

SCHOOL UNIFORMS (TROUSERS) BILL

EXPLANATORY AND FINANCIAL MEMORANDUM

INTRODUCTION

1. This Explanatory and Financial Memorandum has been prepared by the Committee for Education ('the Committee') in order to assist the reader of the Bill and to help inform debate on it. It does not form part of the Bill and has not been endorsed by the Assembly.
2. The Memorandum needs to be read in conjunction with the Bill. It is not, and is not meant to be, a comprehensive description of the Bill. So, where a clause or part of a clause does not seem to require an explanation or comment, none is given.

BACKGROUND AND POLICY OBJECTIVES

3. The Committee has worked extensively on the issue of school uniforms. The Committee has identified a number of areas where they would like to see legislative change. One particular issue is that of the right to choose to wear trousers. This Bill seeks to allow all pupils to wear trousers at school, so that this becomes a universal right.
4. For the most part, girls do not currently have the right to choose to wear trousers (or shorts) to school. The Committee has heard a very strong appeal for this change and considers this an important issue which has a very significant impact on daily life in school.
5. The School Uniforms (Guidelines and Allowances) Act (Northern Ireland) 2026 makes provision for binding guidelines on school uniform policies to be issued by the Department of Education ('the Department') to support schools in determining such policies. During the development of the legislation, several groups highlighted to the Committee the importance of neutrality, inclusivity, and equality in school uniform policies. Stakeholders, including representatives from youth groups, recommended that girls are provided the option to wear trousers as part of their school uniform for reasons related to equity, dignity, comfort, menstruation, practicality, and safety.
6. There are many benefits to this legislation. It is anticipated that the legislation will reduce the likelihood and impact of up-skirting. It will also improve access to education by girls, by increasing their dignity (including period dignity), comfort, body confidence, mobility, flexibility and peer engagement in exploring the curriculum without fearing for their modesty, feeling at a disadvantage or being subject to an additional and detrimental threshold of judgement on considerations extraneous to their ability.

CONSULTATION

7. The Committee carried out a public consultation to the proposed legislation between 12 December 2025 and 20 February 2026. In total 3,695 responses were received.

8. The Committee also held evidence sessions with the Northern Ireland Youth Assembly; the Northern Ireland Teachers' Council (NITC); the Northern Ireland Children's Commissioner (NICCY) and NICCY Youth Panel; and the Chief Commissioner for Human Rights and Northern Ireland Human Rights Commission (NIHRC).
9. The Committee received advice from Assembly Legal Services on the legislative competence of the proposal; from the Assembly Bill Office on the procedures to be followed in developing a Committee Bill; and research from Assembly Research and Information Service (RaISe) on the evidence base for comparative proposals and the financial implications of the proposal in question.
10. The majority of respondents (98.21%) to the consultation were in favour of the central question of pupils' right to wear trousers as part of school uniform.
11. 91.85% of respondents also advised that there should be no exceptions to the proposal.
12. There was some opposition to the proposal. The Committee wrote to the Minister of Education on 22 January 2026 as follows: *"For best use of Assembly time and given the drafting and other resources at your disposal, the Committee agreed to ask you to make mandatory in guidelines that all schools offer this right to their pupils and specify it clearly in uniform policies"*.
13. The Minister responded: *"In relation to mandating the right for pupils to choose to wear trousers to school if they wish, I have strengthened the framework under which schools will set their uniform policies. There are no barriers in the Bill or the Guidelines to girls being able to wear trousers as part of their school uniform. Schools have to set out the rationale for, as well as the cost of, their uniform requirements which in turn have to be comfortable and practical; they have to consult their pupils and their parents; this information is all published. Where girls want to wear trousers as part of their school uniform, they can tell their school this directly through statutory consultation, providing a collective pupil voice. I remain of the view that there is a balance to be struck between what is required through the statutory Guidelines and respecting the autonomy of schools to decide their own uniform. The Guidelines as drafted achieve this balance. It is my view that schools will respond positively to the pupil voice and I trust them to do so."*
14. The Committee also received a letter on 24 February 2026 from the Free Presbyterian Education Board of Presbytery to propose an exemption for independent schools on grounds of religion. The Committee received legal and other advice on the matter and voted not to include such an exemption.
15. The Committee considered and developed its policy proposal.
16. The Committee agreed the draft Bill at its meeting on 7 May 2026.

OPTIONS CONSIDERED

Option 1 – Do nothing. Under this option, schools would continue to decide whether to permit all pupils to choose to wear trousers as part of their school uniform policy.

Option 2 - To take legislative action to allow all pupils to wear trousers at school, so that this becomes a universal right.

As Option 1 would not meet the policy objective of providing a universal right for all pupils to wear trousers at school, Option 2 as provided for in the Bill is therefore the preferred option.

OVERVIEW

17. The Bill amends the School Uniforms (Guidelines and Allowances) Act (Northern Ireland) 2026 to permit all pupils to wear trousers as part of their school uniform.

18. The Bill has 5 clauses and no schedules.

COMMENTARY ON CLAUSES

Clause 1 – Trousers as part of school uniform for all pupils

This clause amends the School Uniforms (Guidelines and Allowances) Act (Northern Ireland) 2026. Clause 1(2) creates a statutory right for all pupils to be able to wear trousers as part of their school uniform. Clause 1(3) sets out some additional requirements for the guidelines on school uniforms that the Department is obliged to issue under the 2026 Act. Firstly, those guidelines must implement and give full effect to the right to wear trousers. Secondly, the guidelines must also permit all pupils to wear trousers, shorts or other leg coverings, as appropriate, when engaging in recreational, sporting or outdoor activities.

Clause 2 - Publication of guidelines

The 2026 Act already obliges the Department to lay the guidelines before the Assembly. This clause obliges the Department to also publish the guidelines.

Clause 3 – Transitional arrangements

This clause sets out how these new rules interact with the current guidelines. The current guidelines must be updated to take into account these new rules by 1 August 2027.

Clause 4 – Commencement

Clause 1 comes into operation on the same date as the date by which the guidelines must be updated, 1 August 2027. The rest of the Bill comes into operation on the day after Royal Assent.

Clause 5 – Short title

This clause provides for the Bill's short title.

FINANCIAL EFFECTS OF THE BILL

19. It is anticipated that the financial effects of the Bill will be minimal. The Department will be required to update and reissue guidance in order to reflect the new legislative responsibilities on schools. However, it appears unlikely that significant costs would be incurred as a result.
20. A school's non-compliance could expose it or the Department to legal challenge, with associated public purse cost implications. Conversely, making the right explicit could reduce pupils', parents' or guardians' complaints and litigation overall, potentially easing financial pressures.

HUMAN RIGHTS ISSUES

21. The Committee considered that the provisions of the Bill are compatible with the European Convention on Human Rights.
22. The Committee noted that the Bill engages Articles 8, 9 and 10, insofar as school uniform policies affect personal autonomy, expression and the manifestation of beliefs. It considered that, by increasing choice, the Bill enhances the enjoyment of those rights.
23. The Committee further noted that the Bill enhances Article 14 by promoting equal treatment through ensuring all pupils may wear trousers.
24. The Committee considered that the Bill engages Article 2 of Protocol No. 1, and concluded that it supports that right by reducing potential barriers to participation in education.

EQUALITY IMPACT ASSESSMENT

25. An Equality Impact Assessment (EQIA) has not been undertaken.
26. The Committee considered that the Bill does not have an adverse effect on any of the groups identified in section 75 of the Northern Ireland Act 1998.

LEGISLATIVE COMPETENCE

At Introduction the Chairperson of the Committee for Education had made the following statement under section 9 of the Northern Ireland Act 1998:

"In my view the School Uniforms (Trousers) Bill would be within the legislative competence of the Northern Ireland Assembly."



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