

Proposed Sanitary Products (Free Provision) (Scotland) Bill

Page 2: About you

Are you responding as an individual or on behalf of an organisation?

on behalf of an organisation

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

No Response

Please select the category which best describes your organisation

Representative organisation (trade union, professional association)

Please choose one of the following; if you choose the first option, please provide your name or the name of your organisation as you wish it to be published.

I am content for this response to be attributed to me or my organisation

Please insert your name or the name of your organisation. If you choose the first option above, this should be the name as you wish it to be published. If you choose the second or third option, a name is still required, but it will not be published.

The Educational Institute of Scotland (EIS)

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number. We will not publish these details.

Page 7: Your views on the proposal

Q1. Which of the following best expresses your view of the proposed Bill?

Fully Supportive

Q1. Which of the following best expresses your view of the proposed Bill?

Please explain the reasons for your response

The EIS view is that poverty has a significant impact on education. We support all measures to ameliorate its effects.

We are also strongly committed to promoting sex and gender equality and believe that this proposal would significantly enhance equality for girls, women, and for some transgender people who menstruate.

We strongly support this proposal on the grounds of its impacts on health and well-being, on educational outcomes, on mitigating the impact of poverty, and on women's, girls' and transgender people's equality.

Health and wellbeing

- Free and easy access to period products is fundamental to the health and wellbeing of females and some transgender people.
- Dignity for women, girls and some trans people will be enhanced if they can more easily access the products they need and manage their periods more easily.
- Free and easy access to products could help to avert the serious health consequences of people using the wrong products or using products in the wrong way, including infections and Toxic Shock Syndrome, which can be fatal.
- People who have medical conditions which cause erratic periods, such as endometriosis, will be more likely to have their needs met if products are freely available.
- A free distribution scheme may mitigate the stress of having erratic periods caused by hunger and malnutrition, which is exacerbated by low-income poverty.
- This should form part of the overall approach to health and wellbeing in educational provision.

Educational outcomes

- Health and wellbeing impacts on educational outcomes.
- There are likely to be attendance impacts in terms of school/college if products are easier to access – girls are more likely to attend school/college if they know they can manage their period whilst present. (In 2017, a safer schools officer working at a school in the UK discovered that a large number of female pupils were truanting because they were unable to buy products during their menstrual cycle. [source: The Independent, Mar 2017 - <http://www.independent.co.uk/news/uk/home-news/girls-skipping-school-periods-cant-afford-tampons-sanitary-pads-a7629766.html>])
- There may be attainment impacts from free provision - if learners have fewer absences and are not distracted, anxious or uncomfortable.
- Reducing anxiety and stress about how to access period products should enable students and staff to focus more on learning and teaching.

Mitigating the impact of poverty on education.

- It may improve accessibility of education if products are more widely available, as for some learners who experience low-income poverty, period products can be an expense that is difficult to meet.
- This aligns with other initiatives to reduce the 'cost of the school day' or the cost of attending college.
- Initiatives to make products more widely/freely available can involve very low costs, especially when bulk buying is used, and generate significant benefits and goodwill.
- This should form part of the overall approach to ensuring equity in educational provision.

Promoting equality and meeting the needs of various groups.

- It would contribute to tackling stigmas and normalising periods if products are widely or freely available and this is well advertised.
- Taking steps in this area contributes to the 'Getting It Right for Every Child' agenda.
- Considered provision shows that establishments such as schools and colleges care about recognising the needs of female staff and visitors.
- Easier access to products would better meet the needs of transgender children or staff who may retain female biological functions whilst presenting as male.
- Easier access to products can help to better meet the needs of peri-menopausal and menopausal staff.
- A free distribution scheme may help organisations meet their obligations under the Equality Act to protect people with protected characteristics (which include sex and gender reassignment) from discrimination.
- Such a scheme may help organisations to meet their obligations under the Public Sector Equality Duty to promote equality.

Page 8: Universal provision of sanitary products

Q2. Do you think a universal, card-based system (modelled on the c-card system for free condoms) would be an effective means of providing sanitary products for free to those who need them?

Yes

Please explain the reasons for your response

We would support this model because universalism reduces stigma and sends a clear message that everyone deserves to have their health and wellbeing needs met. The system's effectiveness would be contingent on cards being easy to access, with minimal bureaucracy, and there being a wide range of outlets dispensing products in all areas, including rural areas and areas of deprivation.

Q3. Which of the following best expresses your view in relation to a card-based system?

The card should be available to anyone; card-holders should have unlimited access to free sanitary products

Please explain the reasons for your response.

Those organisations which have offered free provision of period products, such as South Lanarkshire College, and some student associations and charity organisations, have not seen any abuse of the system. The system should be universal because this de-stigmatises seeking state support, normalises periods, and recognises that all girls and women aged from 8 – 50+ could need these products. (Transgender children and adults could also need them).

Q4. Do you have a view on which locations would be most suitable for dispensing free sanitary products (e.g. GP surgeries, pharmacies, community centres, health clinics)?

Supermarkets, pharmacies, community centres, schools, colleges, nurseries, leisure centres and libraries would all be suitable venues. Products need to be dispensed in places where women go as part of their day to day lives, and easily accessible to all.

Page 11: Schools, colleges and universities

Q5. Do you agree that there should be specific obligations on schools, colleges and universities to make sanitary products available for free (via dispensers in toilets)?

Yes

Please explain the reasons for your response

Yes, but with the caveat that this should be fully funded, as an investment in young people's health and wellbeing, and that maintaining stock in such machines should be the responsibility of a non-teaching member of staff, e.g. janitorial or cleaning staff. We agree because this would enhance young people's dignity, wellbeing and sense of being valued and understood by the education system. It would help to remove some of the taboos around openly discussing menstruation. It may enhance attainment, attendance and young people's participation in education. (see also answer to question 1). It would also be beneficial for female staff.

Page 12: Personal experience (questions 6 and 7 are for individual respondents only)

Q6. Have you ever struggled to access or afford sanitary products during menstruation? (e.g. financial barriers, unexpected circumstances, health issues)

No Response

Q7. If sanitary products were available for free, which of the following would apply to you?

No Response

Page 14: Financial implications

Q8. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have on:

| | Significant increase in cost | Some increase in cost | Broadly cost-neutral | Some reduction in cost | Significant reduction in cost | Unsure |
|--|------------------------------|-----------------------|----------------------|------------------------|-------------------------------|--------|
| (a) Government and the public sector (e.g. local authorities, the NHS) | | X | | | | |
| (b) Colleges and universities | | X | | | | |
| (c) Businesses (including suppliers/retailers of sanitary products) | | | | | | X |
| (d) Individuals (including consumers of sanitary products) | | | | | X | |

Please explain the reasons for your response

Individuals will save money by not having to purchase these products personally. Schools and colleges may incur some costs, and these should be funded. Bulk buying will likely mean the costs are relatively low.

Q9. Are there ways in which the Bill could achieve its aim more cost-effectively (e.g. by reducing costs or increasing savings)?

Potentially, yes. We are aware of a programme that runs in the Highlands called "Condoms by Post" which provides free condoms to people in an effort to improve sexual health, reduce stigma, and take cognisance of the embarrassment felt by young people in sourcing these items in shops. (see: <http://www.waverleycare.org/condoms>). This project supplies condoms which are not a well-known brand, and therefore considerably cheaper to supply than other branded items, and which are bought in bulk, which brings savings.

Savings on period products could perhaps be increased if local/national government was able to bulk buy alternatives to the usual branded products along similar lines to this model.

Page 16: Equalities

Q10. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation?

Positive

Please explain the reasons for your response

We would envisage this as being: • Very positive for sex equality – menstruating being something which overwhelmingly affects girls and women. • Positive for transgender young people who struggle to access products (e.g. females transitioning to male identities who prefer to use male toilets but still menstruate). • Positive in terms of age equality – e.g. erratic and unpredictable periods can be a significant source of stress for menopausal and peri-menopausal women. • Positive for some people with a disability or health condition which affects their menstrual cycle e.g. severe endometriosis or an eating disorder. • Positive for women experiencing domestic abuse in the form of coercive control (whereby an abusive partner withholds funds for these products or seeks to prevent access to them).

Q11. In what ways could any negative impact of the proposed Bill on equality be minimised or avoided?

We do not foresee any negative impacts.

Page 18: Sustainability

Q12. Do you consider that the proposed Bill can be delivered sustainably i.e. without having likely future disproportionate economic, social and/or environmental impacts?

Yes

Please explain the reasons for your response:

We would suggest that this proposal won't significantly change the overall volume of sanitary products being used, although it will change the access routes to those products. We therefore do not anticipate any negative impacts in terms of environmental sustainability.

Page 19: General

Q13. Do you have any other comments or suggestions on the proposal?

We are very supportive of this proposal, as elaborated in our answers above and especially to question 1. We believe that free universal provision of period products would be very beneficial to girls and women. We would reiterate that there are also potential benefits for transgender people who might need access to these products and currently find it problematic to access them in schools or workplaces, especially in emergency situations.

Our members' experiences suggest that this is needed.

Q13. Do you have any other comments or suggestions on the proposal?

This proposal chimes with our long-standing concerns regarding the impact of poverty on education, and the loss of dignity experienced by low-income families when they are not able to afford the items they need.

Public policy centred on meeting the needs associated with menstruation challenges stigma and taboos around this topic, and normalises discourse about how periods can affect people's day to day lives, and their educational experiences, which is welcome.

Ultimately, we believe that free universal provision of period products will enhance health and wellbeing, and the dignity of learners and staff in educational establishments, and have a significant positive impact.