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Guidance

# Procuring school uniform supplies

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**Applies to England**

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This guidance is for school leaders and governing boards. It applies when parents buy branded items of uniform, meaning items which are specific to a school.

It supports you to:

- meet your obligations under the [statutory guidance on the cost of school uniforms](#) – you must have regard to this
- run competitive tendering processes to put uniform agreements in place
- make sure uniform secures the best value for money for parents

We have adapted this guidance, and the related templates, from:

- the government standard selection questionnaire
- a template published by the Schoolwear Association, a trade body

This guidance explains how to ensure a written contract is in place with the suppliers of your branded items. This protects both you and the supplier.

## When this guidance applies

This guidance applies if you have any branded items of uniform.

The term ‘branded item’ describes an item of clothing with distinctive characteristics which make it unique to the school or trust. It is not just an item with a logo.

As a general rule, if an item is not available at a range of retailers, it is likely to be a branded item.

Branded items are often designed specifically for the school.

They may be unique in colour, design or fabric.

A navy skirt or a grey jumper that is available from multiple retailers is not a branded item. But if your policy restricts their purchase to specific suppliers, it is a branded item.

## Principles to follow

If you choose to have a sole supplier for any items, the statutory guidance on the cost of school uniforms says you should run regular tendering competitions where:

- more than one supplier can compete for the contract
- you secure the best value

When tendering for uniform contracts, follow these principles.

## Cost and value for money

The statutory guidance on cost of school uniforms requires you to ensure your supplier arrangements give the highest priority to cost and value for money for parents, including the quality and durability of garments.

Avoid wasting resources. This can result from, for example:

- making your requirements for branded items too specific – for instance, by requiring intricate and unique designs
- paying unreasonably high prices for substandard uniforms
- colluding between bidders

## **Suitability**

Think about how to ensure the garments will be suitable for your school.

Talk to parents and pupils and consider their views. Consider, for example:

- how the supplier will provide the uniform to parents
- what other issues are important to the school community, such as sustainability and ethical supply chains

Request visualisations and fabric samples to support your decision-making.

Garments should be machine washable.

## **Competition**

Make the procurement process robustly competitive at the point of selection. All eligible suppliers should be able to participate and submit a response.

## **Transparency**

Make information on the procurement process and its requirements available to all suppliers who have submitted a response.

Publish the final result and make it available to interested parties.

## **Fairness**

Treat all bidders equally. Make unbiased decisions and actions.  
Do not give preferential treatment.

Give unsuccessful bidders the right to challenge the final decision if they believe they were treated unfairly.

## **Accountability and integrity**

Make sure everyone involved in the procurement process is responsible for their actions and decisions.

Give reliable information to all stakeholders. Clearly explain how the process will be judged and evaluated.

## **A sensible timeframe**

Set out a sensible timeframe to any changes to the supply of uniform to avoid creating unnecessary waste and additional costs for parents.

We recommend that this is 12 to 18 months.

## **How to calculate spend**

When working out the value of spend for your procurement, consider all purchases specified in the contract that will be made with the supplier.

For example, if you are only specifying a tie in this contract, and all other items can be bought from any other supplier, you need

to include only the tie purchases. If the contract includes a shirt, blazer and PE top as well, you will need to account for all these items.

Estimate spend by multiplying the total number of items to be bought per year and the number of years the contract will be in place.

If you buy uniform on behalf of multiple schools:

- include the total cost for all schools who may use the contract during its lifetime
- include all their requirements in the specification and pricing documents
- do not disaggregate spend to avoid following the buying procedures

## Direct school spend

If this procurement relates to direct school spend (school to supplier), you will need to follow the [buying procedures and procurement law for schools](#). This applies, for example, where the school's own budget will be used to buy uniform bundles for the new year 7 intake or items of sportswear.

If your spend is below the threshold of £214,904 (including VAT), create a request for quotation and request a minimum of 3 quotes.

If your spend is more than £214,904 (including VAT), create an invitation to tender to get bids.

## Combined school and parent or guardian spend

Procurement may relate to both school and parent or guardian spend where parents buy items directly from the supplier, but the school also buys some items directly.

In this case, work out the combined value of the school and parent or guardians' spend. If this is more than £214,904 (including VAT), create an invitation to tender to get bids.

If the combined spend is below this threshold, create a request for quotation and request a minimum of 3 quotes.

## **Parent or guardian spend only**

This may be where both:

- parents buy items directly from the supplier
- you do not need to use the school's budget

We recommend that you issue a request for quotation, regardless of the likely amount of spend.

You are required to show value for parents' money – for example, by requesting a minimum of 3 quotes.

## **Find and consult suppliers**

If you need a list of suppliers, consider:

- consulting an industry body such as the [Schoolwear Association](#)
- researching local suppliers
- consulting with other schools and networks

Consider having informal discussions with potential suppliers to

help you develop your specifications before you issue an invitation to tender or request for quotation.

Suppliers may be able to advise you about lower-cost choices of fabric or design.

## Prepare to request bids

When you are preparing to request bids from potential suppliers, consider the following.

### Service

Consider what products parents will need, and if they will benefit from:

- a physical shop
- a pop-up shop in school
- being able to buy uniform online

Also consider how parents can return items.

### Existing contractual commitments

Consider your existing contractual commitments. This will help you set out an effective timeframe. Existing commitments include:

- the notice period of your current contract
- current and likely stock levels at the end of the current contract
- any liability for stock you have

If you have an existing contract, you will need to manage your exit from it, so there is an orderly handover to the incoming supplier. Consider how to:

- set up a discussion between the current and incoming suppliers about the transfer of stock
- work collaboratively with the outgoing contractor to agree an orderly handover to minimise costs, waste and service disruption
- keep stock levels to a minimum near the end of a contract

## Length of tender process

Consider how long the tender process will take. Industry bodies recommend you allow a minimum of 12 weeks if you are procuring supplies below the spend threshold. If the value is above the threshold, consider the legal requirements for the publication of tenders.

The invitation to tender and request for quotation template documents, which we have published with this guidance, include indicative timetables. These will guide you on how long each step of the process could take.

## Your evaluation process

Consider asking suppliers to present product samples as part of the evaluation process so you can assess them.

If you do this, include it as a separate process after you evaluate quality and price.

Make your evaluation process clear to suppliers when you create an invitation to tender. In your invitation to tender documents,

include:

- any presentation questions
- product sampling requirements
- the scoring criteria you will use

Clearly set out the process you will use to assess samples. For example, say that you will only ask suppliers who rank in the top 3 after the quality and price evaluation to provide samples for assessment.

## Issue documents to interested suppliers

The documents you issue to request bids will form part of the final contract, so clearly set out your expectations and any specific requirements you have for the supplier to comply with.

You will rely on this, and the conditions of contract, to resolve any disputes if:

- uniform is not delivered
- uniform is poor quality
- the contract is not performing as you expected

You and the supplier will agree items and sizes at the end of the procurement process.

## Template documents to download

The [templates which accompany this guidance](#) include:

- an invitation to tender

- a request for quotation
- a pricing schedule

Our templates model how to go through the procurement process, from issuing the initial documents to selecting your preferred supplier. If you use our templates:

- fill in the parts of the invitation to tender or request for quotation which are indicated for your school
- fill in the parts of the pricing schedule which are indicated for your school
- provide a draft contract

The square brackets marked 'insert' explain how to fill in the template documents before you issue them. The documents include guidance notes for you to follow.

You do not have to include all the questions included in the template documents, except where they are marked as mandatory. You can include additional questions.

### **Invitation to tender**

This includes 2 schedules with questions for suppliers to answer. Suppliers should answer all applicable questions to be considered for the next stages of procurement.

Interested suppliers can return schedule 1 to confirm they:

- accept the contract issued with the invitation to tender
- have not canvassed anyone in connection with the proposed award of the contract
- have not colluded with other suppliers to fix prices

When suppliers return schedule 2:

- score each bid using the scoring guide in the selection questionnaire
- mark each bid as a pass or fail where relevant

- summarise the results

### **Pricing schedule**

Ask suppliers to submit their prices with the invitation to tender response.

There are instructions on how to fill in the template pricing schedule on the first tab.

Keep prices fixed for the first 12 months of the contract.

Stipulate any price increase mechanism in the contract – for example, the consumer price index.

If there is an extraordinary inflation level, agree a mechanism for an increase or retender.

## **Accompanying contract**

Provide a draft contract, so bidders know the terms and expectations when you issue the documents.

If your procurement is for school spend or combined spend, you can use the template conditions of contract that the Cabinet Office and Government Legal Department have published:

- the template [short form contract](#) is more suitable for procurement below the threshold
- the [mid-tier contract](#) is more suitable for procurement over the threshold

If your procurement is only for parent or guardian spend, you will need to create your own contract.

Template contracts are available from third parties, including the [Schoolwear Association](#). The Department for Education has not created these. Always consider taking legal advice before entering contracts prepared by a third party.

The contracts could include clauses covering the following.

### **Exclusivity**

Exclusivity clauses relate to the school's right to sell uniform independently. They could restrict or permit the school to sell uniform independently.

### **Intellectual property**

Intellectual property clauses ensure any agreement does not vest or transfer any right, title or interest in the school's intellectual property to the supplier.

### **Change control process**

Change control process clauses could include the reasonable notice period if either:

- you need to change the school logo or any other requirement
- suppliers need to change items

### **Stock transfer**

Stock transfer clauses make clear how stock will be transferred to or from suppliers at the beginning and end of a contract.

### **Termination arrangements**

Clear termination clauses include:

- how a school or supplier may end the contract
- how long any notice period lasts
- who is liable for the cost of any stock held

Consider very carefully how to minimise the liability to the school where possible.

Schools should consider how long they will need to seek alternative suppliers when drafting any notice periods.

We recommend avoiding any automatic renewal clauses.

We recommend that you give a 12-month notice period for any

change of:

- uniform
- guidelines
- branding
- supply

This will allow suppliers to manage stock levels appropriately.

## Review your contract

At the start of the contract, go through your requirements again with the successful supplier. Make sure they have fully understood your expectations.

Arrange regular meetings to review and manage the contract and deal with any issues.

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