

Citizen Participation and Public Petitions Committee

6th Meeting, 2022 (Session 6), Wednesday
20 April 2022

PE1914: Ban school uniforms in secondary
schools

Note by the Clerk

Lodged on 30 November 2021

Petitioner Matthew Lewis Simpson

**Petition
summary** Calling on the Scottish Parliament to urge the Scottish Government to
remove the requirement for school uniforms in secondary schools.

Webpage <https://www.petitions.parliament.scot/PE1914>

Introduction

1. The Committee last considered this petition at its meeting on [19 January 2022](#). At that meeting, the Committee agreed to write to the Scottish Government, Scottish Youth Parliament, Children and Young People's Commissioner Scotland and the National Parent Forum of Scotland.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received new responses from the Cabinet Secretary for Education and Skills, the Children and Young People's Commissioner Scotland, the National Parent Forum of Scotland and the Scottish Youth Parliament which are set out in **Annexe C**.
4. Written submissions received prior to the Committee's last consideration can be found on [the petition's webpage](#).

5. Further background information about this petition can be found in [the SPICe briefing](#) for this petition.
6. The Scottish Government's initial position on this petition can be found on [the petition's webpage](#).

Action

The Committee is invited to consider what action it wishes to take.

Clerk to the Committee

Annexe A

PE1914: Ban school uniforms in secondary schools

Petitioner

Matthew Lewis Simpson

Date Lodged:

30/11/21

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to remove the requirement for school uniforms in secondary schools

Previous action

I have contacted Minister for Children and Young People, and they had given me no response.

Background information

School uniforms prevent students from expressing their personality and culture.

They're a source of anxiety for low income families; uniforms are expensive and are an unnecessary cost. Students want to be able to dress comfortably, in their choice of style. Uniforms don't consider weather, and they're not suitable for all year round.

They are uncomfortable. Concentration is increased when students feel like they're in a safe environment, and wearing their own clothes is much more pleasant than stiff blazers and itchy skirts.

Uniforms don't stop judgement from others. Wearing uniforms immediately makes you a representative of the school you're from.

Others can judge you by your school before they've even met you. Students shouldn't just be seen as a representative and part of something bigger. They should be seen as their own person. Overall, they're just unnecessary. Wearing their own clothes is something students need, when school is such a stress already.

Annexe B

Extract from Official Report of last consideration of PE1914 on 19 January 2022

The Convener: Our penultimate new petition is PE1914, lodged by Matthew Lewis Simpson, which calls on the Scottish Parliament to urge the Scottish Government to remove the requirement for school uniforms in secondary schools. The petitioner sets out several reasons why he believes that that should happen, including the fact that uniforms are uncomfortable and costly and that they interfere with students' ability to express their individuality.

The Scottish Government's submission makes it clear that "there is no legislative requirement in place in Scotland which legally requires the wearing of school uniform", and that, instead, school uniform policy is a matter for local authorities and individual schools. The Scottish Government states that it "would not support a proposal to ban school uniforms at any school within Scotland."

The submission sets out a number of perceived advantages to wearing school uniform, which include reducing competition between pupils in respect of expensive clothing brands; reducing bullying; creating a positive image of a school in a local community; and improving school security by allowing staff to easily identify anyone who does not belong to the school.

The Scottish Government acknowledges the petitioner's concerns about buying school uniforms and recognises that "this can be one of the most significant ... costs for families" and "can be a source of anxiety for low income families."

The submission explains that the Scottish Government recently increased the amounts that are paid for school clothing grants.

The submission also states that the Scottish Government has "committed to introducing statutory guidance on uniforms for schools and local authorities during the lifetime of this parliamentary session", which will cover the affordability of school uniforms, the consideration of equalities issues when deciding school uniform policies and considerations for physical education classes.

The Scottish Government concludes by highlighting a public consultation on proposed school uniform guidance, which is due to be launched in the new year. Do members have any comments or suggestions for action?

David Torrance: I would like to keep the petition open. I know that the Scottish Government submission says that it would not ban outright the wearing of school uniforms across Scotland, but there would be merit in finding out when the Scottish Government will publish its school uniform consultation, so I would like to write to the Government to ask that. I would also like to write to other relevant stakeholders such as the Scottish Youth Parliament, the Children and Young People's Commissioner and the National Parent Forum of Scotland to find out their views on the petition.

Paul Sweeney: I think—possibly because of my ex-Army background—that school uniform is a fine thing and it builds school identity. I will not rehearse all the arguments about it, because I think that they have been had before. A wider consideration is the financial effect of school uniform and some of the financial pressures that are faced by families. There have been some interesting innovations in that regard, particularly in Glasgow, with Glasgow's Pre-Loved Uniform Service, which was set up by Donna Henderson. It is basically an exchange, because a lot of kids grow so fast that they outgrow clothing that is still perfectly usable. The service has been trying to reduce waste as well as addressing some issues around financial exclusion by introducing clothing rails in schools around Glasgow so that people can exchange items of uniform and refurbish uniforms. When we are thinking about the issue of uniforms, we might want to think about how they are provided to kids and look at ways in which we can make the process more sustainable and reduce the turnover of uniform items that go to waste. It would be worth considering taking evidence from Donna Henderson, because she has done a fantastic job in Glasgow.

The Convener: I take note of that. We may well come back to it. Like you, I wore a school uniform—more than half a century ago now. I do not know whether it fell out of fashion, but my own experience was that there was an active facilitation of second-hand school uniforms at that time. In fact, there were even retail outlets that organised the sale and receipt of second-hand uniforms. You are absolutely right—very often, there is still a long shelf life left in a school uniform item, as it has only become available because the young person has grown out of it very quickly. In the first instance, Mr Torrance recommends that we keep the petition open and that we write to the various agencies as he described. We will then hear what they have to say and consider the petition again on receipt of their submissions. Do members agree?

[Members indicated agreement]

Annexe C

Cabinet Secretary for Education and Skills submission of 11 February 2022

PE1914/B – Ban school uniforms in secondary schools

I am responding on behalf of the Scottish Government to the Committee's letter dated 20 January 2022 in relation to Petition PE1914, raised by Matthew Lewis Simpson, which calls for the Scottish Parliament to urge the Scottish Government to remove the requirement for school uniforms in secondary schools.

I note from your letter that, at your recent meeting on 19 January 2022, the Committee agreed to write to the Scottish Government to ask when we expect our proposed public consultation on school uniform guidance to be published. We do not yet have a specific date for the publication of our public consultation at this point in time, however I would expect this to happen by the summer.

I will write to you again with an update once the timescale for the publication of this public consultation has been confirmed.

Children and Young People's Commissioner Scotland submission of 17 February 2022

PE1914/C - Ban school uniforms in secondary schools

Thank you for inviting us to comment on the above petition.

The petitioner raises a number of concerns about school uniform policies in Scottish secondary schools and many of these concerns have links to children's human rights, as outlined in the UNCRC and other human rights treaties including the European Convention on Human Rights (ECHR), the UN Convention on the Elimination of Discrimination Against Women (CEDAW) and the UN Convention on the Rights of People with Disabilities (CRPD).

He challenges some of the common assumptions about school uniform, for example that they make things easier for families on low incomes and that they prevent children being judged by others. Whilst Mr Simpson's petition relates to secondary schools, the comments we make relate to school uniform in all schools, including primary, special schools and early learning settings.

As the SPICE briefing highlights, pupils are not obliged to wear school uniform in Scotland. As Janys Scott QC states, there is no legal basis on which schools may compel children to wear any particular clothing. There are very limited circumstances in which restrictions on clothing may be legitimate, notably to prevent injury i.e. in technology classes or PE. These would always need to be justified on a case by case basis and should not be taken as endorsement of broad ranging rules.

However there appears to have been a trend in recent years for some schools, particularly secondary schools, to take an increasingly strict approach to school uniform and in particular to insist on the wearing of ties and blazers. As SPICE highlight, there is limited evidence on the effectiveness of school uniform in raising attainment and we are aware of no evidence that specific types of uniform (such as blazers and ties) are any more or less effective.

Children's right to an education, as set out in Article 28 of the UNCRC (and elaborated on in Article 29), together with children's best interests (Article 3) and the principle of non-discrimination (Article 2) must be central to decision making in schools. Other rights, including the right to play and recreation (Article 31) can also be impacted by inappropriate dress codes. Decisions around school dress codes must not interfere with children's enjoyment of these rights.

Schools may choose to provide a dress code for pupils but there is existing case law that establishes they must do so in a way which does not discriminate against children with protected characteristics. As well as meeting cultural and religious requirements, uniforms must be flexible enough to meet the needs of disabled children. Requiring restrictive clothing such as shirts, ties and blazers or formal trousers can be particularly difficult for disabled children, including those with autistic spectrum disorders and other neurodiverse conditions. Providing

flexibility rather than exceptions to rules ensures that children and young people's needs can be met without singling them out and increasing stigma.

Where schools do choose to develop a school dress code, this should be developed with the participation of **all** children and young people in the school, in line with children's right to participate in decision making under article 12 of the UNCRC. The dress code should be designed to support all aspects of children's education and wellbeing, to be flexible and comfortable, appropriate for all children and to be suitable for activities throughout the school day. This includes being physically active (including during breaks) and being warm and comfortable. And, in line with the legal position outlined by Janys Scott, it must be voluntary.

Yet, we continue to hear of situations where children have been disciplined for failing to wear correct uniform, including being placed on detention or being denied permission to take part in school activities. And as CPAG highlight, in some cases, children and young people opt not to attend school rather than risk attending with incorrect uniform. Enforcing school uniform in this way breaches children's right to an education. We have also heard of instances where children have been sent home for not wearing correct uniform. This is an unlawful exclusion and should never happen.

It is important that the expense of school uniform is not a barrier to learning. Whilst the Scottish Government provides a school clothing grant of at least £125, not all families living in poverty are eligible and school uniform remains a significant expense for many families. We increasingly hear of schools requiring, or strongly encouraging, the purchase of specific items with the school logo, such as blazers, polo shirts or sweatshirts and of changes in uniform which require the purchase of new items, for example in P7 or senior phase. Some schools also require items of a specific colour which can only be purchased through specialist providers or the school. We believe that where a school has a dress code, items which are widely available at low cost, such as plain coloured polo shirts and sweatshirts, should be encouraged to minimise cost and potential stigmatisation of children who

are living in poverty. Where schools sell uniform items themselves this must be at cost price.

Over the past two winters, with the need for additional ventilation resulting in low temperatures in some classrooms, we have heard of instances where children and young people were not allowed to wear warm clothing such as fleeces or coats as they were not uniform. Young people reported that this impacted on their ability to learn. Learning and the wellbeing of children must be put ahead of what are in many cases quite arbitrary uniform policies. Equally concerning, there have been examples where schools have permitted warmer clothing, but required children and young people to buy uniform versions via the school, increasing the cost to families.

One of the issues raised by the petitioner is children being able to express their personality and culture. This is in line with the right to an identity outlined in Article 8 of the UNCRC and the non-discrimination principle (Article 2). In terms of religious identity it is common for dress code policies to include exemptions, though these are inconsistent. Individual expression, however, has a tendency to be restricted, rather than encouraged, in schools with strict uniform rules.

By contrast to the general framing of the debate in Scotland and the rest of the UK, in 2017, the Swedish Schools Inspectorate (Skolinspektionen) found that “dress and appearance should be considered an individual expression, decided by the students themselves. How one dresses is a matter of the individual’s freedom and integrity.”

The Inspectorate ruled that by requiring children to wear a uniform (consisting of polo shirt and cardigan) a school violated the Swedish Education Act, which requires education to be delivered in accordance with human rights including freedom and integrity of the individual. This potentially engages Article 8 of the European Convention on Human Rights (ECHR) although there is currently no case law on this issue. The Inspectorate ruled that whilst the uniform could continue to be used, it must be voluntary and there could be no reprimands for not wearing it.

While it is not clear whether school uniforms are beneficial or not in terms of raising attainment, it is clear that strict uniform policies, enforced through school disciplinary processes, are not compatible with

the realisation of children's human rights. Where dress codes work best, they are developed with the active participation of children and young people, with the intention of realising children's human rights, including the right to an education and with consideration for their comfort and their wellbeing, where they allow them to express their identity and are worn voluntarily.

National Parent Forum of Scotland submission of 2 March 2022

PE1914/D - Ban school uniforms in secondary schools

In terms of reducing the cost of the school day, I fear dispensing with uniforms would have the opposite effect. Uniforms offer opportunities for school communities to help families who are struggling by running uniform exchanges. School uniforms needn't be expensive. [My school] run a uniform recycling event which is well attended. This is a free event and happens each term.

I worry that low-income families will be frowned upon or bullied [if uniforms were to be removed]. White shirts and black bottoms – easy to recycle and great to get cheap from supermarkets. Moving to branded [options] just opens divides that don't need to be there at school. Dundee have worked hard at cost of the school day to keep uniforms as cost effective as possible.

I think removing school uniforms would increase the financial burdens for families and there would be a greater visual divide for those living in poverty and those not. There are as many views on this as there are families. Personal point of view [is that] I would love uniform to be school hoodie (e.g. same colour, same logo), trousers fit for comfort, moving around and being active.

Our primary had joggers and a school fleece for a while. I loved it as did [my] family member but some of the parents felt it was too scruffy. Not sure what a modern, active, learning environment has to do with shirt and tie.

Children and young people show their income levels by phones, bags, shoes, PE kit, haircuts, jewellery, makeup, number of piercings etc. A halfway house may be a cop-out but I feel the age of school shirt and tie are past.

At my high school the pupils are canvassed and they wanted uniforms back after a year when there was no requirement due to Covid. That really surprised me. My observation during this period was that kids made sensible choices without uniform. We had absolutely no issues.

In many European countries there is no requirement for uniforms and kids get on with their school day fine. Interestingly the reason our school dispensed with uniforms 2020-21 was for hygiene (covid) reasons. I wouldn't be overly sad to see the requirement go.

I definitely don't disagree with the idea of tweaking uniform requirements to enhance comfort. So long as there is still a uniform. A shirt and tie give an identity to the school. Uniforms are a great leveller – especially if schools opt for a low maintenance type as opposed to top of the range blazers and emblazoned crests from selected suppliers. The recycling aspect is another positive.

My one observation is that blazers are wholly useless attire for a large chunk of the school year. I wouldn't object to ditching them. I'm in favour of uniform however I feel that if your child appears neat and tidy wearing something that fits [the] household budget and more importantly fits well in line with the uniform then that is ok. [...] We run successful uniform recycling events and kids have voted for uniforms to be maintained. Blazers only in winter is not practical.

I hope this qualitative feedback is helpful and should you require any further information, please do not hesitate to contact me.

Scottish Youth Parliament submission of 4 March 2022

PE1914/E - Ban school uniforms in secondary schools

Overview

As education reformation remains an important topic, all aspects that affect children and young people's experiences within education are rightly being looked at, either through adaptations or as a complete overhaul of traditional approaches.

It follows that looking at how uniforms can either positively or negatively affect learner performance or whether they are necessary to learning or irrelevant altogether.

Therefore, in early February SYP met with various MSYPs to discuss whether they believed school uniforms should be banned or not.

Ultimately, the MSYPs did not reach a consensus either for banning uniforms or against.

There was no even split, but a mixed reaction to the topic, with many having their own personal and constitutional reactions differ.

The MSYPs brought up many important issues regarding the practicalities of wearing a uniform and the affect it has on themselves as learners, of which we have included in our recommendations below. We believe these could improve the experience of young people in education.

It's important to note that consistent consultation with wider organisations that support children and young people will most likely yield a clearer picture of where they stand on uniforms continuing to be a requirement or not.

Additionally, we also believe that in conjunction of further consultation with children and young people, legitimate data gathering should also be done on the affects wearing or not wearing a uniform has on learners in

relation to performance, comfortability, confidence, and various other factors listed in our recommendations.

Should school uniforms be banned?

As mentioned above, this question was put to numerous MSYPs, none of which came to an exact consensus. As always, MSYPs come from a wide variety of backgrounds and experiences and because of this there is often a split on these issues depending on the ways it either positively or negatively impacts their day-to-day lives.

This open consultation of views was conducted over Zoom and a survey (with 10 MSYPs, who consulted with a wide range of constituents) and a variety of questions were asked in conjunction with banning school uniforms, of which were:

- What are the advantages of banning school uniforms?
- What are the disadvantages of banning school uniforms?
- Who might this impact?
- Any other proposals [around school uniform bans] that should be considered?

The responses have been collated and summarised in the below section that provide an outline of how MSYPs feel about the ban in general, as well as consultation provided by the MSYPs conducted with their constituents on this topic.

Responses and Data

Outlined earlier, MSYPs did not come to one solid consensus on whether or not uniforms should be banned. Instead, with various responses from themselves and their constituents, response varied greatly and included a number of issues on why or why not school uniforms should be banned.

For those that believed school uniforms should be banned: Issues initially brought up were around comfortability. MSYPs and their constituents felt that wearing their own clothes were “comfy” and would make them feel better.

A few MSYPs mentioned that because the design of the uniforms was “old-fashioned” it made the style uncomfortable and at times in accessible, especially for those who were transgender or gender non-binary as it was difficult to wear a shirt and tie in these circumstances.

One MSYP made the point that some learners can afford to buy binders (tightened clothing garment) and others can't, which can be especially obvious in a shirt and tie. This can have a negative impact on the mental health of students.

Additionally, it was brought up that those who had sensory issues (particularly those who are neurodiverse) often have issues with their clothing regarding texture and feel and that uniforms aren't adapted to accommodate that. This can mean that the uniforms can be scratchy and distracting for those who have high sensitivity to clothing and potentially create further distractions to their learning.

One MSYP said on the issue of comfortability: “Young people should be given the respect to choose clothes that make them more comfortable”.

Trust was a major factor, with other MSYPs agreeing, making the point that expression and comfortability should be left up to students to decide as it can positively impact their self-esteem and also help define who they are through their sense of style.

Overall, comfortability played a major factor, however, so did the issue of accessibility and whether or not uniforms were actually that accessible when they tend to be seasonal and can often cause a lot if the price isn't mitigated.

Various MSYPs agreed with this, highlighting as well that having to buy two different wardrobes (personal clothing and uniforms) is quite expensive and not easy for many people.

For those that believe school uniforms shouldn't be banned: MSYPs made the initial point that uniforms were a great equaliser, as you can't see someone's economic situation when they are in the same uniform as everyone else.

Some MSYPs mentioned that their constituents were worried about banning uniforms for this reason, as wearing your own clothes would let

everyone know what economic background you come from and that could lead to bullying and further safety issues.

Some MSYPs noted as well that there were school grants at their schools that helped mitigate the costs of uniforms, something that wouldn't necessarily be provided to those who couldn't afford a nicer wardrobe if uniforms were banned.

Additionally, MSYPs brought up those who have religious affiliations and tend to wear more modest dress. This could negatively impact them as their religion may not be as apparent when wearing a school uniform versus when they have to wear personal clothing.

One MSYP also noted that there was a noticeable change in behaviour when school uniform rules for lax from the start of COVID until now, with behaviour becoming better now that everyone is back to wearing their full uniforms versus the flexibility before.

Another factor mentioned was what would happen to tailors and companies that specifically supply uniforms? MSYPs mentioned that they could potentially be negatively impacted if school uniforms were banned, leading to a lot of lost jobs and money.

SYP's Recommendations

Because the MSYPs that were consulted and the constituents they consulted all came to different conclusions and reasons for or against banning school uniforms, we cannot take a stance on either side of this argument. However, it is clear that young people believe that uniform policies do need to be reviewed. We therefore offer a variety of recommendations that we believe could improve the experience of school pupils:

1. If uniforms are to remain, we believe the Scottish Government should continue to look at how they can be covered by either school grants or government financial support. This support should also allow families to access the best quality of uniforms would help address inequalities.
2. Consideration should be given to how school uniforms policies can become more flexible to help with self-expression and feeling comfortable. An example of allowing hoodies to be worn (as they are

allowed in physical education) throughout the day would make a lot of MSYPs and their constituents feel better and feel like they have slightly more control of their expression and wardrobe.

3. The uniform offered at schools should be reviewed to allow for more flexible style and comfortability (polo shirts, t-shirts, trousers, etc.). Having softer fabrics can address the issues of those who are neurodiverse and those who have skin sensitivity issues and provide a less-distracting environment for them.

4. Updating the uniforms to be more gender-neutral would benefit pupils experiences at schools. As mentioned above, polo shirts and t-shirts that do not require button-up tops and ties can help those experiencing gender dysphoria and who are non-binary and transgender. Additionally, added more options instead of skirts (various options of comfortable trousers that are appropriate to wear) from a safety point of view and a gender-neutral point of view.

5. Making uniforms adaptable for all seasons and providing options that are either non-uniform options or uniform options included that allow for colder and warmer weather would go a long way in help families save money and having a uniform set that lasts throughout the year.

6. Exploration should be given to methods that would allow for selfexpression of students that does not necessarily categorise their economic situation but allows them flexibility to express who they are and make getting dressed and wearing their clothes to school more enjoyable.

About SYP

The Scottish Youth Parliament is the democratically elected voice of Scotland's young people. Our vision for Scotland is of a nation that actively listens to and values the meaningful participation of its children and young people. Our goal is to make this vision a reality, in order to ensure Scotland is the best place in the world to grow up.