

School uniforms market study frequently asked questions

Key takeaways

- The Jersey Competition Regulatory Authority (the Authority) will be carrying out a targeted market study into school uniforms.
- A market study is the analysis of a market, using a variety of information and evidence to assess how well it is working, and whether changes could be recommended to make it work better.
- This market study will be a targeted review of the supply of school uniforms in Jersey. The study will consider the market structure, consumer demand and the characteristics of supply, as well as current market practice in the context of previous Authority guidance for this market.
- The study will start in December 2022 and, as it is a targeted market study, it will take approximately 3-4 months to complete.
- The outcome of the study will be a report which explains the approach and findings. The report may also set out Authority recommendations to help improve consumer outcomes. The report is scheduled for publication on the Authority's website in April 2023.

Frequently Asked Questions

What is a market study?

A market study is a flexible tool to explore whether a market, or feature of a market, is working well for Jersey consumers. Market studies consider the relationship between consumer behaviour and the market structure and the behaviour of firms in that market. By looking at these types of relationships and other factors, we can determine whether action designed to encourage changes in consumer behaviour, business behaviour, or both, will help address any market problems found.

An important point to note is that the focus of a market study is on the structure and behaviour of the market itself, not the actions of any specific business or firm.

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What is the school uniform market?

This market study relates to the supply of school uniforms in Jersey. The study will consider the supply of all types of school uniforms (and related items) for all schools in Jersey.

Why has the Authority chosen to carry out a study of the market for school uniforms?

Different markets are screened to determine those most relevant to Jersey at the present time and assessed against the Authority's prioritisation principles. As a result of public representations, media interest and ongoing engagement with Government, the supply of school uniforms has been identified as a market for consideration.

This is also because:

- in the context of the current economic climate, increasing inflation and the 'cost of living', consumers are already facing additional expenditure pressures.
- school uniforms can pose a significant expense on household expenditure (particularly where there are multiple items of uniform, where items are either compulsory, or 'crested' (or indeed both).
- the Authority remains keen to support Government policy; and, ascertain the extent to which previous Authority guidance has been given effect.

What will the study consider?

The study will be carried out against the published terms of reference. This identified the following areas for consideration:

- market structure, including consumer demand and broad market outcomes;
- the characteristics of market supply (and possible interactions with school uniform policies);
- market practice relative to previous Authority guidance; and
- relevant developments in UK policy (and statutory guidance).

How does this study relate to the previous and related market studies?

This study will utilise and complement previous market studies and reviews, for example, the Authority's previous guidance on school uniforms published in 2011 and available at: <https://www.jcra.je/cases/2010/c58010-school-uniforms/c58010-advice-issued-to-schools-regarding-the-exclusive-supply-of-school-uniforms/>

This set out specific guidance for schools and other stakeholders on how to improve the competitive process for the benefit of the consumers, in particular school were encouraged to:

- ensure that school uniforms are available from several retailers;
- where the use of multiple retailers is not possible, schools should be encouraged to engage in (competitive) tender processes when selecting retailers; and
- when reviewing uniform policies, schools should also consider whether items of uniform need to be bespoke (crests, logos etc.)

What is excluded from the study?

The study is a targeted review of the on-island supply of school uniforms. While the study will necessarily consider elements of the overall supply chain, it is not a full market study. Therefore, it may not, for example, encompass a review of all the structural, behavioural and other factors relating to market outcomes.

What will happen during the study?

Based on the published terms of reference, the Authority will gather and analyse information on the market. This will be done through various methods and is likely to include:

- the analysis of past precedent or case studies, both local and international (UK);
- the use of surveys;
- interviews with stakeholders with an interest in the market;
- consideration of economic theory and/or use of econometrics; and
- the request of specific information from market participants.

This phase will be followed by an analysis of the evidence and information received which will be drawn together into a final report, which will be published on the Authority website.

The final report will give a description of the market, describe the methodologies used to collect and analyse the data and proposed recommendations to address any problems which may be identified (if applicable). Further detail on the research supporting the report will typically be annexed to the final report.

What will the study outcome be?

Until completed, it's not possible to say what the outcome will be, the outcomes could be:

- a view that the market is working well, for example, Jersey consumers may be found to be better served than comparable international jurisdictions and/or no market issues are identified.
- consumer and/or business focused action, for example, there may be recommendations for suppliers to change pricing and other practices, or suggested changes in consumer-oriented policy to improve transparency, choice and benefit.
- recommendations to Government, for example, new information requirements and/or guidance could be introduced. Another possibility is innovative solutions from other jurisdictions may be suggested for Jersey.

Note, if as part of the study, evidence was found of a firm/s breaking Competition Law, the appropriate tool would be competition enforcement, not a market study. In this scenario the market study would be stopped and instead a formal investigation launched.

When will the study start and how long will it take to complete?

The study will formally start in December 2022. The planned timeline is 3-4 months from starting information gathering to publication of a final report, which is scheduled for April 2023. This timetable may be subject to change if material issues are encountered.

How will the Authority handle confidential information provided to it as part of the study?

Given the study is focused on a market as opposed to individual firms, it is not expected that significant confidential information will be requested from market participants. However, the Authority recognises that some of the information that stakeholders may want to share could be commercially sensitive and highly confidential. As a matter of course anyone who has information relevant to the study can ask the Authority to keep their identity and/or the information provided confidential.

Where is more information available?

The market study will be an open case on the Authority website and updates will be made available during the study. Background information on market studies is available at: <https://www.jcra.je/competition-and-regulation/market-studies/>