



The Scottish Parliament
Pàrlamaid na h-Alba

LOCAL GOVERNMENT AND COMMUNITIES COMMITTEE

AGENDA

32nd Meeting, 2019 (Session 5)

Wednesday 18 December 2019

The Committee will meet at 9.45 am in the Robert Burns Room (CR1).

1. **Decision on taking business in private:** The Committee will decide whether to take items 3 and 4 in private.
2. **Period Products (Free Provision) (Scotland) Bill:** The Committee will take evidence on the Bill at Stage 1 from—

Nicola Bristow, Community and Grants Co-Ordinator, Plan International UK;

Eilidh Dickson, Policy and Parliamentary Manager, Engender;

Erin Campbell, MSYP for Midlothian North and Musselburgh and the Deputy Convener of SYP's Equalities and Human Rights Committee, Scottish Youth Parliament;

Siobhan McCready, Equalities Stand Down Officer, Unite the Union Scotland;

Erin Slaven, Co-founder, On the Ball;

and then from—

Sheena Stewart, University Secretary at Abertay University, Universities Scotland;

Councillor Alison Evison, President, COSLA;

Celia Hodson, Chief Executive, Hey Girls;

Gail Anderson, Chief Executive, The Orkney Partnership (by video link);

Carolyn Hope, Acting Senior Manager, Facilities Management, North Ayrshire Council.

3. **Period Products (Free Provision) (Scotland) Bill:** The Committee will consider the evidence heard earlier in the meeting.
4. **Work programme:** The Committee will consider its work programme.

Peter McGrath
Clerk to the Local Government and Communities Committee
Room T3.40
The Scottish Parliament
Edinburgh
Tel: 0131 348 5232
Email: peter.mcgrath@parliament.scot

The papers for this meeting are as follows—

Agenda Item 2

Note by the Clerk

LGC/S5/19/32/1

PRIVATE PAPER

LGC/S5/19/32/2 (P)

Agenda item 4

PRIVATE PAPER

LGC/S5/19/32/3 (P)

Local Government and Communities Committee

32nd Meeting 2019 (Session 5), Wednesday 18 December 2019

Stage 1 Scrutiny of the Period Products (Free Provision) (Scotland) Bill

Note by the Clerk

Introduction

1. The Period Products (Free Provision) (Scotland) Bill was introduced into the Scottish Parliament on Monica Lennon MSP on 23 April 2019. It is a Member's Bill. The Bill and accompanying documents can be found [here](#). The Committee, which is the lead Committee at Stage 1, will hold its first evidence session on the Bill on 18 December 2019 with two panels of witnesses. The first comprises [Plan International UK](#), [Engender](#), [Scottish Youth Parliament](#), [Unite](#) and On the Ball. The second comprises [Universities Scotland](#), [COSLA](#), [Hey Girls](#), [The Orkney Partnership](#) (via videolink) and [North Ayrshire Council](#). Their written submissions are attached at Annexe A.
2. More information on the Period Products Bill can be found in the Scottish Parliament Information Centre [briefing](#) on the Bill.

Current provision

3. At present no legislation in Scotland covers the free provision of period products.
4. On 30 May 2018 the Scottish Government announced that £0.5 million would be awarded to the charity [FareShare](#) to provide free period products to low income households, with funding for both products and delivery. In August 2018 the Scottish Government pledged £5.2 million to provide students at schools, colleges and universities with period products during the 2018-2019 academic year. This figure was then increased to £5.5 million for 2019-20.
5. On 17 January 2019 an additional £4 million was made available to local authorities to expand work undertaken by FareShare to roll out free provision of period products beyond schools, colleges and universities. On 4 October 2019 the Scottish Government announced an additional £50,000 funding for free provision of period products for local sports clubs, up to 500 sports clubs affiliated with [Sportscotland](#) will be provided with £100 grants to to provide free period products to members, participants and visitors.

The Bill

6. The Bill was introduced both to address "period poverty", where individuals struggle to afford period products, and to widen access to products. The Bill's aim

is to ensure that everyone in Scotland who needs to use period products can obtain them free of charge through a “period products” scheme that the Scottish Government would have to set up. The Bill requires primary and secondary schools, colleges and universities to make period products free in all appropriate toilets and enables Ministers to place a similar duty on other organisations. Those using the scheme must be able to obtain period products “reasonably easily” and with “reasonable privacy” and can choose to have the products delivered or collected. The scheme must also ensure that a choice of different types of period products are available. Scottish Ministers must publicise the scheme and may compensate those obliged to provide free products.

7. More information on the detail of the Bill is set out in the bill’s [policy memorandum](#). Paragraph 5, states that the three underlying policy aims are to:
 - place a duty on Scottish Ministers to ensure that period products are made available free of charge on a universal basis;
 - require education providers to make period products available free of charge in on-site toilets; and
 - enable Scottish Ministers to place a duty on other specified public service bodies to provide free period products.

Stage 1 so far

8. The Committee’s issued a [call for evidence](#) on 16 September which closed on 5 November 2019. The Committee received 50 responses the majority of which supported the aims of the Bill. All written submissions can be reviewed [here](#).

Evidence session on 18 December and next steps

9. The focus of discussion will be on the impact of the Bill firstly from the perspective of organisations and charities with experience of the issues and secondly from organisations which provide or will provide period products under the Bill’s proposals. Topics may include whether the panels consider period poverty to be a serious issue in Scotland, personal experiences of the Scottish Government’s existing measures and views of their effectiveness, what a scheme for free provision might look like, and the funding of a scheme.
10. As the lead Committee at Stage 1, it falls to the Committee to gather evidence and information on the Bill and to report to the Parliament on whether to agree to the general principles of the Bill. There will then be a debate of the whole Parliament at Stage 1 on whether to agree to the general principles. The next evidence session will be on 8 January 2020, when the Committee will hear evidence from the Scottish Government.

ANNEXE A

Written submissions

Plan International UK	4
Engender	7
Scottish Youth Parliament	14
Unite the Union Scotland	21
On the Ball	26
Universities Scotland	29
COSLA	32
Hey Girls	37
The Orkney Partnership	41
North Ayrshire Council	46

Local Government and Communities Committee

Call for Views on the Period Products (Free Provision) (Scotland) Bill

Submission from Plan International UK

1. The Bill has been brought forward partly in response to concerns about "period poverty" - difficulty in being able to afford period products. Do you think period poverty is a serious issue in Scotland? Please provide any relevant information you may have to support your views.

Plan International UK is a global children's charity. We work to give every child every chance. We have global programmes that address menstruation but have also begun working on girls' rights issues in the UK including tackling period poverty and the stigma associated with menstruation.

In 2017, Plan International UK carried out a survey of 1000 girls age 14-21 across the country. This identified that more than one in ten girls (12%) had improvised sanitary wear due to affordability issues and that one in five (19%) changed to a less suitable sanitary product due to cost.

Our follow up research report, Break the Barriers (2018), identified that young people in the UK were experiencing a toxic trio of issues around menstruation: stigma and taboo, a lack of education and a lack of access to products due to affordability and a lack of open provision in schools.

We currently run a project in England, Let's talk. Period (LTP) that works with grassroots organisations, is commissioning research and operates a large network of experts and practitioners. Our project partners, Brook – the young person's sexual health and wellbeing service, work with girls and other menstruators to deliver education and products through a large scale pilot in England funded by DCMS. In addition, Plan International UK is co-chairing the Government Equalities Office Period Poverty Taskforce, alongside Proctor and Gable and the Minister. Through this we have access to expertise and research that demonstrates the nature of Period Poverty, and broader issues across the UK, including Scotland.

We have heard from members of our period network that children attending schools are collecting pads for their families, not just their own individual needs which are very likely to be mirrored in areas of deprivation in Scotland.

2. Do you support the overall aim of the Bill - that no one in Scotland should have to pay for period products and that this should be set out in law?

Yes, periods are a fact of life and period products are as essential as toilet paper for those who menstruate.

For a truly equitable society we must ensure that no person is disadvantaged as a result of menstruation due to their financial or social circumstances. In addition, individuals should not be disadvantaged in the workplace as a result of menstruation. This is a gender equality issue and must be addressed through legislation to ensure organisations are truly striving towards equality. This feeds into Plan International UK's work striving to reach Sustainable Development Goals 5, 6, and 10. It is a gender issue and a girls' rights issue which should be supported by a legal framework.

3. The Scottish Government already has a scheme for free period products across schools, colleges and universities. Some public bodies also provide free products voluntarily. Do you have any experience of such schemes? If so, do they seem to you to be effective?

Learning from the Let's Talk. Period project (see above) demonstrates that combining product provision with education has had a positive impact for girls and other menstruators. The interim project evaluation is showing a positive impact on those receiving support including an increased knowledge in relation to their own menstruation experiences and uptake of different period products.

We have also commissioned Birmingham City University to carry out further research into menstruation, including research into best practice in relation to young people's access to products. Early findings have identified that that schemes including services users in their design processes have greater impact and are less open to abuse or misuse. Products alone are often not the answer; preparation and information prior to scheme implementation are helpful. In addition, localised services know how to reach those who face the greatest barriers to accessing services – identifying those most in need and who may not be reached through traditional services, for example, a scheme in Norfolk is run via the local library and includes distribution via the mobile library service. This is not instead of provision within education institutions but rather recognising that people in education may access other community services including youth clubs and libraries, particularly outside of term time.

In addition, schemes in schools should also attempt to engage the wider community, considering household issues and solo male carers/guardians, rather than only working with young people.

4. The Bill would allow the Scottish Government to require organisations other than schools and colleges to provide free period products. Do you support this? If so, what other organisations should be legally made to provide free products?

Yes. Period poverty does not only affect young people or people in education. If a household is living in poverty, they are also likely to be period poor.

Any public service provider e.g. job centres and health centres, should all provide products. Additionally, workplaces – particularly those who have high numbers of entry level or minimum wage workforce – should be compelled to provide products during work hours.

Further to this, private sector organisations should be required to include periods in their staff related policies including the provision of products at the point of need e.g. toilets.

5. The Bill requires the setting up of a scheme for making free period products available. Do you have any views on what elements a scheme should include? In answering this question, you might want to take account of factors such as the importance of privacy, accessibility, value for money and the environment.

Any provision should offer a range of products, signposting to education and trusted information, and any support services. This should not presume that all people will want to access disposable products, nor should it restrict people to one particular brand. Sustainable and reusable options should also be provided, but with adequate education provision alongside the products to ensure people have the confidence to try and continue to use these types of products. Information on disposing of products and how to use products safely should always be provided at the point of access.

6. Do you have any other comments you wish to make about the Bill?

No.

Local Government and Communities Committee
Call for Views on the Period Products (Free Provision) (Scotland) Bill
Submission from Engender

INTRODUCTION

Engender is a feminist policy and advocacy organisation working to realise women's equality with men. Women's health is a key element of this work – as women's pain, experiences and access to the care and products they need are not only poorly met or understood by society at large but also by healthcare professionals. This failure to adequately meet women's needs then acts as a barrier to women's participation in education or the labour market, undertaking social and leisure activities and carrying out daily activities such as commuting equitably.

Menstruation is painful, inconvenient and expensive, with over 20% of all women experiencing such severe menstrual cramps that it interferes with their daily activities.¹ The cost of period products remain significant and undermines women's already poorer economic position. It is estimated that a woman will, over her lifetime, spend approximately £5,000 on tampons, pads or other sanitary products.² As such, the ability to manage menstruation with dignity is a privilege reserved for those who can readily access and afford menstrual products.

While half the population experiences menstruation at some point during their life, it is not yet fully appreciated within either policy frameworks or organisations how managing menstruation can impinge upon women's daily lives. Lack of access to adequate and appropriate menstrual products is associate with shame, discomfort, distress and health risks such as toxic shock syndrome.

In 2017, Engender convened a roundtable discussion to gain a better understanding of period poverty in Scotland. This session was attended by organisations working around education, homelessness, poverty, and women's equality and rights. This response draws on some of this discussion as well as additional materials and analysis.³

QUESTIONS

- 1. The Bill has been brought forward partly in response to concerns about "period poverty" - difficulty in being able to afford period products. Do you think period poverty is a serious issue in Scotland? Please provide any relevant information you may have to support your views.**

¹ American Family Physician (2012) Dysmenorrhea.

² See Bloody Good Period < <https://www.bloodygoodperiod.com/>>

³ See more detailed summary of the discussion at Engender (2017) 'Period Poverty' in Scotland: Summary of a roundtable discussion held by Engender in June 2017

Over the past couple of years, there has been a significant increase in discussion and analysis of ‘period poverty’. ‘Period Poverty’ usefully describes the phenomenon of women and girls being unable to afford sufficient sanitary products to comfortably manage menstruation. This then prevents them from being able to fully and equally participate in daily activities and public life. The term itself entered into public consciousness following reports of girls missing school because of a lack of access to period products and increasing requests for products at foodbanks.

Engender’s overarching analysis of poverty is systemic, and we see ‘fuel poverty’, ‘food poverty’, and ‘period poverty’ as rhetorical devices to draw attention to specific indicators of a lack of an adequate standard of living⁴. Within other structures that enable poverty, we note that women do not have adequate incomes from work and social security, and that women and girls do not have equal access to resources within the household. There is also a risk that the term ‘period poverty’ obscures the multitude of reasons for period product access issues beyond cost, such as the stigma of menstruation, control of women and girls by an abusive partner or parent, or simply being ‘caught short’ by irregular periods.

We have seen various initiatives introduced since 2016 in response to this increased awareness, notably the Scottish Government’s pilot programme in Aberdeen⁵ followed by £5.2 million for a scheme run by the Scottish Government, Cosla, Colleges Scotland, Universities Scotland and the Scottish Funding Council last August. Subsequently, the UK Government announced funding to provide free sanitary products in all schools and colleges in England and established a Period Poverty Taskforce.

However, despite the rapid pace of policy development in the past few years, there remains insufficient evidence of the scope of the problem. The limited research and analysis of measures that exist suggest that a lack of access to products affects many women and girls across the country. Several surveys have now been undertaken focussing on the experiences of young women and girls, for example, a 2018 survey conducted by Young Scot⁶ and the *Girls in Scotland survey 2018* from Girl Guiding⁷. Both surveys suggest the issue of period poverty for young women may be of potentially huge impact. Further research from Women for Independence suggests that nearly one in five women have experienced ‘period poverty’.⁸

Yet there is a need to hear more about the experiences of older women, disabled women, and women for whom English is not their first language. Recent work to capture the views of refugee women by Bloody Good Period found 75% of this group,

⁴ Engender. “Women and Poverty.” On the Engender. <https://www.engender.org.uk/content/on-theengender-podcast/>.

⁵ CFINE Pilot Project Report (2018) Improving access to Sanitary Products

⁶ Young Scot’s Insight, Access to Sanitary Products in Scotland (2018)

⁷ <https://www.girlguidingscotland.org.uk/girls-in-scotland/>

⁸ ‘Period poverty: Scotland poll shows women go to desperate lengths’ *The Guardian* <
<https://www.theguardian.com/society/2018/feb/05/period-poverty-scotland-poll-shows-women-go-to-desperate-lengths>>

who are already at an acute risk of destitution, struggled to obtain period pads or tampons while destitute, forcing them to overuse a period product, improvise period wear or beg for money to buy a pad.⁹ Heavy and irregular periods during perimenopause require additional products, so the experiences of women in middle years are also important to capture.

2. Do you support the overall aim of the Bill - that no one in Scotland should have to pay for period products and that this should be set out in law?

Engender fully supports the overall aim the Bill that “Everyone in Scotland who needs to use period products has the right under this Part to obtain them free of charge.”¹⁰ We believe it future proofs and embeds the work already underway to ensure that there is access to period products, and provides the basis for their expansion. While organisations are doing increasingly this voluntarily, a legislative duty for public bodies and local authorities would have further weight and ensure that expectations could be met reliably.

Normalisation of menstruation and period products as essential everyday health and hygiene products would challenge the stigma of periods as ‘women’s issues’ to be managed in secret, enabling women and girls to concentrate fully on education, work and leisure, reducing the financial burden imposed upon them, and improving their quality of life and wellbeing.

3. The Scottish Government already has a scheme for free period products across schools, colleges and universities. Some public bodies also provide free products voluntarily. Do you have any experience of such schemes? If so, do they seem to you to be effective?

Engender’s perception of the current scheme is that access to products is variable, with examples of good practice and bad. We are also aware that some organisations not covered by the scheme have begun providing free products on a voluntary basis, in different forms. Systems have been put in place which ensure that a wide variety of products are consistently available in all or in appropriate bathrooms, either in every cubical or by the sinks (the former may provide additional privacy safeguards while the latter may encourage the normalisation of periods and period products). Elsewhere, women have to access supplies through a central office, which sees women having to ask for them directly, which may discourage at least some women and girls from accessing the products they need.

It is crucial that provision of products is adequately funded, and that the introduction of a universal scheme to give effect to the right in section 1 is not used to justify a regression in availability of products in public places. However, it must also be noted

⁹ Bloody Good Period (2019) The effects of “period poverty” among refugee and asylum-seeking women

¹⁰ S1 Period Products (Free Provision) (Scotland) Bill

that the costs of provision do not outweigh the human costs of period poverty for women and girl's wellbeing, education, income and health.

4. The Bill would allow the Scottish Government to require organisations other than schools and colleges to provide free period products. Do you support this? If so, what other organisations should be legally made to provide free products?

While it is right that much of the discussion about period poverty to-date has focussed on provision in schools and further and higher education because of the life-long impact of disrupting education, it is also important to note that menstruation and access to products has a serious impact on women in work, both because of financial poverty and because of time poverty. Two-thirds of workers earning less than the living wage are women¹¹ and women have less leisure time,¹² do more housework¹³ and provide up to 70% of unpaid care and childcare.¹⁴ These women may have different access needs to girls and young women in education, but still be affected by period poverty or shortages of period products.

Furthermore, period product access must meet the needs of all women in the choice of product on offer, including women with gynaecological health conditions and also those experiencing menopause, who may have heavier and more irregular periods.

The provision of products in specified public services in section 6 of the Bill should take into account the variety of spaces commonly accessed by different groups of women. A fully universal scheme should consider the needs of women less likely to frequent public service premises and ensure that at least some products are freely available in spaces such as nurseries, supermarkets or public toilets. Universal access should consider the needs of homeless women, those with no fixed or proof of address and those experiencing domestic abuse, particularly as control over reproduction is an acute risk for many women.

5. The Bill requires the setting up of a scheme for making free period products available. Do you have any views on what elements a scheme should include? In answering this question, you might want to take account of factors such as the importance of privacy, accessibility, value for money and the environment.

The Bill establishes a **minimum legal duty** to establish an 'opt-in' universal scheme for access to period products in very broad terms, a position which must be seen as a floor rather than a ceiling. It enables the Scottish Government to provide products on

¹¹ Poverty Alliance Why is the Living Wage Important?

¹² ONS (2018) Men enjoy five hours more leisure time per week than women,

<<https://www.ons.gov.uk/peoplepopulationandcommunity/wellbeing/articles/menjoyfivehoursmoreleisuretimeperweekthanwomen/2018-01-09>>

¹³ 'Women still do majority of household chores, study finds' *The Independent*

<<https://www.independent.co.uk/life-style/women-men-household-chores-domestic-house-gendernorms-a9021586.html>>

¹⁴ Skills for Care (2012) Carers Matters – Everybody's business

the basis of a voucher or card-scheme similar to the C-Card scheme for condoms. However, the Bill also stipulates that any administrative burden in order to access cards or vouchers be a minimal as possible to ensure ease of access and the privacy and dignity of applicants.

Engender discussed a similar approach to the C-Card scheme at our 2017 roundtable. Concerns were raised about the evidence-base for such a scheme and whether it would pose additional stigma to people already trapped in poverty.¹⁵ Requiring individuals to sign up and provide proof of identity is likely to act as a barrier to the Bill's overall aim, at least for some individuals, based on the take up statistics of application-based universal services, which is rarely, if ever, 100%. We would therefore urge the Scottish Government to develop alternative models which ensure that products are freely available, no questions asked as, as many organisations already do and is provided for in the Bill in relation to schools and specified public services. **We would be especially concerned that the option to provide the voucher system is used in such a way as to justify the removal of products from premises**, as many organisations have begun to provide these voluntarily.

The Bill also provides that postal delivery should be made available, but that it is appropriate to request the cost of postage be covered by the individual if it is considered reasonable for them to collect them. We would support the removal of the ability to charge for the cost of postage, as there are a multitude of reasons why a person may require that products be delivered – it may be safer, more private or less disclosive, fit around their childcare or care responsibilities. Some of these may require the kind of information to be disclosed that the Bill specifically avoids requiring in section 3.

The scheme must also meet the needs of women without a fixed address or who do not have access to a proof of address.

Finally, the Bill enables the Scottish Government to decide on the method of distribution under the universal period products scheme. We would call on the Scottish Government to properly fund the provision of products which meet a range of needs and preferences. The findings from the Aberdeen pilot showed “[of] the three options offered – cash, pre-paid card, or product – the most popular delivery method was individuals receiving the product directly.”¹⁶

In our response to the initial consultation on the proposals for this Bill, Engender raised the following key issues that any scheme should consider:

- “Would the scheme give women and girls **choice of a range of period products?**
- Roundtable participants spoke of the trauma experienced by women and girls living in poverty, including the example of the stigma associated with food vouchers. Of importance to the group was **how a universal access scheme**

¹⁵ Engender ‘Period Poverty in Scotland’ Roundtable Discussions Summary (2017)

¹⁶ <http://acvo.org.uk/wp-content/uploads/2018/06/CFINE-ASP-End-of-Pilot-Report.pdf>

could limit the stigma already experienced by women and girls living in poverty.

- On a similar note, women and girls reported to various equalities and poverty organisations that they **would not feel comfortable presenting a card for free period products to men.**
- It is vital that the provision of free period products not be linked to, for example, the social security system. **Poverty is not the sole reason behind women's lack of access** to sanitary products.
- **Income and other resources are often not controlled or shared equally within the household.** In many cases, women take on the role of acting as the buffer between their children and the impact of household poverty. Put simply, mothers forego their own consumption to meet the needs of their children.¹⁷ Whilst income level may be one of the contributing factors to period poverty in Scotland, the solutions developed to meet women and girls' menstrual needs must recognise that slightly increasing household income (e.g., by the cost of menstrual products) will not directly result in women gaining greater access to period products."¹⁸

We would be supportive of the inclusion of a code of principles or best practice as part of the Bill, which could set out these considerations and make clear the needs that the Scottish Government should have to have regard to in the design of its scheme. This would expand the understanding of the minimum obligation imposed by the Bill beyond the base model's function and to ensure it meets minimum standards.

6. Do you have any other comments you wish to make about the Bill?

Engender is clear in our position that menstrual care is healthcare, and that barriers to accessing essential products have a negative impact on women and girls' access to education, work, leisure activities and their wellbeing. We believe that the provision of free products to those who need them has the potential to:

- Maximise women and girls' participation in education and work;
- Eliminate the need to rely on inappropriate products (e.g., socks, newspaper) to manage a period and therefore reduce health risks posed to women and girls;
- Reduce the stigma experienced by those who are forced to rely on charity donations for menstrual products; and
- Start a much needed public dialogue on menstrual care. There is a poverty of understanding menstruation which needs tackling, and stigma which needs challenging.

CONCLUSION

¹⁷ Joseph Rowntree Foundation. (2014). Poverty through a gender lens: Evidence and policy review on gender and poverty.

¹⁸ Engender (2017) Engender response to the consultation on the Proposed Sanitary Products (Free Provision) (Scotland) Bill

We wish to restate our support for the Bill while carrying some concerns that the voucher or card scheme, expected to be a preliminary or base-level provision, will not reach those who have most need for free products.

We would not wish to see the existence of a voucher or card scheme used to undermine the good work that has been done over the past few years, whether as part of the Scottish Government's funded programme or on a voluntary basis. All women who need period products have different needs and access issues including period poverty, and some may need products available in public restrooms while others may prefer access via a card-system with the option for products to be posted directly to them.¹⁹ **The Scottish Government should consult on the different preferences ahead of the introduction of a national scheme, with particular focus on gathering the views from groups of women whose needs remain relatively unstudied.**

We welcome the aspects of the Bill which mandate free provision of products in schools, colleges and universities and in specified public services. We would also support the extension of programmes to non-public services where women are likely to be, and work to encourage more employers to expand the provision of free period products.

We would also support the inclusion of a set of minimum expectations for the scheme established under section 2 of the Bill. This could take the form of principles, which require Scottish Ministers to take into account aspects such as choice of product, the need to reduce stigma and the need to understand that poverty is an important but not the sole barrier to women's access to period products, but that menstruation is an important aspect of all women's health.

¹⁹ The Free Period Scotland survey

Local Government and Communities Committee

Call for Views on the Period Products (Free Provision) (Scotland) Bill

Submission from Scottish Youth Parliament, November 2019

Introduction

The United Nations Convention on the Rights of the Child (UNCRC) is the basis for the Scottish Youth Parliament's (SYP's) vision, mission and values. In particular, SYP embodies Article 12 of the UNCRC, which states that young people have the right to express their views freely and have their opinions listened to in all matters affecting them. As a completely youth-led charity, the words and sentiment of Article 12 have profound importance for our work.

Our Vision

The Scottish Youth Parliament (SYP) is the democratic 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 young people. Our goal is to make this vision a reality, in order to ensure young people in Scotland grow up loved, safe and respected, and able to realise their full potential.

Our Mission

SYP is a rights-based charity, with members supported by all of Scotland's 32 local authorities and 11 National Voluntary Organisations.

SYP's mission is to provide a national platform for young people to discuss the issues that are important to them, and campaign for changes to the nation that they live in. We support our members in their work by training them, supporting their personal development and empowering them, using a youth work ethos.

Our democratically elected members listen to and recognise the issues that are most important to young people in every community across the country and ensure that decision-makers listen to their voices.

Our Values

- **Democracy** – We are youth-led and accountable to young people aged 14 to 25. Our democratic structure and the scale of our engagement across Scotland gives us a mandate that sets us apart from other organisations.
- **Rights** – We are a rights-based organisation. We are passionate about making young people aware of their rights, and ensuring that local and national governments uphold their rights.
- **Inclusion and Diversity** – We are committed to being truly inclusive and work tirelessly to ensure policymakers and politicians hear the voices of young people from every community and background in Scotland.

- **Political Impartiality** – We are independent from all political parties. By working with all stakeholders, groups, and individuals who share our values, we deliver the policies that are most important to young people.

Summary recommendations from SYP

The Scottish Youth Parliament recommends that:

- There be a legal requirement on organisations to provide free period products. National government should fund local councils to carry this out.
- The Bill should allow the Scottish Government to require organisations other than schools and colleges to provide free period products. Products should be available widely to accommodate for periods starting unexpectedly.
- Products should be available in all bathrooms, not just women and girls', to ensure that transgender people have access if needed.
- It makes sense for these to be provided in gender-neutral toilet facilities: *'The Scottish Youth Parliament believes that there should be more publicly available gender-neutral toilet facilities, which are fully accessible to everyone regardless of identity or circumstance, across Scotland's communities.'* SYP Policy statement passed on 27th October 2019 with 70% agreement.
- Reusable period products should be available in addition, not as an alternative, to the products which are currently available. Choice is an important factor for young people.
- There should be more awareness around reusable period products to encourage their use and reduce stigma.
- Local and national government should avoid exclusionary language and branding when choosing period product providers and when providing these products.
- Any scheme to provide products should be 'opt out' rather than 'opt in'. Young people feel that registration processes such as the C-Card or voucher schemes could become a barrier to accessing these products, and voted against these.

Our approach

SYP welcomes the opportunity to respond to the Call for Views on the Period

Products (Free Provision) (Scotland) Bill by the Local Government and Communities Committee (hereinafter referred to as ‘the Bill’ and ‘the Committee’) at the Scottish Parliament. This response is based on the findings of co-designed questions in the #WhatsYourTake survey prior to SYP’s 70th National Sitting in Dunfermline, Fife and the Consultation Workshop which took place on Sunday 27th October 2019.

The workshop was attended by around 24 young people, called ‘Period Products’ and co-produced by SYP’s Equalities and Human Rights Committee Convener Revati Campbell MSYP and Deputy Convener Erin Campbell MSYP, the Committee and the Scottish Parliament’s Community Outreach Team.

Through a series of interactive activities, MSYPs gave their views on how well the current free scheme is working by exploring questions with the Committee around the existing and future provision of sanitary products, and reusable products. These views are summarised below.

The #WhatsYourTake online survey was open from 27th September until 30th October, gathering 817 responses from young people aged 12-25 across Scotland, from all 32 local authorities, [our 11 national voluntary organisations](#) and various others representing a diverse range of communities of interest, lived experience and ‘seldom heard’ groups (including different faiths, disabilities, care and carer experience, LGBTQI+, a range of cadets, sports and environmental clubs, Shelter and Police Scotland Youth Volunteers).

Background information of survey respondents

The majority of respondents are at school (86%) and aged 12-14 (48%) and 15-17 (42%). 55% of respondents are female, 45% were male, 2% identified as non-binary and 1% prefer to use their own term. 16% of respondents belong to minority ethnic groups.

Findings

What is your experience of the free provision of sanitary products? Please describe and let us know if your experience has been positive or negative, and why.

- No sustainable options are available.
- Some young people don’t know how to access products in schools.
- There was concerns raised that the products were often of a poor quality or of an inconsistent quality across schools.
- Products are now provided in sports centres but are ‘shocking’.
- Need more variety of products, different sizes for different ‘flows’.
- Some pupils had to go through their head teacher who provided envelopes with products but they still had to ask for them and this was not ideal.

- *Hey Girls* packs are provided by Orkney Council and are welcome, however, young people had asked the school to remove the branded packaging and the school refused because of hygiene reasons.
- Some young people in the schools had set up a “period club” and taken leadership and ownership, making up bags full of products, for heavy to medium flows, leaving the bags in toilets and available for people to take home in the holidays.
- Products should be provided during the holiday period as well as school/college terms.

At the workshop, we also asked if these schemes had had any impacts either positive or negative on young people with protected characteristics so disabled LGBT, religious or ethnic minority background young people or young people or women or girls?

- Products should be available in all bathrooms, not just girls’, to ensure transgender people have access if needed.
- Packaging on the products should be inclusive as there are lots which only use the Venus symbol, they should use inclusive language such as ‘people who menstruate’.
- More needs to be done to educate people who don’t menstruate.
- The availability is a positive thing as students are more confident and have one less thing to worry about.
- Some schools have introduced a card system and if they wish to go to the bathroom they just need to show the card and they are allowed to leave class without making further comment.

Should the Bill allow the Scottish Government to require organisations other than schools and colleges to provide free period products?

At the workshop, there was overwhelming support for this. Products should be available widely to accommodate for periods starting unexpectedly. Many felt that providing period products was simply an extension of a duty of care that schools and colleges already have for their students. A couple of members felt the Bill was too vague and should be specific about where products should be made available. One thought the Scottish Government should be responsible for the funding of all provision even where provision is made within private organisations.

Should there be a legal requirement on organisations to provide free period products?

At the workshop, there was overwhelming support for this. Members felt that national government should fund local councils to carry this out.

The Bill requires the setting up of a scheme to provide products and participants were asked how best they felt the “scheme” should operate and what elements it should include. General comments included:

- That products should be available in schools/colleges, all public buildings and sports clubs.
- That a registration scheme would create a barrier which would make it difficult for people to access and many could not see the point of this additional process. The suggestion of the C-Card scheme was not widely supported and would create a barrier.
- This was related to issues with people registering online for Universal Credit and how it 'doesn't work for the people who need it most.'
- If registration was required, this should be online but also on paper as some people don't have access to the internet.
- Pick up points were suggested.
- Members felt that a delivery service of some kind should be in place so that disabled people or those who could not afford to travel to access products

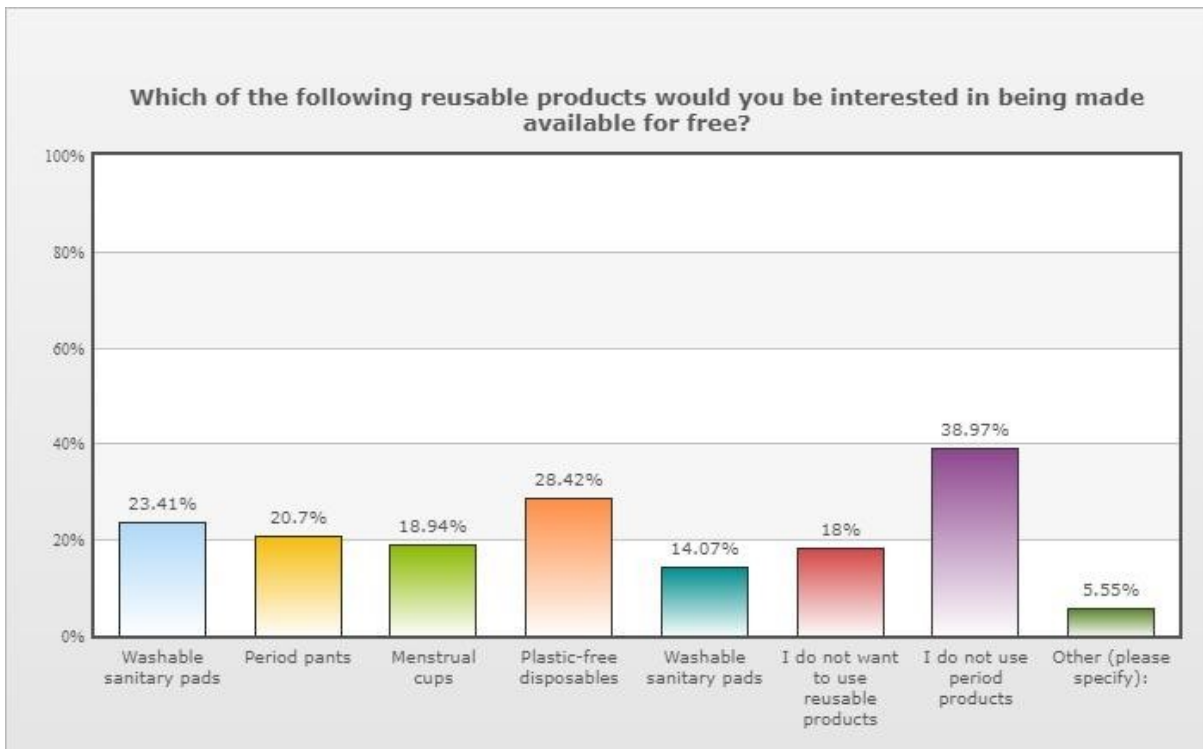
Voucher scheme?

- Voucher scheme was voted against.
- Needs to be unlimited.
- Some suggestions to use the young Scot card for young people, but also acknowledging that not all people have a young Scot card, refugees etc.
- Opt out for schemes rather than opt in.

Please see our findings on reusable products below:

At the workshop, examples were made available and there was overwhelming support for this due to their sustainability. However, members felt that reusable products should be available in addition to, not as an alternative, to the products which are currently available.

Someone also raised that menstrual cups are not always suitable for those with allergies (e.g. to silicon) and those with endometriosis. Others expressed concerns about using them for the first time being 'intimidating', potential hygiene issues and the lack of availability and affordability of them, especially if they turn out not to be suitable for the user.



The graph above outlines the survey findings. **The majority of respondents would like reusable products to be available for free**, ranging from 28% in support of plastic-free disposables to 14% for washable sanitary pads. The main reasons for answers were that these products have a better environmental impact, they would save young people money which would end period poverty (10 young people expressly said this), and they are more 'sustainable'.

- *'They will help others a lot if they can't afford period products.'* ○ *'I am very aware of my carbon footprint and the impact my actions have on the world around me and if I were able to access reusable sanitary provision for free I would.'*
- *'It is saving the earth and giving people the opportunity to do this when they might not financially be able to do this themselves. So it helps cut down on waste, saving the environment and helping people out of period poverty.'*
- *'Although menstrual cups and washable sanitary towels are fantastic, they're hard to provide for free and a lot of people find them intimidating or don't like to use them. Non plastic disposables decompose, are cheap and are very similar to familiar products so people will like to use them.'*
- *'I use a moon cup which has helped my cramps and saved me so much money.'*
- *Period pants are discrete [sic] and reusable.'*
- *'Menstrual cups are the most sustainable and best economically. Very empowering.'*
- *'It would be good for homeless people.'*

However, one respondent said:

'I've bought a menstrual cup already, but find it difficult to use. My one caveat about providing free re-useable products is that people may waste or dispose of them because they don't need to pay for them. To dispose of these re-useable products would cause [sic] more waste than disposing of the disposable ones.'

Another said: *'I've tried period pants and they were not very good. I would use a reusable option if it was easy to use and convenient. The period pants didn't last a full day for me and were uncomfortable.'*

A few concerns around hygiene were expressed, with a view that products need to be *'accessible for everyone and most hygienic when in public toilets.'* *'There is a question about cleanliness and where these products should be provided.'* One respondent posed the following questions:

What if you've never been taught how to properly wash, taught personal hygiene? What if you have no washing machine at home? What if you had no money to pay for electricity at home to have hot water to wash washable sanitary pads?' (sic).

Some of the words respondents used may show a stigma around periods: *'embarrassing', 'disgusting', 'messy', 'gross' and 'uncomfortable'.*

'The problem with washable items are that girls would have to do so at the communal bathroom sinks and no one, including myself, would be willing to do that.'

One said: *'I don't know overly too much about them'* and another, *'I've seen the cups before but we haven't been taught much about them and I'd like to try them at some point'*, which could indicate a lack of awareness about these products.

Two survey respondents who selected 'other' specified that they would like reusable tampons also. A few requested condoms to be free, which perhaps shows a lack of awareness that these are available for free at sexual health clinics and some GP surgeries.

Lastly, one person said: *'It's best to have opinions for every lady.'*

Local Government and Communities Committee

Call for Views on the Period Products (Free Provision) (Scotland) Bill

Submission from Unite the Union Scotland

Introduction

Unite has been at the forefront of campaigning for sanitary products to be available at no cost in workplaces and public buildings so that women and girls can have period dignity. By making changes in our workplaces, our places of education, and in society, women and girls will be able to have a positive period knowing that they are able to access sanitary products. Having a period is natural and should not be a source of awkwardness or embarrassment for anyone. Period products and period dignity should be a right regardless of income.

The Scottish Government's commitment to fund period products in education through a £5.2 million investment is welcome. However periods don't stop when you leave school. They can go on for another 30+ years after you leave school and can continue to be an expense and inconvenience throughout the menopause. This is why this Bill is so important. Unite fully supports the free provision of period products across the economy; in schools, libraries, workplaces, public buildings, hospitals, restaurants, theatres, libraries, shops. The list is endless. Basically, in facilities where you would usually be confident in finding toilet paper, you should be confident in finding free to use period products.

We recognise that there is a push to get these products into public spaces and this is a welcome step forward. However Unite would wish to see the availability of period products replicated into industry and commerce.

Question 1. *The Bill has been brought forward partly in response to concerns about "period poverty" - difficulty in being able to afford period products. Do you think period poverty is a serious issue in Scotland? Please provide any relevant information you may have to support your views.*

Yes, Unite does believe that period poverty is an issue for many women in Scotland particularly those on low incomes. "That time of the month" can be inconvenient and embarrassing for many women and girls. Yet it shouldn't be. For too long, women and men have shied away from talking about periods. Unite believes that, by changing perceptions, we can tackle some of the wider issues around periods. We want access to sanitary products in the workplace and schools to be as normal as having access to things such as toilet roll.

However the stigma remains and for some women that embarrassment is about being caught out as menstruation can happen without warning. However for others it is about an inability to afford the cost of purchasing period products.

The stigma of period poverty is evident from reports by the Trussell Trust.¹ They state that:

“Feminine hygiene products are provided ten times more often in response to a volunteer’s question than an individual’s request, highlighting stigma surrounding ‘period poverty’.”

One manager of a food bank reported:

“Once we had a referral for delivery to a family with 4 children 3 with ages between 11 and 15, sanitary products were requested and we asked how many of the children were girls, the reply was all of them.... that's a fair cost 3 girls and mum all requiring hygiene products could be in the region of £15£20 per month, every month and if on low income budget can be quite restrictive.”

Question 2. *Do you support the overall aim of the Bill - that no one in Scotland should have to pay for period products and that this should be set out in law?*

Yes. Unite firmly believes that sanitary products are not a luxury item and that they should be made available in workplaces, educational institutions, restaurants, public buildings. Basically anywhere where toilet facilities exist. Periods are not a choice women make and women should therefore not face an additional financial burden due to our body’s natural processes.

Unite launched it’s Period Dignity campaign to break the stigma around periods. The multi-strand campaign is demanding that women and girls have period dignity and is calling for sanitary products to be made available in the workplace and places of education. The campaign is also calling for the UK Government to deliver on its commitment to remove VAT on sanitary products as a non-essential ‘luxury’ item as soon as possible.

Unite believes that by making changes in our workplaces, places of education and in society, women and girls will be able to have a positive period resulting in positive outcomes, safe in the knowledge that they are able to access sanitary products.

Question 3. *The Scottish Government already has a scheme for free period products across schools, colleges and universities. Some public bodies also provide free products voluntarily. Do you have any experience of such schemes? If so, do they seem to you to be effective?*

Unite is aware of a number of schemes that are providing free period products in Scotland.

North Ayrshire Council led the way by becoming the first council in the UK to make period products available to girls and women in all of its public buildings, including

¹ <https://www.trusselltrust.org/wp-content/uploads/sites/2/2017/12/Non-food-provision-in-The-TrussellTrust-Network-in-Scotland.pdf>

schools, libraries, community centres and public offices. The ground breaking initiative aims to address the growing issue of 'period poverty' which sees women and girls across the country use unsuitable items, or nothing at all, to manage their period simply because they cannot afford the proper products. It was reported that some women were forced to use makeshift sanitary wear including newspaper and socks in place of sanitary towels and tampons because of financial difficulty.

Unite represents members across both the public and private sectors and was inspired by the work done by North Ayrshire Council in delivering period dignity. We looked at this initiative as proof that it could be rolled out across other councils and sectors. Through campaigning we have had results in a number of companies with various levels of success.

One example is at **Glasgow Airport**. Management at the airport have committed, on the back of an industrial dispute that took place during mid-2019, to provide period dignity to women using the toilet facilities at the airport. The roll out of making sanitary products available in toilets has recently started. However this action needs to continue and be extended widely across the campus, as at present only one staff toilet has been included in the roll out. Unite will continue to work with airport management to continue this to ensure the initiative is extended for all toilets on site.

Royal Bank of Scotland (RBS) were approached by Unite to put in place period products across the bank. However the bank has chosen not to participate at this point. Unite does not see this as cost prohibitive for the bank and will continue to discuss this issue with the Bank to ensure workers and visitors have period dignity while at work.

Unite played a major role in addressing period poverty at **West College Scotland (WCS)**. Unite representatives together with the Assistant Principal, Student Life and Skills and others, implemented a period dignity campaign on campus. This was prior to the Scottish Government initiative to extend access to sanitary products across the education sector. The rep involved in pushing the agenda within WCS had come across the issue at another trade union event, STUC Women's conference, where the issue was on the agenda. From this she then had a discussion with the Principal to work collectively with the Senior Management Team to bring positive changes. The initiative is now supported through additional Scottish Government funding and has enabled free products to be available in all toilets.

In construction Unite has been instrumental in pushing employers to make sanitary products available at offices and building sites. Following our campaign both **City Building** and **Mears** now have free sanitary products available in women's toilets. This is a huge step forward in encouraging women into considering a career in the construction industry.

This was possible through a campaign organised by Unite on period dignity in the workplace specifically targeting the construction industry. Unite carried out an online survey of women workers in the sector which included questions on a number of issues related to health and wellbeing.

One of the major issues the survey identified was the lack of welfare facilities, particularly the need for clean toilets, the supply of feminine hygiene bins and sanitary products as well as shower facilities.

One respondent to the survey gave a graphic account of her frustrations on trying to use a women's toilet on a construction site. She said:

"Toilets for females are a basic requirement but are usually locked. You have to seek the key from someone so by the time you find the person, usually male, with the key and after asking several people, also usually male, half the site now know you want to use the loo and when you open the door it is usually being used as a storage facility."

Following the survey Unite set up a four point campaign which included sanitary bins being provided, cleaned and emptied regularly, and sanitary products provided free to workers. It also demanded that every construction site or depot has a designated female toilet that is accessible, regularly cleaned and lockable and that something as basic as hand-washing facilities, running water and soap are provided. As too often toilets on construction sites don't have these basic requirements available.

Unite has also been made aware of free products displayed in restaurants, pubs, hotels and even at football grounds. In Scotland Celtic FC has introduced free period products and in England, West Ham and Liverpool are other clubs that recognises the needs of its women supporters.

It should also be noted that Unite is walking the walk on this issue by providing sanitary products in its own toilets, to staff and visitors, at no cost. We are calling on employers to do likewise and follow their lead.

Question 4. *The Bill would allow the Scottish Government to require organisations other than schools and colleges to provide free period products. Do you support this? If so, what other organisations should be legally made to provide free products?*

Yes. Unite sees sanitary products as a necessity and therefore fully supports the case for making free period products available in all toilets in all organisations. It is unlikely that we would consider bringing our own toilet paper to work just in case the toilet we were using didn't have any. Why then are women required to carry feminine hygiene products around to take account of a natural bodily function?

The Unite campaign is therefore simple. We are asking our reps to ask employers to provide sanitary products in their toilets for staff and visitors to use; to display Period Dignity posters where they work to highlight the Unite campaign to ensure that VAT is removed; and to ask colleagues to sign the Unite petition calling for the Government to stand by their commitment to remove VAT. It is a case of, if you don't ask, you don't get.

Having a period is a natural process that should never be a source of awkwardness. Unite believes that by changing perceptions and breaking the stigma, we can tackle some of the wider issues around periods.

We also want to see time called on the unjust situation where sanitary products are considered a luxury item and have VAT charged on them, yet a luxury cream cake is considered essential and is VAT free. It's high time that the UK Government delivered on its commitment to remove VAT on all sanitary products as soon as possible.

Unite is hopeful that the Government views the chancellor's commitment to fund free period products in education in England, as a first step in making sanitary products freely available at no cost across all public buildings in the UK and ensure that the 5% VAT applied to sanitary products as a 'luxury' item, is removed as soon as possible.

By making changes in our workplaces, our places of education and in society, women and girls will be able to have a positive period knowing that they are able to access sanitary products easily.

Question 5. *The Bill requires the setting up of a scheme for making free period products available. Do you have any views on what elements a scheme should include? In answering this question, you might want to take account of factors such as the importance of privacy, accessibility, value for money and the environment.*

As mentioned earlier it is important to have fully accessible and equipped facilities for women to access period products. Not to do so denies women dignity and as this can affect around 50 per cent of the population it should not be denied purely based on cost. Therefore the reference to 'value for money' is difficult to measure. It may be assumed that with period dignity comes improved work or school absence levels, or perhaps improved productivity. However we should consider quantifying this more as a moral and progressive measurement within a broad-minded and advanced society.

Question 6. *Do you have any other comments you wish to make about the Bill?*

This is an extremely important Bill. It is important that we change perceptions around menstruation and show how we want Scotland to be perceived. By legislating for period dignity through the provision of free period products we are not only saving millions of women the embarrassment that can result in having a period while not having access to products, but it will also allow women and girls the opportunity to have dignity during menstruation without it interrupting education or work. Scotland would be leading the way in showing menstruation should not be a barrier to participation in any sphere.

Local Government and Communities Committee

Call for Views on the Period Products (Free Provision) (Scotland) Bill

Submission from On The Ball

1. The Bill has been brought forward partly in response to concerns about "period poverty" - difficulty in being able to afford period products. Do you think period poverty is a serious issue in Scotland? Please provide any relevant information you may have to support your views.

We believe period poverty is a serious issue in Scotland. We know that poverty disproportionately impacts women. For example, the relative poverty rate for lone mothers is higher than any other working-age adult in Scotland. There is adverse poverty across Scotland and period poverty is just one aspect of that reality for many women and girls who are living in such conditions.

The evidence is there to demonstrate that this is a serious issue in Scotland. Victoria Heaney, as part of grassroots group Women for Independence, conducted research in 2017 which found that one in five women in Scotland have faced period poverty. The research also found that alternatives such as rags, newspapers and socks were used in the absence of efficient period products.

Nobody should have to choose between spending money on food or period protection and 1 in 5 women in Scotland who have had to go without products is a shocking statistic. In addition to this, products should be accessible to everyone, regardless of their ability to pay for them.

We conducted a Twitter poll with 502 responses asking people if they have ever had to improvise on sanitary products. The cost of products remains an issue, with 14% have improvised due to cost. Cost aside, 77% have improvised due to being caught short and not being able to easily access products out in public places. It is clear that the lack of accessibility to products in Scotland due to affordability or non provision is a serious issue.

2. Do you support the overall aim of the Bill - that no one in Scotland should have to pay for period products and that this should be set out in law?

Yes - we support this aim. We believe period products should be free and accessible for everyone who needs them. We don't believe that period products should be seen as a commodity or a luxury - they are a necessity and should be free to access. Some businesses have cut the tax on period products but more should be done. They should be completely cost-free.

3. The Scottish Government already has a scheme for free period products across schools, colleges and universities. Some public bodies also provide free products voluntarily. Do you have any experience of such schemes? If so, do they seem to you to be effective?

Yes - we have been in universities and spaces where products have been free of charge and we have benefitted from these schemes. We do also have some concerns with the distribution of free products.

In attendance at university, one of our members noted that there was an excessive amount of period products in the toilets. In the campus toilets there was often around ten boxes of tampons and of pads in the toilet at one time. We also found that whilst visiting local youth clubs - again, there was an excess of products which the clubs felt they then had to pass on to other services. The youth clubs were provided with mostly boxes of tampons however the girls there and women from the local area were mostly utilising pads. Another example of an issue we have experienced was a service provider of free products distributing products at a public meeting we attended. The volume of free products brought to this meeting was again excessive and the need for these had not properly been considered. These products were part of the government scheme and when we asked about the logistics of getting the products to those who required them, the lack of planning, resource and consideration was of concern to us.

Provision should be proportionate and suitable for the needs of those they are being provided to.

4. The Bill would allow the Scottish Government to require organisations other than schools and colleges to provide free period products. Do you support this?

If so, what other organisations should be legally made to provide free products?

We absolutely support this. For us, social inclusion is just as important as education. To this end, we also operate our own campaign On The Ball which encourages football clubs to provide these products for free and at the time of writing, we have 104 football clubs on board from across Scotland and beyond.

We often receive feedback from fans who have benefitted from free period products being available in their grounds and it is largely positive. We hear from fans who have been able to stay at the match as opposed to going home after being caught short and people seem grateful to be able to access products easily if their period comes unexpectedly without any fuss. Providing products for free is an easy way for football teams and other public spaces to show that they recognise menstrual needs of people who are in attendance. We think it's really important for these products to be made available and accessible so that people are able to participate and be included in not just their education but in social activities too.

Through our campaign we have worked with pubs, offices and other public spaces who have been inspired and began to provide free products. We believe that they should be available everywhere so that nobody has to cut their day short or feel embarrassment about asking others for period products.

We believe that free products should be available in areas where toilet roll and soap are currently supplied. This would include but is not restricted to ALL workplaces, hospitals, libraries, shopping centres, doctors surgeries. Health centres, travel areas (such as train stations). Anywhere with significant footfall should have products available at no cost and easily accessible.

5. The Bill requires the setting up of a scheme for making free period products available. Do you have any views on what elements a scheme should include? In answering this question, you might want to take account of factors such as the importance of privacy, accessibility, value for money and the environment. Do you have any other comments you wish to make about the Bill?

As noted before, we believe a scheme should be proportionate in that it provides sufficient products for the relevant venue and is able to be restocked as needed.

In terms of privacy, we are often told that people can ask first aid staff/or at reception for products. We don't think this is good enough. In public spaces products should be available in the toilets for people to access discreetly as and when they like. For example, a small basket or tub or like in some South Lanarkshire Council facilities, there is a chest of drawers in the toilet with products available including tampons, pads and products for incontinence.

In the rolling out of this scheme, we have strong concerns around the commercialisation of "period poverty" and the implementation of free period products - It's vital that this law/scheme remains as impartial as possible from any one particular brand/company and that the importance of the work is not superseded by marketing/ PR. Period poverty is a serious issue and we feel it is inappropriate that period product brands directly use the issue to increase profit. For example, some brands have made promises to donate money to charities in exchange for likes/shares on social media or via "Buy one, give one" PR tags. We believe this is unethical and that for the scheme to be appropriate, it should be rolled out in such a way that it raises awareness of the issue but does not inadvertently become commercialised or a marketing campaign.

Information about the free products should be readily available to those making use of them - including where products are made and of the materials used to make them. Consumers are becoming more and more conscious about the environments that their products are made in and of the materials used. Consumers care about the rights of workers and therefore we should have reassurance that products are coming from places with suitable conditions for the workers making the goods. Kitemarks/ relevant approvals etc should be considered as minimum standard for any products provided.

Local Government and Communities Committee

Call for Views on the Period Products (Free Provision) (Scotland) Bill

Submission from Universities Scotland

Universities Scotland welcomes the opportunity to respond to this call. We agree that period poverty is a serious issue, and it is unacceptable that it should compromise someone's experience of education or quality of life.

Over the past academic year, Scottish HEIs have supported the successful roll-out of the new Scottish Government scheme to provide access to free period products for students.

However, as the scheme is still new, we see value in allowing it to run for at least two full academic years and a thorough evaluation of impact being undertaken before proceeding to a statutory basis for the scheme or a successor scheme.

Moving forward, if a statutory duty is placed on HEIs, it is essential that provision continues to be fully funded, and that there continues to be scope for flexibility in delivery and learning from the existing scheme in HEIs, colleges and schools.

Experience to date

The current scheme was introduced in the 2018/19 academic year, with funding made available from September 2018. At the point of the Scottish Government's initial six-month monitoring exercise in February 2019, 12 HEIs had achieved full roll-out already in line with implementation plans, and all others were on track towards this.

Between September 2018 and February 2019, HEIs had purchased 2,296,474 sanitary products as part of the scheme. By February 2019, 64% of the products purchased had already been distributed, and 85% of the products distributed had been taken by students.

By February 2019, HEIs were also engaging in a wide variety of activity to promote the scheme and collect input from students, to help continue to improve uptake and delivery.

At the six-month point in February 2019, a number of institutions had experienced lower than expected initial uptake. However, the first annual monitoring exercise is indicating that uptake is increasing as the scheme becomes more embedded and awareness-raising activity continues. This first annual monitoring exercise is still underway, with data being gathered by the Scottish Funding Council on behalf of the Scottish Government. Once complete, it should provide a clearer picture.

Additionally, at a practice sharing event for HEIs and colleges at Edinburgh Napier University on 18 October 2019, staff and students involved in delivering the scheme at a number of institutions reflected on initial signs that new first year students entering

university in the 2019/20 academic year with prior experience of the scheme at school are contributing to a continuing increase in uptake in HEIs.

Funding

The successful roll-out of the scheme in HEIs has been possible due to dedicated additional funding provided by the Scottish Government. If a statutory duty is placed on HEIs, it is vital that provision is fully funded, and to ensure this, that dedicated additional funding continues permanently. We note that paragraph 52 of the Financial Memorandum to the draft Bill includes an expectation to this effect:

“under the current Scottish Government provision, schools, universities and colleges have been allocated £5.2 million of funding from the Scottish Government to provide free period products and it is assumed that this funding would continue should the Bill be passed.”

Currently, funding for the scheme is only guaranteed for the 2019/20 academic year. Universities Scotland sees a potential risk that if dedicated additional Scottish Government funding were to end in future, then HEIs, colleges, schools and any others covered by a statutory duty would be required to fund this provision themselves, out of existing budgets. In the case of HEIs, existing budgets for teaching and research have already been cut by 12% in 7 years, as highlighted in Audit Scotland’s 2019 report, *Finances of Scottish Universities*.¹ There may be similar situations in other sectors.

In addition, to ensure provision is fully funded, it is critical that funding allocations continue to reflect up-to-date evidence about uptake and costs. As noted already, initial uptake at HEIs was lower than expected, but there are indications that it is increasing over time. Developments in uptake and costs must continue to be taken into account to avoid underestimating funding requirements.

Relatedly, we note the following lines in paragraph 53 of the Policy Memorandum:

“While the focus is on buildings routinely used by students, it is expected that the Bill will also bring benefits to other people who live or work in educational establishments. Most buildings regularly used by pupils or students will also be frequented by staff and others, who will therefore also have access to free products.”

Current funding allocations for HEIs are calculated on the basis of student numbers. If the expectation is that sufficient products should be available for staff and visitors as well, this would need to be taken into account in future calculations.

¹ <https://www.audit-scotland.gov.uk/report/finances-of-scottish-universities>

Delivery

The draft Bill includes a specific requirement to provide products in every female and gender neutral toilet in buildings that are routinely accessed by students. We believe that flexibility in delivery is key, and suggest removing this requirement.

Under the existing Scottish Government scheme, products are expected to be made available to students who need them, in line with a shared set of guiding principles, but without stipulating a specific delivery model. The intention is to provide space for establishments to explore different approaches, tailored to their own contexts, and to enable them learn from experience, and the experience of others, in recognition that this is a new and unprecedented initiative.

At present, many HEIs are making products available at a number of pick-up points, not limited to toilets – in locations such as student shops, student association offices, and campus reception desks, as well as free vending machines in key buildings. Indeed, some HEIs started with provision focused on toilets and moved away from this approach to improve delivery. We think it would be wise to let lessons be learned from experience, rather than legislating for a specific delivery model at this stage.

To our knowledge, no analysis has been undertaken to estimate costs that would be associated with the specific requirement in the draft Bill to provide products in every female and gender neutral toilet – or indeed, the impact this would have on access, in comparison to the current, more flexible approach in schools, colleges, and HEIs. It is possible that costs would be higher than at present, and/or that there would be a negative impact on access. It can be anticipated that the impact of the requirement would vary from one HEI to another, depending on the nature of its campuses and buildings, and it may be that full coverage is challenging in some instances.

Evidence base moving forward

It is important that any legislation takes into account the evidence base offered by the experience of existing scheme in HEIs, colleges and schools.

As noted, the Scottish Funding Council is currently gathering and analysing data, on behalf of the Scottish Government, as part of the first annual monitoring exercise for the scheme. The Scottish Government also commissioned Young Scot to conduct a survey seeking student input on the scheme to date. This important evidence should be reflected on as it becomes available.

Additionally, although implementation is progressing well, the scheme is still new and it is too early to evaluate its full impact. As noted, we see value in allowing it to run for at least two full academic years and a thorough evaluation of impact being undertaken before proceeding to a statutory basis for the scheme or a successor scheme.

Local Government and Communities Committee

Call for Views on the Period Products (Free Provision) (Scotland) Bill

Submission from COSLA

The Bill has been brought forward partly in response to concerns about "period poverty" - difficulty in being able to afford period products. Do you think period poverty is a serious issue in Scotland? Please provide any relevant information you may have to support your views

A 2018 survey conducted by Young Scot found that 26% of those in education and 24% of those not, had struggled to access sanitary products over the previous year. Of the 24% not in education 61% stated that this was because they could not afford to buy products. Lack of access to appropriate products can be detrimental to health; individuals may resort to using products for longer than is recommended or to using unsuitable alternatives. Of the young people identified by Young Scot who were not in education and could not access period products 70% had used toilet paper as an alternative solution. Inappropriate product use can lead to infections and health issues including, at worst, Toxic Shock Syndrome. Period poverty can also impact long term prospects and quality of life with individuals not attending school, work or leisure opportunities as they do not have appropriate products; of the cohort identified by Young Scot as not in education and unable to access products, 13% had missed work because of it. This data indicates that period poverty is a current issue in Scotland with potentially wide-reaching impact. However, persisting stigma around menstruation may mean that the scale of this problem is under-reported and existing provision to combat it underutilized. The predicted increase in the number of families living in poverty will also amplify the issue.

Do you support the overall aim of the Bill - that no one in Scotland should have to pay for period products and that this should be set out in law?

COSLA supports the overall aim of the Bill. However, any scheme that enables this should be fully resourced, accessible and consider the learning from access to free period products schemes that have been delivered by Local Authorities and others across Scotland to date.

The Scottish Government already has a scheme for free period products across schools, colleges and universities. Some public bodies also provide free products voluntarily. Do you have any experience of such schemes? If so, do they seem to you to be effective?

Local Authority Provision of free period products

Following commitments in the Programme for Government Council Leaders agreed the role of Local Authorities in implementing access to free menstrual products for school age students from August 2018 and to the wider community via public buildings from 2019. The initiative has been delivered at a Local Authority level enabling models to be designed that meet the needs of communities. Within schools' various approaches have been developed including access to loose and/ or boxed products via baskets in toilet cubicles, specific pick up points, free vending

machines, 'free shops' or 'take away bags' etc. Many schools have involved pupils in designing the delivery model, encouraging uptake and facilitating cultural change.

Provision in public buildings has also been designed around local communities with products being placed in accessible community locations including but not restricted to community centres, libraries, leisure centres, third sector organisations and others depending on the challenges and needs of areas. The models have been designed based on the guiding principles below:

Guiding Principles- Education	Guiding Principles – Public Buildings
<ul style="list-style-type: none"> • Protecting students' dignity, avoiding anxiety, embarrassment and stigma • Making a range of products and different qualities available, giving students choice about the products they want to use; • A response that is reflective of students' views and experiences; • An efficient and dignified approach which demonstrates value for money; • An offer for all eligible students throughout the year regardless of whether it is term time or holidays • Ensuring sanitary products are easily accessible to meet individual needs; • Individuals being able to get sufficient products to meet their needs; • Gender equality, ensuring anyone who menstruates can access products, including transgender men/non-binary individuals, and that language is gender neutral. The roll out of gender- neutral toilets should also be taken account of. • Awareness raising and education to both promote the 'offer' and change cultural norms. 	<ul style="list-style-type: none"> • Protecting people's dignity, avoiding anxiety, embarrassment and stigma; • Making a range of products available in places that people use; • A response that is reflective of communities' views and needs; • An efficient and effective approach which demonstrates value for money; • Individuals being able to get sufficient products to meet their needs; • Gender equality - ensuring anyone who menstruates can access products, including transgender men/non-binary individuals, and that language is gender inclusive. • Awareness raising and education to both promote the 'offer' and attempt to change cultural norms

Uptake and Impact

Provisional evaluation of delivery of free period products in education was undertaken at six -months and this found that all Local Authorities had made good progress towards delivering free access to menstrual products; the vast majority had made them available in all eligible secondary, primary and special schools, with all

others on route to doing so too. Uptake and impact were difficult to assess at the sixth month point as initiatives were at early states in some Local Authorities, whilst others already had arrangements in place, funded from core. However, data indicated that over 5 million menstrual products were purchased during the first six months of delivery. This reflects an average of 39 products per female secondary school pupil within Local Authorities. Local Authorities widely reported that uptake was lower than anticipated but that they expected this to increase as provision became better embedded and young people felt comfortable utilising it. A continued rise in uptake should be anticipated as this occurs.

Case studies collected from Local Authorities describe cultural change as a result of education and awareness raising around access to free period products as well as simply the presence of products in specified locations.

For example: *‘Having pads and tampons available in the toilets is really positive, I’ve overheard lots of girls talking about how handy it is. I think it normalises periods, which is really important; people aren’t as embarrassed about them and it’s taken away the stress and anxiety from not being able to get the products that they need. I know a few people who weren’t coming in when they had their period because they didn’t have stuff at home and now, they can get it here they are coming in more.’* (Pupil, S6 Argyll and Bute).

Local Authorities have achieved widespread access to free period products over the last year and data on a full year of provision both in education and public buildings will provide the best and most up to date information on need, product choice, modeling and cost for a free period products initiative. This data is currently being collated and should be fully considered to ensure adequate funding for policy delivery and the effective design of any future period products scheme.

The Bill would allow the Scottish Government to require organisations other than schools and colleges to provide free period products. Do you support this? If so, what other organisations should be legally made to provide free products?

Councils have worked with local partners to place products in a wide variety of accessible public buildings, in some areas this has included GP practices to ensure geographical coverage. However, this is not a universal approach and there would be benefit in ensuring all NHS facilities provided access to period products. Also, recognising that not everyone will frequently access public buildings or utilise Council services, a universal scheme should make products free where individuals already collect period products e.g. pharmacies or supermarkets.

The Bill requires the setting up of a scheme for making free period products available. Do you have any views on what elements a scheme should include? In answering this question, you might want to take account of factors such as the importance of privacy, accessibility, value for money and the environment. The guiding principles above have been well received by Local Authorities. They have been key in facilitating the development of locally appropriate initiatives that meet the practical needs of local people whilst enabling the cultural change required

to reduce stigma around periods. Any new scheme set up should consider all of these principles. Particularly key will be:

- dignity, avoiding anxiety, embarrassment and stigma. 41.8% of young people do not feel comfortable buying sanitary products. 24.2% do not feel comfortable talking about products. In addition to this we know that initiatives seen as targeting individuals to relieve poverty often have a limited uptake due to perceived stigma; any scheme will need to be operated and promoted in a way that minimalises this. The requirement for individuals to sign up with personal details or proof of identity as currently outlined in the Bill is likely to be an additional barrier to those most in need of products, this has been seen in Local Authority models where sign up was initially required.

-A response that is reflective of community's views and needs. Different individuals require different products and may need to access them in different ways. Any scheme designed will need to consider the needs of different communities and allow for flexibility in delivery for these needs to be met. This flexibility is essential in applying other key guiding principles for instance, **gender equality**. The Bill and its supporting documents highlight the need for equality and that trans people require access to products but restrict 'appropriate toilets' to those not exclusively for male use. Ideally gender- neutral toilets would be used but, these do not yet exist in all establishments that may be required to provide products. In these circumstances restricting distribution to toilets not exclusively used by men may limit the access of trans people to period products unless flexibility within the Bill allows local decision making to deliver this principle at a local level. A focus on **education** has also allowed Local Authorities to begin to breakdown the persistent stigma around menstruation. Much of this has been achieved by including service users in model design and delivery, an opportunity that will be lost if any scheme is overly prescriptive. If a duty is placed on Local Authorities to provide free period products any legislation must allow flexibility in delivery to ensure the needs of local communities are met.

In addition to existing principles the scheme should also be:

Deliverable- the deliverability of any scheme developed should be tested with Local Authorities, particularly where they are expected to be a key delivery agent. The postal delivery of products outlined within the Bill for instance may not be deliverable by Local Authorities who do not provide other postal services, nor would a service such as this be possible without additional, adequate funding.

Environmentally aware- whilst an environmentally friendly approach is not explicit in the guiding principles considering the impact of products and procurement is fundamental. Some sanitary towels contain the equivalent of 5 plastic bags and the long-term impact of this waste should be considered. Whilst demand for reusable products was not high in schools it was relatively high within early community provision; an initial survey of women in one Local Authority found that 29% would be interested in reusable products.

Be fully funded- data collected from 6-month of education provision suggests the

full cost of delivering the intent of the Bill maybe significantly higher than outlined in the financial memorandum. Cost projections within the memorandum base calculations on a 9p unit cost. The average cost based on six months of delivery in Local Authorities was 17.6p per unit, almost double. The Bill also makes assumptions in relation to set-up, and ongoing administration and delivery costs, in advance of a full year of monitoring of the current scheme. If the Bill places new burdens on Local Authorities in relation to not only purchasing products but in relation to administration, co-ordination and delivery of a widened access scheme, COSLA's position will be to ensure full cost recovery for Local Authorities, based on information collected from the current schemes.

COSLA supports the intent of the Bill however any effective delivery of universal access should fully consider the real cost of, and learning from current access to free period products initiatives and allow flexibility at local level to ensure the best model and outcomes for our communities.

Local Government and Communities Committee

Call for Views on the Period Products (Free Provision) (Scotland) Bill

Submission from Hey Girls CIC

1. The Bill has been brought forward partly in response to concerns about "period poverty" - difficulty in being able to afford period products. Do you think period poverty is a serious issue in Scotland? Please provide any relevant information you may have to support your views.

At Hey Girls, our mission is to eliminate period poverty in the UK. This means we work closely with grassroots organisations that support low-income families and vulnerable people. There is overwhelming anecdotal evidence that people struggle to afford period products, and that this affects self-esteem, confidence, and full participation in education and work. Although we acknowledge that the quantitative research is not yet as rigorous as it could be, it seems clear that period poverty is a widespread problem in Scotland.

2. Do you support the overall aim of the Bill - that no one in Scotland should have to pay for period products and that this should be set out in law?

Hey Girls supports the overall aim of the Bill, agreeing that free provision of period products should be made available to everyone. Securing this in legislation is important, but we have some questions about the voucher mechanism suggested (see answer to Question 5 below).

3. The Scottish Government already has a scheme for free period products across schools, colleges and universities. Some public bodies also provide free products voluntarily. Do you have any experience of such schemes? If so, do they seem to you to be effective?

Hey Girls supplies plastic-free period products to two thirds of Local Authorities, as well as several Scottish colleges and universities to fulfil the Scottish Government's Access to Free Sanitary Products policy. As part of this, we have been working closely with staff delivering the programme on the frontline, as well as local authorities, COSLA, and the Scottish Government to collect and share Best Practice.

To date, mechanisms for the delivery of the Access to Free Sanitary Products policy has varied by Local Authority. For the most part, these different responses to the policy reflect a flexibility to specific local contexts. There have been some excellent examples of innovation in product delivery – both within schools and within community spaces. Some Local Authorities have championed delivery and are seemingly extremely successful, while some are still lagging behind. More research is needed to evaluate which delivery mechanisms work best, and more time is needed to ensure an equal quality of provision across Scotland.

In September 2018, Hey Girls was the first organisation to collate Case Studies of schools that had been involved in product distribution pilots. By the summer of 2019, this collection had expanded and became our current [‘How To’ guide](#) for schools, colleges, and universities. As well as offering advice and inspiration to our customers, best practice insights are included in all our training sessions, which allow staff time to think through how distribution could work best for their organisation or community.

In our experience, the most successful schools, colleges, and universities are those that combine product distribution with education, and allow students to lead delivery. Conversations with young people reveal that current period education at Secondary School level is lacking – in response we created [comprehensive Lesson Plans for P4S6](#) and pressed for more lessons on menstruation in the new Relationships, Sexual Health and Parenthood (RSHP) resource. The distribution of free products is an ideal opportunity to start conversations about periods with students, fill in gaps in knowledge, and address myths. In particular, most Secondary Schools don’t cover menstruation more than once (if at all) – this is an opportunity to rectify this and ensure pupils of all genders are knowledgeable and confident.

By involving young people in the delivery of the project schools, colleges, and universities can ensure they are meeting the needs of students. Staff perspectives on which locations may be most suitable to distribute products may not align with the perspectives of students. We understand that some have overestimated how comfortable students will be to request products from staff. In fact, many young people we speak to are too embarrassed to ask teachers, or the school reception, for products. We therefore welcome the provision in the Bill, part 2, section 5 to ensure products are made freely available in toilets. Our experience of working with schools is that pupils are much more comfortable collecting products freely from toilet cubicles. Students understand the social politics of their toilet spaces best, and should be involved in deciding how and where products should be available.

4. The Bill would allow the Scottish Government to require organisations other than schools and colleges to provide free period products. Do you support this? If so, what other organisations should be legally made to provide free products?

Hey Girls supports the provision of period products in all public buildings, and in buildings used by vulnerable people. Ideally this legislation would cover sites managed by a range of public sector partners including the NHS, Scottish Prison Service, Police Scotland, Crown Office and Procurator Fiscal Service (COPFS), and Department of Work and Pensions among others.

It particular, it would be helpful to include community buildings within this legislation to ensure the continuation of current Scottish Government policy to provide products to communities via Local Authorities and Fare Share. We know that people can build up a reliance or an expectation of products and services being provided in certain locations, and it would be unfortunate to have to withdraw current services in future.

We note that point 8 of the Financial Memorandum makes the assumption that the majority of costs will fall on councils and health boards, who will administer the scheme. With ongoing budget cuts to Local Authorities, it is unclear whether communities will be able to rely on this provision in future.

It is also disappointing that hospitals and other NHS premises are not specifically included within the legislation. Point 59 in the Policy Memoranda suggests that “One example would be to extend the duty to all NHS Health Boards, requiring them to provide free period products in hospitals” but this is not included in the legislation. Although Scottish Government has asked NHS Health Boards to provide free period products, we know that this is still uncommon and often not supported by a budget commitment.

5. The Bill requires the setting up of a scheme for making free period products available. Do you have any views on what elements a scheme should include? In answering this question, you might want to take account of factors such as the importance of privacy, accessibility, value for money and the environment.

The existing guidelines developed by COSLA for the provision of free period products are robust and could be incorporated into this Bill. We should continue to protect dignity of access and gender equality in the implementation of this legislation.

As discussed above, we have some concerns with the mechanism outlined in the Bill as it stands. Our query is mostly with the use of vouchers as outlined in the Bill, part 1, section 3. In particular the provision in the Bill, part 1, 3.1.a that ‘a person seeking to obtain period products under it must provide sufficient proof of the person’s identity to enable the issue to the person of the voucher.’ Asking people to provide proof of identity is a proven barrier to access – especially if the scheme is publicised as targeting low-income people specifically. Although part 1, 3.2.b.i suggests that registration must be ‘cost-free and reasonably easy’, many of the most vulnerable people (e.g. those experiencing homelessness or insecure housing) may not be able to provide a post code as required by part 1, 3.2.c.i.

We have particular concerns with part 1, 4.7 which suggests “provision may include measures to ensure that a person may not obtain quantities of period products that are greater than reasonably commensurate with the person’s use of them.” As point 46 in the Period Products (Free Provision) (Scotland) Bill: Policy Memorandum acknowledges, there is wide variation in flow between menstruators, and across the lifecycle, and it would be useful to clarify how this will be monitored. It would also be useful to clarify if a voucher would allow a parent to access products on behalf of the whole family, or if all people requesting products need a separate voucher.

We appreciate that this Bill does not mandate distribution through vouchers (part 1, 3.4), but its inclusion in the legislation suggests it is the default mechanism.

What we have already seen in the last 18 months is the organic development of best practice across the public sector. It would be unfortunate to codify in law a mechanism (vouchers) that sounds less likely to be dignified or cost-effective than current best practice, which is rapidly evolving (see answer to Question 3).

6. Do you have any other comments you wish to make about the Bill?

Point 82 in the Policy Memorandum makes reference to the Sustainable Development Goals (SDGs) no poverty, zero hunger, good health and wellbeing, gender equality, and reduced inequalities. However, no reference is made to the waste, sustainability, or environmental aspects of the SDGs (12, 13, and 14). Although points 89-92 in the Policy Memorandum acknowledge the negative impact of plastic products on the environment, the legislation places no requirement for public bodies to procure plasticfree, sustainable, biodegradable, or reusable period products. Point 48 in the Policy Memorandum notes that reusable products could be included as part of provision – it would be useful to integrate this into legislation as a Scottish Government commitment to more sustainable provision.

Hey Girls also recommends the inclusion of education within this legislation – for staff, students and the wider general public. Research by Plan International (2018) found that 48% of girls were embarrassed by their period. We know that the stigma of menstruation can make accessing products more difficult. Better education is needed to raise awareness of menstrual health conditions (e.g. endometriosis) and reusable period products, and to address myth, stigma, and taboo. Between June and October 2019, we have run education sessions with over 500 students and vulnerable adults, and led train the trainer sessions for 120 staff from 7 Local Authorities – teachers, youth workers, community learning and development teams, health visitors, social work, family nurses, and procurement teams. Our feedback is overwhelmingly positive – greater support for staff can boost their confidence discussing a previously taboo topic, and inspire better delivery of period products to people that need them.

Finally, we welcome the language change to ‘Period Products’ from ‘Sanitary Products’ as used in previous drafts of the legislation.

Local Government and Communities Committee

Call for Views on the Period Products (Free Provision) (Scotland) Bill

Submission from The Orkney Partnership

In Orkney the community planning partnership is known as The Orkney Partnership. Through our partnership we work together and with communities to improve the quality of people's lives. This focused joint working provides potential to address often deep-rooted causes of inequalities.

A wide range of service providers contribute towards the process of community planning in Orkney. The Orkney Partnership Board is made up of the following: Highlands and Islands Enterprise, NHS Orkney, Orkney Islands Council, Police Scotland, Scottish Fire and Rescue Service, HiTrans, Historic Environment Scotland, Orkney Health and Care, Scottish Environment Protection Agency, Scottish Natural Heritage, Skills Development Scotland, University of the Highlands and Islands, including Orkney College, Visit Scotland, Orkney Community Justice Partnership, Orkney Housing Association Limited, Scottish Ambulance Service and Voluntary Action Orkney (Orkney's Third Sector Interface).

- 1. The Bill has been brought forward partly in response to concerns about "period poverty" - difficulty in being able to afford period products. Do you think period poverty is a serious issue in Scotland? Please provide any relevant information you may have to support your views.**

We know from a range of national research statistics and anecdotal evidence that period poverty is a serious issue in Scotland. No quantitative local information on period poverty specifically is available, but we know that deprivation of all kinds in rural, remote and island communities tends to be disseminated. Sanitary products are essential to those who need them but historically this group has not held much economic power. We believe access to period products should be a basic right and should be available to anyone who needs them, anonymously and without question or judgement.

- 2. Do you support the overall aim of the Bill – that no one in Scotland should have to pay for period products and that this should be set out in law?**

We fully support of the principle of the free provision of sanitary products.

3. The Scottish Government already has a scheme for free period products across schools, colleges and universities. Some public bodies also provide free products voluntarily. Do you have any experience of such schemes? If so, do they seem to you to be effective?

From August 2018 all local authorities in Scotland were provided with funding to introduce access to free sanitary products in schools. The Scottish Government's 2018 Programme for Government made a commitment to go further than this and to *'aim to increase the number and range of places where sanitary products are available for those who need them. We will do this through working with a range of public and private sector organisations and with additional third sector partners to expand the geographical spread of support.'* Local authorities were provided with funding to progress this.

The main aim of this commitment was tackling period poverty, but the Scottish Government indicated that wider need should be considered to address equality and dignity issues that affect everyone who menstruates regardless of income. Following discussion between the Scottish Government and COSLA it was suggested that the main route of the expansion of delivery could be through community planning partnerships, in recognition of the fact that they have the links with communities, facilities and services to ensure delivery meets local needs. It was helpful that it was left for individual local authorities to decide what works best in their area. In Orkney the rollout to increase the number and range of places is being done through The Orkney Partnership for the reasons recognised by the Scottish Government and COSLA.

The Scottish Government produced a set of guiding principles which were used both in the development of a local delivery model and during the delivery phase. Free sanitary products are now available locally in schools, colleges, public and community buildings and have been geographically dispersed to our rural and island areas. This wider provision also ensures pupils can access free sanitary products during the school holidays. Early feedback has been very positive, although it is too early to fully evaluate the success of the local scheme which has only been running for a matter of months. Considerable time and effort in the early stages went into the development of a suitable delivery model and work around the guiding principle of awareness raising and education to both promote the 'offer' and attempt to change cultural norms.

While we recognise the desire for some consistency and at least a minimum standard of provision, future regulation should retain local flexibility and not impose disproportionate obligations that would result in major changes to a delivery model that has been developed to fit local needs and, in Orkney's case, the added complexity of delivering the service across multiple islands.

4. The Bill would allow the Scottish Government to require organisations other than schools and colleges to provide free period products. Do you support this? If so, what other organisations should be legally made to provide free products?

We fully support the provision of free sanitary products in places other than schools and colleges. Under the proposed Bill, Scottish Ministers must publicise the scheme and **may** compensate those obliged to provide free products. Given the financial pressures on public sector organisations, it would not be possible to participate in such a scheme if the Scottish Government chose not to fund its policy.

Because of this lack of clarity around funding we are not in a position to specify which organisations should be legally obliged to provide free products as we are aware many organisations are currently facing a challenging financial situation.

5. The Bill requires the setting up of a scheme for making free period products available. Do you have any views on what elements a scheme should include? In answering this question, you might want to take account of factors such as the importance of privacy, accessibility, value for money and the environment.

It is imperative that any new scheme is as flexible and non-prescriptive as possible so that it can be adapted to meet the needs of the particular area. It would be unfortunate if the provision already set up throughout Scotland on a non-statutory basis had to be changed, not to mention disappointing and confusing for people in the areas using the existing scheme. In Orkney, as in many other areas, considerable effort and resource has gone into rolling out provision in a way that suits local needs. The joined-up partnership approach ensures widespread coverage addressing both socio-economic and geographical inequality. This is predominantly being funded by the Scottish Government provision to Orkney Islands Council which is used to purchase and distribute products.

One suggestion in the Bill is a C-Card scheme type model allowing anyone who requires period products to be able to obtain them free at designated locations. The current provision, whereby sanitary products are available in toilets in the community, means people are able to pick them up anonymously. For that reason, it would certainly be viewed as a retrograde step locally if products were only available on the production of a card. As the policy driver of the Bill is to achieve a step change whereby the availability of free period products in all premises to which members of the public have access becomes the norm, like the provision of toilet paper, a card does appear to be at odds with that. In

addition, we believe a card scheme does not adhere to the guiding principle of protecting people's dignity, avoiding anxiety, embarrassment and stigma.

The Bill provides that postal delivery should be made available as an alternative to collection in person and enables people to be charged for the cost of postage in certain prescribed circumstances. Local arrangements have already been made which include a number of separate and discreet methods of getting products to people who are unable to collect them. Postal delivery is included within that but is only one of a range of methods used to suit our local geography while adhering to the guiding principles of being reflective of communities' views and needs while taking an efficient and effective approach which demonstrates value for money. We would welcome flexibility around delivery methods.

The Bill provides that proxy applications and collection by one person on behalf of another should be accepted on behalf of vulnerable people or those with mobility issues, or in other circumstances as specified by Scottish Ministers. As products are currently freely available in toilets it appears to us overly prescriptive to have Scottish Ministers specify some of the circumstances in which proxy collection can be made and is at odds with the guiding principle of protecting people's dignity, avoiding anxiety, embarrassment and stigma. The current approach fits with the guiding principle of individuals being able to get sufficient products to meet their needs. In Orkney our awareness raising and publicity has made it clear that the products may be collected for someone else.

The Bill would enable the Scottish Government to decide on the method of distribution of this scheme with a view to considering how particular groups, for example trans people, access products, and ensure that any model implemented would allow them to do so safely. The current rollout ensures provision is gender neutral with products in Orkney normally being available in female, male and gender neutral toilets. This ensures we meet the guiding principle around gender equality which already exists whereby we ensure anyone who menstruates can access products, including transgender male/non binary individuals, and that language is gender inclusive. The provision in male toilets also allows men to pick up the products for partners/family members. Again, flexibility rather than prescription in how particular groups access products would be welcomed.

6. Do you have any other comments you wish to make about the Bill?

As stated throughout, we would welcome flexibility and the scope for localism and suggest that, in the spirit of subsidiarity, decisions around local criteria for any scheme should be devolved to the relevant local bodies. It will be necessary for the Scottish Government to conduct an Island Communities Impact Assessment with regard to this Bill, if not already done, and this would undoubtedly come to the same conclusion.

Implementation of such a Bill would only be practicable and successful if adequate ongoing funding is provided. Any funding award must also be 'islandproofed' to reflect additional costs experienced by island and remote authorities such as 15% charges being imposed for delivery, and additional costs around local distribution.

Local Government and Communities Committee

Call for Views on the Period Products (Free Provision) (Scotland) Bill

Submission from North Ayrshire Council

North Ayrshire's Current Position

Scottish Government statistics illustrate that poverty levels have been rising. This deprivation presents itself in various ways including use of food banks and, research from the Trussell Trust has shown a significant demand for other essential items such as period products. North Ayrshire is ranked as the fifth most deprived area in Scotland according to the latest Scottish Index of Multiple Deprivation and residents are experiencing the impact of this daily.

Being unable to access or afford products can be detrimental to women and girls and can impact their social inclusion by missing work or educational days as well as their dignity and well-being. Recognising this growing need North Ayrshire Council (NAC) announced in August 2017, the introduction of free period products in all secondary schools.

North Ayrshire was the first Council in the UK to introduce this free provision.

A range of products are available across schools as well as council owned buildings where council staff and members of the public can access products free of charge. These are available via 29 community centres and 12 libraries across North Ayrshire. Fluctuations in usage is evident across the secondary school estate however the average uptake based on the number of female pupils for the last school year was 45%.

Response to Period Products (Free Provision) (Scotland) Bill

- 1. The Bill has been brought forward partly in response to concerns about "period poverty" - difficulty in being able to afford period products. Do you think period poverty is a serious issue in Scotland? Please provide any relevant information you may have to support your views.**

As detailed above, NAC agrees that period poverty is an issue in North Ayrshire and beyond. The current SIMD information highlights areas across Scotland where there is severe poverty and therefore it is highly likely that accessing period products is a significant problem. Income is not the only barrier to accessing products however, individuals may feel embarrassed to ask parents or carers for products and will therefore do without or seek alternatives.

Anecdotal evidence from Community Link Workers in North Ayrshire also suggests that the issue of period poverty is growing. Sometimes it is only evident when a Link Worker has built up a relationship with the woman or young girl that they feel able to

discuss period poverty with them due to the very personal and private nature of it. As a result, Link Workers suggest that this is a much bigger issue than we expect.

2. Do you support the overall aim of the Bill - that no one in Scotland should have to pay for period products and that this should be set out in law?

There is currently no law in Scotland relating to the universal free provision of period products and the introduction of such a law is a positive step. There may be some argument to introducing a type of means testing however it is important to maintain the dignity of women, girls and trans people therefore this may introduce a stigma which is detrimental to the process.

At the moment products are available at schools across Scotland however decisions on the provision beyond the basic requirements lies with individual local authorities, businesses and other public bodies which leads to a type of postcode lottery for females. Sanitary products are a necessity not a choice therefore in order to provide this equitably, a legislative process seems a positive approach.

3. The Scottish Government already has a scheme for free period products across schools, colleges and universities. Some public bodies also provide free products voluntarily. Do you have any experience of such schemes? If so, do they seem to you to be effective?

As a local authority, NAC provides free products across all secondary schools. In addition to this, as stated above, NAC provides products in council owned buildings such as office buildings, community halls and libraries across North Ayrshire. NAC launched their free provision of products in August 2017 and uptake across the school estate has been good.

A focus group was held with a group of young females from one of the schools to assess the impact of this initiative and some of the feedback/outcomes are listed below:

- Girls were less embarrassed about asking for products as they were free and available in the toilets
- Girls did not take time off school when some normally would therefore overall attendance at school did improve
- There was less stigma – all products were free for everyone to use, not just to those who couldn't afford it
- Girls could take products home to use if they could not afford to buy any or have anything to use at home
- It made discussing periods a more open subject to talk about
- Some girls became more confident eg if they were using toilet paper rather than a sanitary product then they may have been embarrassed about staining on school clothes
- Girls who would usually take time off PE class began to attend classes more. Again, this was linked to confidence because if a girl did not have a sanitary

towel on during a PE class, she might feel embarrassed /worried about leaking.

We plan to meet with young girls again in order to continually assess if the correct range of products is being made available and if we can promote this initiative in other ways within the school to ensure we continue to reach all of those in need.

In summary, this has been a very positive initiative for women and young girls in North Ayrshire. School days are not being missed therefore they are not disadvantaged educationally and there is a growing confidence as they know where they can access products when required. This will be replicated for women in the wider community who can access council owned public buildings to obtain supplies when required. This should reduce women taking time off work or being isolated due to their menstrual cycle.

4. The Bill would allow the Scottish Government to require organisations other than schools and colleges to provide free period products. Do you support this? If so, what other organisations should be legally made to provide free products?

Community Link Workers are based in GP surgeries across North Ayrshire and their role is to support residents with non-medical issues. As stated earlier, the Link Workers are experiencing an increase in the number of people presenting to them with issues relating to period poverty. Some of the workers are purchasing products themselves to help these patients. I would therefore suggest that GP surgeries have a supply available to anyone using the facility and for key workers based in the surgeries. NHS buildings such as clinics and hospitals could also be obliged to provide products as again, these are key service providers where patients may also be in need and may visit during their normal day.

Staff working in Health & Social Care who are working with families could also have access to supplies for families that are in need and perhaps do not have the means to visit existing premises or those organisations suggested in the response. For example, public transport may be required to get to a building and the person cannot afford the fare or they have child care issues or other reasons why they cannot leave their home to access products.

For children leaving primary 7 and starting secondary school a starter pack could be provided with a range of products and an information leaflet on where/how to access products locally.

5. The Bill requires the setting up of a scheme for making free period products available. Do you have any views on what elements a scheme should include? In answering this question, you might want to take account of factors such as the importance of privacy, accessibility, value for money and the environment.

There is a wide range of products available on the market therefore the range of products offered via any new scheme should mirror this. Choice is important, and this should not be restricted because a product is free as this could compromise the integrity of the scheme. A universal scheme should remove the stigma of accessing free products however accessing them should be an almost invisible process or within the normal day to day routine eg free provision during the weekly grocery shop. This way the items are acquired along with other household groceries and not processed in a different way.

It is important to consider the environmental impact of our lifestyles and how we respond to this as a nation, local authority and individuals. There are products available which are more environmentally friendly therefore these options should also be made available for those who wish to use them.

6. Do you have any other comments you wish to make about the Bill? The current provision

It is important that local design and flexibility of free access is not lost as a result of a prescribed service delivery model. The Guiding Principles currently in place for the provision via educational establishments should remain to allow some degree of flexibility for local arrangements whilst outlining the legislative duty of the Council/public body etc.

Period poverty is a real challenge facing women and young girls and has far reaching consequences. The impact felt locally in North Ayrshire has been very positive and I'm sure we will never fully see or understand the positive impact it has had on individuals and their families. Removing the stress of the financial burden, the emotional impact and confidence of women and young girls is immeasurable. Anything that can be done to extend this and deliver a consistent and dignified approach across the nation is welcomed.