that we have, because we want our children and young children to accept people and have positive relationships, whether it be with men, girls and boys or someone with a different culture or religion. We talk about school uniforms and inclusivity. People are coming to live in our society, and we want them to feel included in our society and we want our children to respect and understand different cultures.

Mrs Guy: Where is the support lacking for you?

The Chairperson (Mr Mathison): Briefly, for the final point.

Ms Murphy Higgins: Essentially, because the intercultural service in the EA is so tiny, how are they providing that? They need to provide support to the school for the pupils — how we educate the pupils — for the staff, and also for society. We cannot ask them to do all that. Government need to do more, particularly around society. With something like what happened in the Girls' Model, the political leadership needs to be there as well. We know that a lot of the information that was out there was misinformation. How quickly are we responding to that? We cannot leave that up to the schools. We need to do more about that in society.

Mr Martin: Thank you very much for your evidence. I will start with what we were just talking about with Michelle, which was the number of branded items and so forth. I had this discussion as I left the house this morning. I had a nine-year-old who did not want to wear his jumper. We are talking about three branded items: blazer, jumper and tie. We have talked about cost caps and so forth. Maybe I am a broken record at this Committee, but whatever goes through will be primary legislation, so whatever that says, it is just going to stay forever. Do you accept — the Chair referenced this in his questioning — that the guidelines — I am maybe at odds with the Deputy Chair — are the place to address these

things, because they can be altered? Yes, there is a fear that another Minister might come in and change things, but if we set a cost cap, which, I assume, will probably be set in guidelines at one point at a certain level, then in a couple of years' time, with inflation, that cost cap might be a little bit meaningless and need to be changed. However, we could not do that, because it would be in primary legislation and not in guidelines. Do you have any sympathy with that argument? Say we put into primary legislation three items — it was there in section 4 or 5 — and we thought in two years' time that we do not need three, we need two, but you could not change it because it was in primary legislation? Can you comment on that?

Ms Neill: UNISON believes that schools should legally follow the guidelines from the Department, and that would take into consideration if things adjust in a few years. However, they should be legally required to follow those guidelines. We need to have processes in place so that we cannot creep back up again.

Mr Martin: Yes, that is fine; I agree. Your evidence refers to section 4 of the Education (Northern Ireland) Order 1998. You mentioned Rachel coming to the Committee last week about restraint and seclusion, and we heard some fairly harrowing testimony about some of these cases. The Departments of Education and Health have been working on that for some time. Section 4 is there. I met some teachers recently, and they cited an incident that was equally harrowing to me where a child had nearly taken a bite out of a teacher's arm. I am sure that that was very distressing for the teacher. In your evidence, you said that some of the issues with restrictive practices were overcrowding, which I accept, lack of support from Health, training issues, and violence against staff, which I just gave an example of. Would the repeal of section 4 leave staff in a more vulnerable position, or would it make no difference? What are your views on that?

Ms Murphy Higgins: I still feel that there have to be clear guidelines about where restrictive practices or — I hate to use the words — reasonable force are deployed. There still have to be guidelines and what you can do, going back to that spectrum. There still needs to be some form of guidelines. Section 4 talks about where they are either going to harm themselves or someone else, but then there is another one where we can talk about keeping — what terms do they use?

Mr Martin: They say:

"maintenance of good order and discipline".

Ms Murphy Higgins: Good order and discipline. Those are very different in my mind. Somebody using restrictive practices to keep something in good order is completely different to them either going to harm themselves or harm someone else. Somebody said it last week: if we were writing those guidelines now, would we put that in? I would say not, particularly about keeping good order. To protect everyone, we still need some form of guidelines. Section 4 probably needs to be very different to how it is written at the minute, but I do not think that we can leave it to absolutely nothing either, for those reasons. We need to protect the children themselves and the adults.

Ms O'Shea: When staff are in the midst of dealing with a crisis and things have come to a melting point, they need to be clear in their head what they can do. There needs to be that support there for them, in very distinct ways. We react as humans to what is coming at us. Equally, we have read in recent weeks harrowing reports from staff. I received one today, a seven-page document. The number of staff who were impacted in that one particular incident, not to mention the young person who was involved in it, and some of the peers around them, was just shocking. We need to be very clear what we are putting forward for schools for the support mechanism for everybody involved.

Mr Martin: There was a circular put —.

The Chairperson (Mr Mathison): Peter, just to finish, yes?

Mr Martin: Yes. There was a circular put out in 2021 from the Department, which I have in front of me. It more or less outlines what we have been talking about. Article 4 prevents a pupil from:

"(a) committing any offence;

(b) causing personal injury to, or damage to the property of, any person (including the pupil himself); or

(c) engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among any of its pupils".

The first two cover very specific elements. The third one, we probably would agree, is slightly more generic, but it also covers off some stuff that actually could be included. My feeling is that, if you limit it down to points (a) and (b), that might cause some difficulty to staff, in terms of what they could be sure that they could or could not do in just maintaining discipline. Also, importantly, the Department makes it really clear:

"reasonable force and restraint should only be used as a measure of last resort",

and we would all agree with that as well. Therefore, I suppose —.

The Chairperson (Mr Mathison): We have to close this up now, Peter. We are out of time.

Mr Martin: Yes, Chair.

I guess you have answered the question. I agree that there are wider issues around this, especially around training. I am concerned that we should take our time and look at this very carefully so that we do not hamstring teachers who find themselves, as we all know, very frequently in these types of situations.

The Chairperson (Mr Mathison): I ask members, if possible, to limit commentary and preambles as far as possible. We have a lot to get through, and time is going to beat us very quickly here. I ask members to be concise.

Ms Hunter: You will be grateful to know, Chair, that I have just one question.

Panel, thank you so much. I really enjoyed reading your brief, and I am particularly thankful for your work as well on universal free school meals. I welcomed the fact that you acknowledged in the briefing school uniforms not being intrusive. You alluded to things like make-up, piercings and even beards. When I talk to young people about the School Uniforms Bill, they feel that their individuality is being limited in the school setting through what they say are conservative, strict rules on appearance.

I recall my own school experience. There was a young girl who had significant acne, and the teacher had asked the male students in the classroom to look at the girls and ask who they thought was wearing make-up and then handed out make-up wipes. A lot of those young girls had acne at the time, and make-up was a way for them to feel confident in the school setting and prepared for learning. Off the back of that, things like individuality and the right to express oneself through their school uniform matter. This is the first time I have really seen anybody talking about this. Do you think that we, as a Committee, should be thinking about that more? How much do you think that it limits our young people and their right to express themselves when they are at school?

Ms Neill: Cara, the example that you gave about the make-up wipes — let us hope that there is no more of that going on. Scandalous.

Ms Hunter: Hear, hear.

Ms Neill: We do believe that people should be able to feel comfortable and be able to identify as themselves. One thing that we are pushing for relates to the need for children and young people to be at the heart of what the policy looks like. It should take on their views of what it should look like and of what makes them feel comfortable in school and would help to bring out their best potential as much as possible. They need to be at the front and centre of any conversation around that. We made reference to piercings, hair, beards or whatever. That is up to individuals, and it is for them to feel like they can be themselves, so that they learn in the best environment possible.

Ms Hunter: That is really helpful, because I spoke to students about school avoidance and emotionally based school avoidance. One thing that they felt was that they just cannot be themselves externally. They really struggle with being in the school setting. That is very helpful. It is a wider part of the conversation on uniforms that we may not have explored fully as a Committee. That form of self-expression, particularly when you are a teenager, is so important for your sense of self.

You answered my other questions in your briefing. Thank you again for being here today.

The Chairperson (Mr Mathison): Thank you, Cara. I am sure that some of that stuff around individuality and self-expression will come out in our evidence session with young people next week. I imagine that that will come through clearly.

Mr Baker: Thank you, Chair, and thank you *[Inaudible.]*

The Chairperson (Mr Mathison): Danny, the audio is very poor. It is breaking up.

Mr Baker: *[Inaudible.]*

The Chairperson (Mr Mathison): Give it a try and we will see, but we were not able to make that out, unfortunately. I will bring you in after Colin, and we can try again.

Mr Sheehan: Could he send his questions to the Clerk?

The Chairperson (Mr Mathison): Danny, you can use Teams to message a question across.

The Committee Clerk: Certainly.

Mr Crawford: Thanks, Chair. Hopefully you can hear me.

The Chairperson (Mr Mathison): That is all good, thank you.

Mr Crawford: Panel, thanks for your time today and your input so far. I have only one quick question, which is about financial or in-kind incentives from school uniform suppliers. Would you favour an outright ban on such arrangements or simply better transparency around them?

Ms O'Shea: Is that to do with PE uniforms?

Ms Neill: Yes, there should be a ban. We are against any financial contribution or incentive at all around that. It would be a ban, Colin.

The Chairperson (Mr Mathison): Is that everything from you, Colin?

Mr Crawford: That is great, Chair. Thank you.

The Chairperson (Mr Mathison): If only everybody's questions, and the answers that go with them, could be as quick as that. That would be great. I will bring Cathy in before we see whether Danny's question has landed via Teams.

Mrs Mason: I will pick up on the same thing as Cara. The "non-intrusive" stuff really stood out to me in the briefing. One specific thing was around keeping warm in winter and staying cool in the summer. That stuck out to me, because I know a school where the children are not allowed to take their blazers off. I think of this last month that we have had of extremely warm weather. The other point that is married to that is that, very often, it is the teachers who have to pull the children on that and enforce it. Is there anything in the Bill that helps with that, or does something need to be added so that children are allowed to stay cool when they need to, but it also does not fall on the teachers to try to enforce that?

Ms O'Shea: It is important that, as referenced, you look at the entirety of the school year and at what could potentially come and have to be dealt with. It gives schools the scaffolding to have those conversations with parents when they come into the school community so that they know that those options are available to them. It also means that schools themselves are reflective when it comes to what they have to deal with. You have children coming from everywhere around the country, and they could be standing waiting for a bus on a cold morning. They need to know that they can bring their winter coat and that, when they get to the door of the school, they will not be told to take off the winter coat that they needed to wear to get there. Equally, we need to be practical about warm weather conditions and all of that. Some reference needs to be made to that so that schools have the

opportunity to think about it when they are developing their uniform policy. They must have the flexibility to have that conversation with parents as well.

Mrs Mason: Another thing that I picked up on is the use of exclusion as a compliance measure. I know that you have discussed that before. You have said that you welcome the inclusion aspect in the statutory guidance. Do you think that it goes far enough? It mentions suspected financial hardship. Do you think that that is solid enough? I saw a statistic that 10% of children have missed school due to an issue with the PE uniform or school uniform.

Ms O'Shea: In recent times, we have seen situations in which schools have tried to address such issues for families by putting in place uniform exchange programmes. A box of stuff was donated to my school from some of the supermarkets in town or whatever. Things were available should children require them, and they were given out in a matter of fact way.

Consideration of the situation is needed if schools persist with having high-cost items, particularly for PE. It can be difficult enough for schools to engage young people, particularly teenage girls, and maintain their involvement in sports. If a uniform stipulation is a barrier to that, the school needs to seriously consider the situation. If there is anything that can be put in place to work around some of that for schools, it is important that that happens. I am sure that young people would say that themselves.

Mrs Mason: Thank you. I want to pick up on a point that Natalie made about the Team Teach training. Natalie, you talked about the difficulties in trying to access that. I know of a school where it is not just temporary staff who cannot access it; the school cannot access it full stop. Is there any update on that? Has any progress been made? Is that the situation across the board? I know of staff who are in pieces because they cannot access it. In fact, they have been told to go to a local special school for the training to be delivered there, but that local special school says that it does not have the manpower to do that.

Ms Murphy Higgins: We need to raise that with the Education Authority. The Education Authority mentioned in one of our meetings that it is not seeing a correlation between the Team Teach training and a reduction in the number of incidents. We will need to ask more about that. We have not got enough information; it was said in passing nearly. We made the comment, as I have made to you today, "If you are not going to do Team Teach, what are you going to do to rectify the situation, because we cannot leave it as it is at the minute?". We are going to have to raise that with the Education Authority.

Ms O'Shea: You referred to a school being asked to seek support from a local special school. Is there a capacity-building facility that the Education Authority considers as being the next appropriate measure? A teacher who goes to a training session may be expected to come back and cascade that training within their school. However, when we go to training, we pick up certain elements. A teacher will come back and train only the elements that they have picked up on. They are not the experts, so it will be a diluted message that comes back. The conversations about that with children and young people's services (CYPS) in the Education Authority are frustrating, because we know what our members are asking for and what they tell us that they need access to, and the Team Teach programme is a huge part of that.

Mrs Mason: Absolutely. We could follow up on that as well.

The Chairperson (Mr Mathison): Yes, we will make a note of that for follow-up. Thanks, Cathy.

Danny has messaged through a question on evidence that we have heard about upskirting in schools and the issues that it can cause. He has asked if you have a view on whether a ban on mobile phones could assist with tackling that sort of issue and if you would support that. Do you have a view on the current pilot programme on mobile phone pouches? Danny has received feedback from young people who say that, if they do not hand their phone over, it does not matter whether there is a pouch. I hope that I have communicated that accurately. Do you have a view on any of it?

Ms Murphy Higgins: The whole mobile phone issue comes back to the question of who has to police it. We are trying to get young people into schools, and we want schools to be inclusive. All young people are attached to mobile phones — as most of us are, and maybe we all need to be aware of that. We cannot leave it up to our schools to say, "You cannot have your mobile phones", but it is an

issue. It also comes back to the question of what real relationships, appropriate relationships and positive relationships are. We should know that we cannot take children's mobile phones. Our answer is, "We're going to remove their mobile phone", as opposed to ensuring that they understand what they should and should not do. My difficulty is that the people who are trying to educate pupils are the ones who are going to have to ensure that those pupils do not have their mobile phone with them. It causes a lot of friction. We understand the situation with the magnetic pouches. As we know, mobile phones are expensive, so, if one were to go missing, you can imagine that that would add further difficulty with the family concerned. There are lots of issues.

I would love to be able to say, "Yes, there's going to be a ban on mobile phones", but we know that even parents will say, "Well, I need to know how my child is getting home". I know, as somebody who was born in the 1970s, that we all managed to get home in Belfast in the middle of the Troubles. We all managed to get home without a mobile phone, but, now, we all use them for security and so that we can reach our loved ones. It is a really difficult question. From my point of view as a representative of teachers, I do not want to put teachers in a situation of conflict. If the first thing that a child is told on coming into school is, "Hand over your mobile phone", that will immediately put teachers in conflict with a significant number of pupils. If we are going to do that, we need buy-in from all of society; we cannot just leave it up to our schools.

The Chairperson (Mr Mathison): That brings us to the end of the session. We are running slightly over time, but I really appreciate your covering such a wide range of issues. There may well be specific issues in the briefing that you want to come back to speak to the Committee about. If there are any other issues that you think merit a more detailed evidence session, please keep in touch. Thank you for your time.