

What parents need to know before buying back-to-school goods

As schools are set to re-open for the 2021 academic year, the Competition Commission urges institutions and parents to observe the circular on ["Procurement of School Uniform and other Learning-Related Goods and Services"](#). The circular was jointly published by the Commission and the Department of Basic Education on 16 November 2020, to provide schools and other relevant stakeholders with guidance on best practices relating to all procurement undertaken by schools.



Image source: Getty Images

In the main, the circular is aimed at curbing anti-competitive procurement practices at schools. The circular emphasises the principles articulated in the School Uniform Guidelines previously published in May 2015 by the Department of Basic Education. In the era of Covid-19, the Commission's scope has expanded to other learning-related goods and services which schools require learners to purchase, including face-masks, hand sanitizers, technological gadgets for e-learning purposes and other items.

The Commission's interventions in the procurement of school uniform over the years has yielded some positive results in changing behaviour by schools and retailers. The Commission is encouraged by the progress made by various schools in making school uniform more affordable and accessible. In this regard, the Commission has received some positive testimonials from parents who have observed changes in the way in which schools have approached the issue of school uniforms and other learning-related material.

The guidelines for pro-competitive school procurement include the following:

- School uniform should be as generic as possible such that it is obtainable from more than one supplier;
- Exclusivity should be limited to items that the schools regards as necessary to obtain from pre-selected suppliers;
- Schools should follow a competitive bidding process when appointing suppliers for school uniform and learning-related items;
- Supplier agreements should be of limited duration and not for excessively long periods; and
- Schools must not compel parents to purchase new/additional school uniform items for the purposes of clothes-rotation during the Covid-19 pandemic. Instead, schools should consider alternative interventions including permitting the wearing of civilian clothing by learners, on some days.

In the instance where there is non-compliance with the Competition Act and the School Uniform Guidelines, the Commission will take appropriate action in terms of its enabling statutes, particularly as bringing down the cost of learning-related items remains the priority.

In order to expand its reach to more schools, the Commission also identified School Governing Body Associations as key stakeholders with whom to partner. These associations are voluntary organisations representing School Governing Bodies across the nation. In showing their commitment, in 2018, the Federation of Governing Bodies of South Africa (Fedsas) and the Independent Schools of Southern Africa (Isasa), representing public and private schools respectively, made a public pledge to adhere to the school uniform guidelines aimed at curbing anticompetitive behaviour at schools.

Further, the governing body associations that represent public schools have, during 2020, begun discussions on developing Memorandum of Understanding (MoUs) with the Commission. The Commission is excited about these partnerships and believes that through these it will be able to raise awareness and monitoring compliance to competitive procurement practices by schools.

View the [Procurement of School Uniform and other Learning-Related Goods and Services](#) PDF.

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