



Department
for Education

School uniform

**Guidance for governing bodies, school
leaders, school staff and local authorities**

September 2013

Contents

Summary	3
About this departmental guidance	3
Expiry or review date	3
Who is this guidance for?	3
Key points	3
School Uniform	4
The Department's policy on school uniform	4
What should a school consider when developing or amending its uniform policy?	4
The importance of cost consideration	5
Human Rights, Equality and Discrimination considerations	6
Complaints and challenges to school uniform policy	6
Pupil non-compliance	7
School Uniform Case Study	8
Caldew School, an academy in Dalston, Cumbria	8
Further sources of information	9

Summary

About this departmental guidance

This is non-statutory guidance from the Department for Education relating to best practice on developing school uniform policy. There is no legislation in place that deals specifically with school uniform or other aspects of appearance, but we do expect schools to take full account of this guidance.

References within this guidance to the role of the governing body should be taken to include the academy trust (or the local governing body of the academy where the academy trust delegates these responsibilities), in the case of academies.

Expiry or review date

This guidance updates the Department's previous guidance on school uniform, published in May 2012 but now with greater emphasis on securing best value for money in the supply of school uniforms. It will be reviewed and updated as necessary.

Who is this guidance for?

This guidance is for:

- School leaders, school staff and governing bodies in all maintained schools and academies
- Local authorities

Key points

- This guidance sets out those aspects that school leaders and governing bodies will need to consider when developing and implementing their school uniform policy.
- Greater emphasis is placed on considering the cost and availability of the uniform when making contracting decisions.
- Governing bodies are expected to demonstrate transparency and best value for money when appointing suppliers.

School Uniform

The Department's policy on school uniform

It is for the governing body of a school to decide whether there should be a school uniform policy and if so what that should be. This flows from the duties placed upon all governing bodies by statute to ensure that school policies promote good behaviour and discipline amongst the pupil body¹. It is also for the governing body to decide how the uniform should be sourced.

The Department strongly encourages schools to have a uniform as it can play a valuable role in contributing to the ethos of a school and setting an appropriate tone.

What should a school consider when developing or amending its uniform policy?

We strongly recommend that in **setting** its uniform/appearance policy the governing body:

- consider the timeframe for introducing a new uniform policy or amending an existing one;
- take into account the views of parents and pupils on significant changes to school uniform policy;
- consider the cost, the available supply sources and year round availability of the proposed uniform to ensure it is providing best value for money for parents;
- ensure that the PE uniform is practical, comfortable and appropriate to the activity involved, and that consideration is given to the cost of compulsory PE clothing;
- consider how the introduction of the proposed uniform policy might affect each group represented in the school and any existing suppliers;

Once a policy has been **agreed**, we recommend that the governing body:

- describe its uniform/appearance policy clearly and ensure that parents are informed.
- consider carefully reasonable requests to vary the policy, in particular to meet the needs of any individual pupil to accommodate their religion or belief, ethnicity, disability or other special considerations.
- consider carefully the risk of a challenge to the policy and consider appropriate insurance cover;

¹ Section 88 of the Education and Inspections Act 2006 and Education (Independent School Standards) (England) Regulations 2010.

- review the policy at appropriate intervals (at least once every five years as a minimum) to ensure it is still fit for purpose.

The importance of cost consideration

The School Admissions Code 2012, which is statutory guidance, states “*Admission authorities **must** ensure that [...] policies around school uniform or school trips do not discourage parents from applying for a place for their child.*” No school uniform should be so expensive as to leave pupils or their families feeling unable to apply to, or attend, a school of their choice, due to the cost of the uniform. School governing bodies should therefore give high priority to cost considerations. The governing body should be able to demonstrate how best value has been achieved and keep the cost of supplying the uniform under review.

When considering how the school uniform should be sourced, governing bodies should give highest priority to the consideration of cost and value for money for parents. The school uniform should be easily available for parents to purchase and schools should seek to select items that can be purchased cheaply, for example in a supermarket or other good value shop. Schools should keep compulsory branded items to a minimum and avoid specifying expensive items of uniform eg expensive outdoor coats.

Governing bodies should be able to demonstrate that they have obtained the best value for money from suppliers. Any savings negotiated with suppliers should be passed on to parents wherever possible. Schools should not enter into cash back arrangements. Exclusive single supplier contracts should be avoided unless regular tendering competitions are run where more than one supplier can compete for the contract and where best value for parents is secured.

The Department for Education has produced guidance on general procurement issues for schools and academies (see ‘Further Sources of Information’ below).

Local authorities and academies might choose to provide school clothing grants or to help with the cost of school clothing in cases of financial hardship². Individual schools may also wish to consider running their own schemes to provide assistance, particularly for supporting new intakes of children entering the school or in the event of substantial changes to the existing uniform. Schools should avoid frequent changes to uniform specifications.

² See sections 510 and 511 of the Education Act 1996 and the Local Education Authority (Payment of School Expenses) Regulations 1999 (SI 1999 No. 1727).

Human Rights, Equality and Discrimination considerations

Some religions and beliefs require their adherents to conform to a particular dress code, or to otherwise outwardly manifest their belief. This could include wearing or carrying specific religious artefacts, not cutting their hair, dressing modestly, or covering their head. Pupils have the right to manifest a religion or belief³, but not necessarily at all times, places or in a particular manner⁴.

Where a school has good reason for restricting an individual's freedoms, for example, the promotion of cohesion and good order in the school, or genuine health and safety or security considerations, the restriction of an individual's rights to manifest their religion or belief may be justified. The school must balance the rights of individual pupils against the best interests of the school community as a whole. Nevertheless, it should be possible for most religious requirements to be met within a school uniform policy and a governing body should act reasonably through consultation and dialogue in accommodating these.

In formulating its school uniform policy, a school will need to consider its obligations not to discriminate unlawfully⁵. For example, it is not expected that the cost of girls' uniform is significantly more expensive than boys or vice-versa as this may constitute unlawful sex discrimination. A school should also bear in mind the concept of "indirect" discrimination. This involves the application of a requirement, which, although applied equally to everyone, puts certain people at a particular disadvantage because of their gender, race, sexual orientation, religion or belief or gender reassignment. Such a requirement will need to be justified as a proportionate way of achieving a reasonable objective if it is to be lawful, and the policy will need to be flexible enough to allow for necessary exceptions.

Complaints and challenges to school uniform policy

Disputes about school uniforms should be resolved locally and should be pursued in accordance with the school's complaints policy. In law, governing bodies must have a complaints procedure in place to deal with issues such as a complaint about school uniform. Parents should be able to lodge their complaints and/or objections easily. We do expect the governing body to consult and work closely with parents to arrive at a mutually acceptable outcome. If a school has in place a contract with a specific supplier, the governing body should ensure that the supplier has an agreed procedure to deal with parental complaints about the supply and quality of uniform.

Governors should be willing to consider reasonable requests for flexibility in the uniform policy for an individual pupil to accommodate particular social and cultural circumstances.

³ See Human Rights Act 1998

⁴ See Equality Act 2010

⁵ See Equality Act 2010

Pupil non-compliance

Teachers can discipline pupils for breaching the school's rules on appearance or uniform. This should be carried out in accordance with the school's published behaviour policy.

A head teacher, or a person authorised by the head teacher, may ask a pupil to go home briefly to remedy a breach of the school's rules on appearance or uniform. When making this decision schools need to consider the child's age and vulnerability, the ease and time it will take, and the availability of the child's parents. This is not an exclusion but an authorised absence. However, if the pupil continues to breach uniform rules in such a way as to be sent home to avoid school, or takes longer than is strictly necessary to effect the change, the pupil's absence may be counted as an unauthorised absence. In either case the pupil's parents must be notified and the absence should be recorded. If a school is considering excluding a pupil in response to breaches of uniform policy then this must be in line with the legal requirements for exclusion.

School Uniform Case Study

Caldew School, an academy in Dalston, Cumbria

Governors at Caldew School felt that the school's uniform was no longer rigidly adhered to and needed a re-launch. They therefore consulted on a new uniform, and held workshops with parents as well as students and staff. The main considerations arising from the consultation were the need for the uniform to be affordable but also practical, in that parents recognised that students often had to wait in inclement weather for their school buses or had substantial walks at the start and end of their school days.

The Governors were determined that parents should have the widest choice of suppliers for the main elements of the uniform. Trousers, skirts and shoes were designated as plain black so parents could buy them anywhere. The colour of shirt was changed to light blue to match the schools colours, but the same light blue as was readily available in supermarkets and other low cost suppliers.

Only two aspects of compulsory uniform are not generic and widely available. The school jumpers are black wool-based V-necks. These can be bought with the school logo already on from the local uniform shop. Alternatively, parents can buy jumpers elsewhere and have the logos put on for a small fee by two local companies, ensuring the uniform shop does not have a monopoly. The school also regularly meets with the uniform shop to make sure the quality of their jumpers meets the standards available elsewhere. The school tie is sold at cost through the school, and through the local uniform shop.

This year, the school added House names to the jumpers. They provided sew-on badges free for all students so they didn't have to change their jumpers, and continue to do so, so jumpers can be passed down within families.

The school decided to remove blazers from the uniform requirements. Many parents in the consultation had mentioned that they did not see blazers as practical for waiting for buses or walking to and from school in bad weather. Instead, the school has enforced a rule that no student can wear an external jacket inside the building. School-branded fleeces and weather-proof jackets can be bought, and some students do use these, but they are not obliged to do so, as many wear more substantial clothing.

The school encourages its Year 11 students to donate items of uniform when they leave, so they always have a supply of items of uniforms they can give to students if needed. The school uses its hardship fund to buy uniform in exceptional circumstances.

The new uniform is very well adhered to by students, and is affordable for parents.

Further sources of information

Associated resources (external links)

- OFT Survey 2012 - <http://webarchive.nationalarchives.gov.uk/20140402142426/http://www.offt.gov.uk/OFTwork/markets-work/othermarketstwork/school-uniforms>
- The Equality Act
- The Human Rights Act
- Education Act 1996
- Local Education Authority (Payment of School Expenses) Regulations 1999 (SI 1999 No. 1727)

Other departmental guidance you may be interested in

- Health and safety guidance
- Behaviour and Exclusions guidance
- Buyways procurement resource - <http://www.buyways.co.uk/>
- Guidance for effective buying for your school

<https://www.gov.uk/guidance/buying-for-schools> f



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