

EXPLANATORY NOTES

School Uniforms (Guidelines and Allowances) Act (Northern Ireland) 2026

Chapter 1

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These Notes refer to the School Uniforms (Guidelines and Allowances) Act (Northern Ireland) 2026 (c.1)
which received Royal Assent on 19 February 2026

SCHOOL UNIFORMS (GUIDELINES AND ALLOWANCES) ACT (NORTHERN IRELAND) 2026

EXPLANATORY NOTES

INTRODUCTION

1. These Explanatory Notes relate to the School Uniforms (Guidelines and Allowances) Act (Northern Ireland) 2026 which received Royal Assent on 19 February 2026. They have been prepared by the Department of Education in order to assist the reader in understanding the Act. They do not form part of the Act and have not been endorsed by the Assembly.

2. The Notes need to be read in conjunction with the Act. They are not, and are not meant to be, a comprehensive description of the Act. So, where a section or part of a section does not seem to require an explanation or comment, none is given.

BACKGROUND AND POLICY OBJECTIVES

3. The cost of school uniforms is consistently cited as a key concern for parents on an annual basis. This has only increased since the cost-of-living crisis. Schools in Northern Ireland have the right, in law, to manage their day-to-day running. This includes deciding whether to have a school uniform and, if so, what that uniform should be. In practice, while school uniforms are not compulsory, almost all schools here have a school uniform.

4. School uniforms play an important part in the engagement of pupils with their school, promoting a sense of identity, pride and unity and supporting the ethos of the school. They can also ensure pupils from all backgrounds feel welcome, protecting children from social pressures to dress in a particular way and promoting good relations between different groups of pupils. In addition, school uniforms support the safe-guarding policy of a school, making it easier to identify any individuals who should not be on the premises.

5. To support schools, the Department of Education published guidance on uniforms[1], with a revised version issuing in 2018. Schools have been reminded of this guidance regularly.

6. Many schools in Northern Ireland followed the guidance and worked hard to keep the costs of school uniforms as low as possible, however, some schools continued to have uniform policies where certain items of a uniform were expensive; or restrictions were in place on where parents or carers could buy the uniform giving them little or no opportunity to purchase cheaper, sometimes better quality school uniform items from alternative suppliers.

[1] Circular 201104 - Guidance to Schools on School Uniform Policy (revised 5 June 2018).

7. Parents should not find the cost of a school uniform a significant outlay, nor should it deter them from applying for a particular school.

8. The aim of the Act is to ensure that school governing bodies put affordability, comfort, practicality and sustainability at the centre of their decision-making when they set their school uniform requirements. Prior to the Act schools did not, legally, have to follow the Departmental guidance. This Act means that grant-aided and independent primary and post-primary schools must adhere to the guidelines about school uniform policies and these guidelines are therefore given statutory effect.

OVERVIEW

9. The Act places a statutory duty on the Department of Education to issue guidelines about school uniform policies. As well as having statutory underpinning, such guidelines are binding in relation to the managers of all relevant schools i.e. grant-aided and independent primary and post-primary schools. In addition, the Department is entitled, or in certain circumstances required, to give directions to ensure compliance with guidelines in appropriate cases. As with guidelines, such directions are binding.

10. In addition, the Act amends Article 60 of the Education and Libraries (Northern Ireland) Order 1986, so a uniform grant (known as the clothing allowance) can be accessed for the benefit of pupils at independent schools - this can already be accessed for children at grant-aided schools.

COMMENTARY ON SECTIONS

Part 1 School Uniform Policies

Chapter 1 Department to issue guidelines

Section 1. The Department of Education must issue guidelines about school uniform policies to schools/ review these guidelines at least once every three years/ may reissue and must reissue the guidelines if they are revised following review. The guidelines may cover specific or general points schools must take into account when devising or reviewing their uniform polices and may require schools to include additional information – or explanation – as well. The guidelines must state who is to be consulted by schools when devising or reviewing uniform policies – this must include parents and pupils - and how often the policies are to be reviewed. The guidelines may cover transitions in terms of what applies from a particular date, and also may cover transitionary periods for schools e.g. if changing uniform then a lead in time. There is no restriction on the Department covering other [relevant] matters in its guidelines about school uniform policies. In practice this means that sections 2 to 5 of the Act are essentially details of what sorts of things in particular guidelines are going to cover, but they do not limit the generality of what could be done under section 1. Therefore, guidelines could still do things in ways not specifically mentioned in sections 2 to 5 (as read with sections 6 and 9 to 11).

Section 2. The guidelines must address unfair costs aspects of uniform policies and cover the comfort & practicality of uniforms/ nature and adequacy of uniforms for classroom or academic subjects; informal or play-based learning; recreational, sporting or outdoor activities/ value for money/ lending of uniforms and use of clothing banks. Unfair costs aspects are defined in section 9. The guidelines may cover what is reasonable or unreasonable in relation to schools

specifying particular suppliers or manufacturers and requiring any particular item or set of clothing, including specific styles or for a specific activity/ occasion. Clothing and styles are defined in section 10.

Section 3. The guidelines must require uniform policies to ensure items can be bought from more than one retailer or supplier unless a declaration is made by the manager of a school demonstrating how such an agreement delivers value for money. Guidelines must require a manager of a school to publish, at least annually, information on any single/limited supplier agreement relating to its uniform unless it is a pre-commencement agreement. Agreement is defined to include contract and pre-commencement agreement is defined as one being in place before this section of the Act comes into operation.

Section 4. The guidelines may set requirements or restrictions on the numbers of items or sets of clothing a school can require pupils to wear. This enables a limit on numbers of branded items.

Section 5. The guidelines may set either a maximum cap on the monetary cost, or a range of costs, for an item or a set of items, or for the total uniform requirements. And the guidelines may state the expectation that schools design their uniform requirements to stay within any such limit. This is subject to a commencement order before it comes into operation.

Section 6. This section expressly allows guidelines, wholly or partly, to be framed by reference to different permutations involving relevant schools and particular pupils or ages or year groups. They may also be applied to certain, or all, school terms or years in future, Foundation Stage or Key Stages 1,2,3 or 4. Schools and pupils are defined in section 11.

Section 7. The manager of a school the guidelines apply to must adhere to them when devising or reviewing the school's uniform policy and when implementing & enforcing the policy. The same applies to any member of staff involved in devising, reviewing, implementing and enforcing the uniform policy. Manager of a school is defined in section 11. They must publish the policy - and any additional information or explanation the Department has required of them under section 1 - on the school's website.

Section 8. The Department must give directions to a manager of a school if satisfied the school has materially not adhered to the guidelines and may give directions to a manager of a school if satisfied that pupils are being subjected to disciplinary action/ participatory disadvantage for breaching the uniform policy. The Department becomes satisfied through its own assessment of the school uniform policy, or information via a complaint or in an Education and Training Inspectorate (ETI) report or in a report of a Northern Ireland Public Services Ombudsman (NIPSO) investigation. A complainant should have exhausted the school's internal complaints procedure first. The Department has to ask the relevant manager for the school's perspective. If the Department issues a direction about adhering to the guidelines, it may be specific with a deadline for action – this can be for a specific school term or year in future or generally for all school terms or years in future. If the Department issues a direction about pupil discipline or participatory disadvantage measures, it may require the school to end or moderate such measures. By reference to Article 101(6) of the 1986 Order, directions must be complied with and compliance is enforceable by mandamus (a court procedure). This extends to grant-aided and independent schools equally, even though that Article (101) does not itself relate to both types of schools. The full text of a direction must be published within three months of being given.

Section 9. Defines that unfair costs aspects mean any aspect of a uniform policy that could – in the Department's view – raise questions about excessive costs of individual or all uniform items or sets of clothing, or unreasonable costs due to limited choice of suppliers. The Department has to particularly consider any evidence of specific vs generic styles and non-affordability for lower income households.

Section 10. Clothing includes footwear; specific styles include brands or logos, unique combinations, colours, fabrics, badges, emblems or markings.

Section 11. References to schools throughout this Chapter mean grant-aided and independent primary and post-primary schools/ pupil means those being educated at such schools/ manager of a school includes the Board of Governors in the case of grant-aided schools or the proprietor in the case of independent schools. Manager of a school can, should this be necessary, extend to other persons or authorities in cases where the management of the school could be in different hands e.g. the Education Authority in the case of controlled schools (as a subset of grant-aided schools). The terms grant-aided or independent schools, primary or secondary education are all defined in Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986 and these definitions also apply in this section or Chapter respectively.

Section 12. This clarifies that references to the Department in this Chapter mean the Department of Education.

Chapter 2 Nursery ages within guidelines

Section 13. Guidelines will not apply to the providers of education to children under compulsory school age i.e. pre-school providers. Compulsory school age is defined in the Education and Libraries (Northern Ireland) Order 1986. If any regulations are made under section 14 these will, however, apply.

Section 14. The Department of Education can make regulations which allow school uniform guidelines to apply to pre-school education i.e. the providers of education to children below compulsory school age. Pre-school education is defined in Article 17(8) of the Education (Northern Ireland) Order 1998 as education provided for a child who has attained the age of 2 but is below compulsory school age. This applies whether the provider of pre-school education is connected to a primary school or not. Regulations can amend Chapter 1 and override section 13 e.g. so that guidelines or some aspect of them can apply to the providers of education to children below compulsory school age. Regulations are subject to draft affirmative procedure in the Assembly.

Chapter 3 Laying and reporting formalities

Section 15. The Department of Education must lay the guidelines before the Assembly as soon as practicable when they are issued or reissued.

Section 16. The Department must publish a report at least once every three years after the Act receives Royal Assent. This report must include the Department's plans for reviewing and revising the guidelines and for capping expenses; its best estimate of typical or average school uniform costs and other information relating to any change in costs; information about the impact of capping expenses included in the guidelines or the reason if this has not been done. Information in the report can be differentiated by school type, pupil age etc.

Part 2 School Clothing Allowances

Section 17. Includes independent schools in Article 60 of the Education and Libraries (Northern Ireland) Order 1986, enabling pupils at independent schools to access the uniform grant administered by the Education Authority - this can already be accessed for pupils at grant-aided schools.

Part 3 Commencement and Short Title

Section 18. All provisions came into operation the day after the Act received Royal Assent, except section 5. That section, which relates to capping of expense, is subject to commencement order.

Section 19. This Act will be referred to as the School Uniforms (Guidelines and Allowances) Act (Northern Ireland) 2026.

HANSARD REPORTS

11. The following table sets out the dates of the Hansard reports for each stage of the Act's passage through the Assembly and the date Royal Assent was received.

STAGE	**DATE**
First Stage	18 February 2025
Second Stage	3 March 2025
Committee Stage Report	3 July 2025
Consideration Stage	15 September 2025
Further Consideration Stage	29 September 2025
Final Stage	13 October 2025
Royal Assent	19 February 2026

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