Troedyrhiw Community Primary School

School Uniform

School Uniform and Appearance Policy
Troedyrhiw Community Primary School

The Welsh Assembly Government strongly encourages governing bodies to have a school uniform (or dress) and appearance code as it:

- Provides a sense of identity and can instil pride
- Can support positive behaviour and school discipline
- Can ensure pupils dress appropriately for learning activity
- Can remove peer pressure to dress in 'designer' fashions
- Can encourage cohesion between different groups of pupils
- Can ensure pupils of all races and backgrounds fell included
- Can help reduce inequalities between pupils and some triggers for bullying
- Can help identify truants
- Can assist identification of strangers on school premises; and
- It can support and promote the ethos of the school

The Governing Body of Troedyrhiw Community Primary School when determining this policy were mindful of their responsibility to:

- Eliminate unlawful discrimination on grounds of race and sex, and
- Promote equal opportunities and good relations between persons of different racial groups and between males and females. Also there are a number of statutory provisions which the Governing Body have taken into account so as not to discriminate unlawfully on the grounds of sex, race, religion, belief or disability (see Annex A)

Our uniform policy is compulsory.

Rights Respecting School
As a Rights Respecting School we aim to ensure that the rights of children under the United Nations Convention on the Rights of the Child (UNCRC) are upheld. The children have a right to an identity Article 8, and a right to a good quality education, Article 28.

We believe that a school uniform is important because:

- It looks smart.
- Wears well.
- Contributes to a sense of belonging.
- Gives a common purpose.
- Fosters a feeling of pride.

We ask that all children wear the Troedyrhiw Community Primary School uniform (school logo uniform is not compulsory) and we encourage them to maintain a good standard of clean and tidy dress in school.

What is Troedyrhiw Community Primary School uniform?

Our school uniform is as follows:

Boys

Grey shorts or trousers.

White or red polo shirts

Red sweatshirt

Black shoes / trainers (plain - no logo)

Girls

Grey skirt or trousers.

White or red polo shirts

Red sweatshirt / cardigan

Black shoes / trainers (plain - no logo)

Purchasing Troedyrhiw Community Primary School uniform

The above items can be purchased from local supermarkets / local school uniform stockists at very competitive prices.

PE kits

All children will need a P.E. bag containing t-shirt, shorts and trainers, and for swimming a bathing costume, swimming hat and towel. Children will not be allowed to participate unless properly dressed. Children are expected to change after PE and not stay in their kit.

Please Remember....

- Hair accessories such as slides, ribbons, bobbles etc. should be fairly simple.
- Parents are asked to ensure that all items are labelled clearly with their child's name.
- For safety reasons we ask that the children do not wear jewellery in school.
- No jewellery including studs should be worn during PE.

Accessing free uniform

Parents / Guardians having difficulty providing school uniform are encouraged to contact Mrs Roome. There is a recycling of uniforms which enables parents' access to free uniform (as available)

School uniform and legislation

This policy is to be reviewed periodically and to be made available to all parents and all those employed or otherwise engaged to work at Troedyrhiw Community Primary School. Our uniform policy was written ensuring that it complies with the Human Rights Act 1998 and all other anti-discrimination legislation. Our Governing Body also took notice of Articles 12 and 13 of the United Nation Convention on the Rights of the child with regard to the child's rights of information, expression and the possibility of discrimination on the ground of race/religion belief.

The only contention issue in this area is the possible conflict between the schools health and safety policy and the right to wear religious artefacts/ jewellery etc. As the Welsh Assembly Government does not give concrete advice or guidance in this area, the Governing Body of Troedyrhiw Community Primary School cannot be more precise other than to say that

"Governing bodies may have to balance the rights of individual pupils against the best interests of the School Community as a whole – where schools have good reasons for restricting an individual's freedom, then the restriction of a individuals rights to manifest their religion may be justified." For example:

- To ensure the effective delivery of teaching and learning
- The promotion of cohesion and good order in school
- The prevention of bullying; or
- Genuine health and safety or security reasons.

The need to adapt uniforms or indeed to do without them altogether regarding disabled pupils is one area the Governing Body will also be mindful and reasonably considerate of. The cost of uniform is a major consideration – the Governing Body of Troedyrhiw Community Primary School does not wish to make money on the sale of school uniforms. We deliberately avoid high cost clothing items e.g. blazers, caps etc. Basic colours and styles are chosen so that parents can buy from more than one supplier, and different types of uniforms can be worn to suit different seasons.

Clothing for physical education should be provided, comfortable and appropriate to the activity involved. Children ought not to wear the same socks and shoes for PE lessons and the rest of the school day. Medical problems necessitating the need to vary school uniform will also of course be favourably considered by the Governing Body.

Any proposed changes to the School Uniform Policy will not take place without consideration with current pupils, parents/carers and prospective pupils, parents/carers. Other interested parties will also need consulting. Any complaints regarding school uniform (or dress) and appearance codes should be dealt with by the Governing Body's complaints procedure. The only occasion when uniform issues can become contentious is when items such as jewellery and artefacts are considered unsafe to the pupils themselves or the safety of other pupils – in other words when uniforms conflicts with the health and safety of staff or pupils – then the best interests of the community should override the wishes of the individual.

Annex B gives guidelines on Religious clothing.

In writing the policy the Governing Body has carefully considered its obligations not to discriminate unlawfully on the grounds of sex, race, religion or belief or disability. The Governors have tried to ensure that costs are kept to a minimum and that all groups are listened to and represented. Essentially the Governing Body of Troedyrhiw Community Primary School have tried to act fairly and reasonably to ensure that this policy meets the needs of the school community.

Annex A

EQUALITY LEGISLATION PROVISIONS IMPACTING ON SCHOOL UNIFORM AND APPEARANCE POLICIES

Sex Discrimination Act 1975

Section 22 of the Sex Discrimination Act 1975 makes it unlawful for a school to discriminate on the grounds of sex against a pupil in relation to access to any benefits, facilities or services while the pupil is at the school.

Discrimination, in this context means either "direct discrimination" i.e. treating one person less favourably than another on the grounds of their sex, or " indirect discrimination" which is:

- Imposing a requirement or condition – such as a school rule – that cannot be met by a considerably larger proportion of people from the other sex; and
- Where the fact that those people cannot comply with the requirement or condition causes them a disadvantage; and
- Where the requirement or condition cannot be justified on non-gender related grounds.

A school in its rules for uniform and appearance must not disadvantage one sex compared to another.

Race Relations Act 1976

Section 71(1) of the Race Relations Act 1976 as amended by their Race Relations (Amendment) Act 2000 places a general duty on schools to promote race equality. This means schools must aim, in the exercise of their functions, to:

- Eliminate unlawful racial discrimination;
- Promote equality of opportunity; and
- Promote good relations between people of different racial groups.

Governing Bodies must have a race equality policy; and governing bodies must address annually the impact of their policies on race relations.

The Act makes it unlawful to discriminate directly or indirectly against someone on racial grounds. Racial discrimination is described in the Act as where a person treats one person less favourably than another on racial grounds or where a requirement or condition – such as a school rule – which is applied or would apply to persons of a different racial group:

- is such that the proportion of persons who can comply with it is considerably smaller that the proportion of persons not of that racial group who can comply with it; and
- which cannot be shown to be justifiable irrespective of the colour, race, nationality or ethnic or national origins of the person to whom it is applied; and

- which is to the detriment of the person because he/she cannot comply with it.

A school in its rules for uniform and appearance must not treat one racial group more favourably than another.

Human Rights Act 1998

Article 14 of the European Convention on Human Rights (ECHR) states that the enjoyment of the other rights and freedoms set out must be secured without discrimination on any grounds. These grounds include sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status. Relevant rights and freedoms include:

- Article 8 (Right to Respect for Private and Family Life) which covers the ability of the individual to develop his or her personality in society;

- Article 9 (Freedom of Thought, Conscience and Religion) which covers the right to demonstrate one's religion, including by complying with the dress requirements of one's religion; and

- Article 10 (Freedom of Expression), which covers self-expression through dress.

Limitations can be placed on these rights e.g. by a school policy on uniform or appearance. However, the policy must aim to further legitimate interests such as public safety, public order, health or morals, or to protect the rights and freedoms of others. The potential benefits of having school uniform and appearance policies, as set out in paragraph 1.2 above, relate to these interests. But as school uniform or appearance may constitute a limitation on rights, it should be set out clearly in a document which is accessible to pupils and parents, and available in languages they understand, and should include the consequences of not complying with any policy.

Disability Discrimination Acts 1995 and 2005

Under the Disability Discrimination Act 1995 schools are under a duty not to discriminate against disabled children and prospective pupils in all aspects of school life.

Under the Disability Discrimination Act 2005 schools have a duty when carrying out their functions to have due regard to the need to:

- Promote equality of opportunity for disabled people;
- Eliminate unlawful discrimination;
- Eliminate disability related harassment;
- Promote positive attitudes towards disabled people;
- Encourage disabled people's participation in public life; and
- Take account of disabled people's disabilities even where that involves more favourable treatment.

Equality Act 2006

Section 49 of the Equality Act 2006 must be read in conjunction with section 44 and 45.

Section 44 defines what is meant by religion or belief

44 Religion and belief
(a) "religion" means any religion,
(b) "belief" means any religious or philosophical belief,
a reference to religion includes a reference to lack of religion, and
(d) a reference to belief includes a reference to lack of belief.

Section 45 defines what is meant by discrimination

Discrimination is when (1) A person ("A") discriminates against another ("B") for the purpose of this part

This means in the context of Education if on grounds of the religion or belief of B or of any other person except A
(whether or not it is also A's religion or belief) A treats B less favourably than he treats or would treat others (in cases where there is no material difference in the relevant circumstances).
(2) In subsection (1) a reference to a person's religion or belief includes a reference to a religion or belief to which he is thought to belong or subscribe.
(3) A person ("A") discriminates against another ("B") for the purposes of this part if A applies to B a provision, criterion or practice –
(a) which he applies or would apply equally to persons not of B's religion or belief,
(b) which puts persons of B's religion or belief at a disadvantage compared to some or all others (where there is no material difference in the relevant circumstances),
(c) which puts B at a disadvantage compared to some or all persons who are not of his religion or belief (where there is no material difference in the relevant circumstances), and
(d) which A cannot reasonably justify by reference to matters other than B's religion or belief.
(4) A person ("A") discriminates against another ("B") if A treats B less favourably than he treats or would treat another and does so by reason of the fact that, or by reason of A's knowledge or suspicion that B –
(a) has brought or intended to bring, or intends to bring, proceedings under this part,
(b) has given or intended to give, or intends to give, evidence in proceedings under this part,
(c) has provided or intended to provide, or intends to provide, information in connection with proceedings under this part,
(d) has done or intended to do, or intends to do, any other thing under or in connection with proceedings under this part,
(e) has alleged or intended to allege, or intends to allege, that a person contravened this part.
(5) Subsection (4) does not apply where A's treatment of B relates to B's making or intending to make, not in good faith, a false allegation.

Section 49 of the Equality Act 2006 sets out provisions in relation to schools. It is unlawful in general for maintained schools to discriminate against a person on the grounds of that person's religion or belief in the following ways:

- The terms on which it offers to admit him/her as a pupil;
- By refusing to accept an application to admit him/her as a pupil; or
- Where he/she is a pupil of the establishment:

- in the way in which it affords him/her access to any benefit, facility or service;
- by refusing him/her access to a benefit, facility or service;
- by excluding him/her from the establishment; or
- by subjecting him/her to any other detriment.

The Equality Act 2006 also amended the Sex Discrimination Act 1975, creating a general gender equality duty which requires public bodies to have due regard to the need to promote equality of opportunity between men and women and to eliminate unlawful sex discrimination and harassment.

The Equality Act 2006 also outlaws discrimination on the grounds of sexual orientation in the provision of education and in the exercise of public functions.

Annex B

RELIGIOUS CLOTHING SUMMARY

Buddhism

In general there are no religious requirements for everyday dress for Buddhists.

Christianity

For the majority of Christians there are no particular dress requirements. In some Christians sects such as the Plymouth Brethren women and girls are expected to wear headscarves and modest clothing.

Hinduism

In general it is not considered acceptable for a Hindu woman to have uncovered legs.

Islam

Young women beyond puberty may wish to wear certain types of clothing for reasons of modesty. Some young women may choose to wear a salwar kameez (loose trousers tapered at the ankle and a sleeveless smock like dress), or a jibaab (a long shapeless dress ending at the ankle) and a headscarf without the need to wear a niqaab.

Men are expected to be covered from waist to knee in public places. Many Muslim men also chose to wear a cap but this is not a compulsory religious requirement.

Judaism

Dress requirements vary with orthodoxy. For more orthodox Jews women and girls are expected to keep the body covered and married women cover their. Boys and men often wear a skullcap.

Rastafarian

Rastafarian woman dress modestly. There is a taboo on wearing second hand clothing; children may not be willing to wear borrowed clothing for PE, etc.

Sikhism

In general modest dress is a requirement. All initiated Sikhs wear the five 'K' symbols as a sign of their initiation, generally at puberty, into the Sikh community. Male Sikhs wear a turban, the removal of which is unacceptable in their religion, and grow a beard. The five 'K' symbols are: 'Kesh' (long hair which is not cut); 'Kara' (a steel bracelet); 'Kirpan' (a small sword); 'Kangha' (a wooden comb); and 'Kach' (long underpants).