

Consultation on draft statutory guidance to school governing bodies on school uniform and appearance policies

Consultation response form

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Responses should be returned by **21 February 2019** to:

Education Business Planning and Governance Division
The Education Directorate
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

or completed electronically and sent to:

e-mail: schoolfundingmailbox@gov.wales

NEU Cymru response

NEU Cymru welcomes the opportunity to respond to this consultation. We believe making school uniform more affordable is hugely important. Child poverty is a problem which we believe is compounded by decisions taken outside of Wales – especially by the UK Government. We believe this is a positive opportunity for WG to mitigate some of those impacts.

In many countries across the world children do not wear school uniform at all. Indeed, this includes Finland. Yet Finland performs well on the OECD's PISA tests: "Finland is the country that has topped the international league table of the developed world's education systems for almost all of the past decade¹." We would note that there is no evidence between school uniform and 'achievement' of individuals on an international level², but understand the findings in this area can be contradictory.

This is an opportunity then for WG to ensure children have access to affordable clothes to wear to school which do not discriminate against those on low incomes or by sex or gender.

Current Guidance

Whilst we support a degree of flexibility for governing bodies to take account of their local circumstance, we also note that that current guidance exists with very similar expectations in terms of affordability and discrimination.³ However, we note with caution that WG has 'no powers to enforce' this guidance.

Therefore, whilst we think this is a useful reminder for governing bodies of their duties we would question what impact it is going to have? We would like to see what plans the WG has put in place to ensure this happens, especially given the situation with Governors' Wales and the deficit in advice available to governors.

We would also agree with the aims of the Bevan Foundation in relation to school uniform, which are:

- "a requirement for all schools to adopt a uniform that can be bought at low-cost at supermarkets and major stores;
- simplified admin of the school uniform grant so all eligible children benefit eg a voucher given to all pupils receiving free school meals;
- school uniform grant to be available on entry to school in years 3, 10 and 12 as well as reception and year 7."

¹ <https://www.independent.co.uk/news/education/schools/are-finnish-schools-the-best-in-the-world-2289083.html>

² <https://blogs.kcl.ac.uk/policywonkers/do-school-uniforms-improve-students-behaviour-or-academic-performance/>

³ Welsh Government Circular No: 015/2011 Date of issue: July 2011 Replaces Circular No: 006/2008 <https://beta.gov.wales/sites/default/files/publications/2018-03/guidance-for-governing-bodies-on-school-uniform-and-appearanc-policies-revised-july-2011.pdf>

We believe that in school uniforms costing less the WG should also have less money to spend on each school uniform grant and can therefore offer this grant to a wider range of learners in future.

Question 1 – Do you agree that school governing bodies should have regard to affordability when setting their school uniform and appearance policy?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Comments

We strongly believe that Welsh Government should use this guidance to help ensure that school governing bodies have regard to affordability.

According to the Joseph Rowntree Foundation 185,000 children in Wales live in poverty⁴. Whilst WG do not have all the levers to deal with child poverty, which appears to have grown under policies of the UK Government since 2010, this is a positive chance to change affordability of uniform in schools. In turn, we believe this will have a positive impact on children and young people and their parents.

However we do note that current guidance says: “Welsh Government expects governing bodies to give high priority to the cost considerations.”⁵ Thus we would like to see what WG has put in place to ensure this will happen now?

Question 2 – Do you agree that school governing bodies should have regard to access and availability of uniform items when setting their school uniform and appearance policy?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Comments

We believe that school uniforms should be widely available and parents should be able to purchase them from a range of retailers, including local low-price super markets.

However, again we note the current guidance says: “The Welsh Government encourages governing bodies to have regard to the wide availability of school uniform garments from a range of suppliers when considering their school

⁴ <https://www.jrf.org.uk/report/poverty-wales-2018>

⁵ <https://beta.gov.wales/sites/default/files/publications/2018-03/guidance-for-governing-bodies-on-school-uniform-and-appearanc-policies-revised-july-2011.pdf>

uniform supplier arrangements.”⁶ – again we would like to know how WG will ensure this happens this time?

Question 3 – Do you agree that schools’ uniform policies should not dictate different items of clothing on the basis of sex or gender?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Comments

We would agree that sex or gender should not be the basis of items of clothing included in school uniform. Our reading of this suggests that different items may, if the governing body decides, be considered the school uniform, but it will be down to children, young people and their parents or carers to decide what is appropriate for them: eg a skirt or trousers.

We would, however, note that there is already a duty on governing bodies to exercise their duties with regard to the equality act and should not be discriminating on the grounds of sex⁷. For example:

“1.7 The School Government (Terms of Reference) (Wales) Regulations 2000 made under Section 38 of the Schools Standards and Framework Act 1998 impose a duty on governing bodies and headteachers to exercise their responsibilities with the need to:

- a) eliminate unlawful discrimination on grounds of race and sex; and
- b) promote equal opportunities and good relations between persons of different racial groups and between males and females.”

Therefore we would ask what difference the new guidance is expected to make in this area?

Question 4 – Do you agree that school governing bodies should make clear their approach to flexible uniform items to account for extreme weather conditions when setting their school uniform and appearance policy?

⁶ <https://beta.gov.wales/sites/default/files/publications/2018-03/guidance-for-governing-bodies-on-school-uniform-and-appearanc-policies-revised-july-2011.pdf>

⁷ Ibid

Agree	✓	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Comments

We believe that this is an opportunity for the WG to go further and set a maximum temperature of 26c for a classroom. We believe this would protect the wellbeing of both education professionals and the children and young people in our schools. If WG is serious about ensuring that wellbeing is a key goal of 'Our National Mission' then they should not miss this opportunity.

This seems like a sensible approach, especially given the extremes of weather which have been experienced during the last twelve months.

We believe the same approaches taken to temperature in terms of the Safety at Work Act, should also be taken to children in schools. The Act sets a minimum temperature, which is hugely important⁸.

That Act recognises that 'concentration' can be affected by high temperatures too. The Act goes on to say that clothing, for example, can be adjusted to help compensate for this.

Question 5 – We would like to know your views on the effects that guidance to schools and governing bodies on school uniform and appearance policies would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

⁸ <http://www.hse.gov.uk/temperature/law.htm>

The guidance should be available bilingually to maximise opportunities for parents to use Welsh, and so that Welsh is treated no less favourably. However, in order to do this schools should be supported to ensure that they can provide professional training to their governors' and staff to ensure that they are able to communicate with both parents and learners in Welsh.

Question 6 – Please also explain how you believe the guidance to schools and governing bodies on school uniform and appearance policies could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

See above.

Question 7 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: