

## FOR INFORMATION

### Local Government and Communities Committee

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

### Submission from the Educational Institute of Scotland (EIS)

#### General views on the Bill

The EIS strongly supports the aim of the Bill, i.e. to ensure that everyone in Scotland who needs to use period products can obtain them free of charge through a "period products scheme" which the Scottish Government would have to set up. We also strongly support the proposal that primary and secondary schools, colleges and universities be required to make period products free in all appropriate toilets.

The EIS view is that poverty has a significant impact on children and young people's experiences of education. We support all measures to ameliorate poverty's effects. We are also strongly committed to promoting sex and gender equality and believe that this proposal would significantly enhance equality for girls and women, as well as for some transgender people who menstruate.

We strongly support this proposal on the grounds of its likely impacts on health and well-being; its likely impacts on educational outcomes; its contribution to mitigating the impact of poverty; and its likely advancement of women's, girls' and transgender people's equality. (NB: in our remarks below wherever we say that this will be beneficial for girls and women we also remember that some trans people, e.g. those living socially as boys/men but who were born with female bodies, menstruate and may be beneficiaries of this change).

#### Views on the specific questions in the call for evidence

- 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, we entirely agree that period poverty is a serious issue in Scotland. 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.<sup>1</sup> Our members have shared that this kind of scenario also occurs in Scotland.

However, we also support the Bill for wider reasons, relating to period dignity. Menstruation affects nearly all girls and women for decades of their lives, from their pre-teens until middle age. It is a natural bodily function, yet open discussion of

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<sup>1</sup> <http://www.independent.co.uk/news/uk/home-news/girls-skipping-school-periods-cant-afford-tampons-sanitary-pads-a7629766.html>

menstruation has been taboo for many years. Many women and girls will have experienced a loss of dignity when they were unable to source the products they needed during their period, whether only once or repeatedly. Periods can be inconvenient, but they should not be embarrassing or undignified for anyone.

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, for several reasons.

#### Health and wellbeing

- Free and easy access to period products is fundamental to the health and wellbeing of females, the majority of whom will menstruate around 12 times a year for the majority of their lives, from their early teens until middle age.
- Dignity for women and girls will be enhanced if they can more easily access the products they need and manage their periods more easily.
- Free, easy access to period products could help to avert the serious health consequences of people using the wrong products/using products the wrong way, including infections and Toxic Shock Syndrome, which can be fatal.
- Women and girls with medical conditions which cause erratic periods (e.g. endometriosis) or whose periods are erratic due to puberty or menopause 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.
- 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 education.

### 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 'GIRFEC' agenda.
  - Considered provision shows that establishments such as schools/colleges care about recognising the needs of female learners, 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, and who can experience particular barriers to managing periods or unexpected bleeds.
  - 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.
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?*

No, they are not universally effective. Some schools don't have period products in toilets, but rather in the medical room, at the office or held by various staff members. Some girls in school know which staff have period products but feel unable to approach those staff, particularly if they are involved in teaching at the point of needing to be approached.

For many girls, their usual school uniform lacks pockets (e.g. if a girl is wearing a plain polo shirt or shirt and a skirt or leggings or plain trousers); and they do not want to take a schoolbag to the toilet as they may feel self-conscious and that doing so acts as a 'flag' to others in the class that they are menstruating. Leaving class during a lesson to go to the toilet is not always straightforward, either for pupils or staff. Gender neutral or unisex toilets may not have products freely available.

We are hearing anecdotally that some toilets in schools have dispensing machines which are empty or broken or vend only one type of product which may not be suitable for girls and women of all ages and with different needs. More positively, we are hearing of some councils which are holding constructive discussions about supplying period products, including eco/sustainable options such as menstrual cups. Given the many years of this subject being taboo, that seems like significant progress.

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, the Scottish Government should have the discretion to require any organisation to provide free period products if it gathers evidence that the organisation not doing so is undermining period dignity, or if consultation with women and girls on their lived experience suggests that there would be a benefit from this.

We make no specific suggestions as to which organisations should be legally made to provide free products, but the kinds of organisations for which it might be appropriate to create such a requirement would be youth clubs and centres; and public buildings widely used by girls and women, such as libraries, leisure centres and community centres. Products need to be widely available in places where women and girls go as part of their day to day lives.

*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.*

A universal, card-based system (modelled on the C-card system for free condoms) may be an effective means of providing period products. Universalism reduces stigma from seeking state support, normalises periods, 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. A card should be available to all who want one.

The success of any scheme will hinge on products being made available to people in ways that offer sufficient privacy and dignity. Merely having well publicised dispensing points will not be effective.

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

We would envisage this as being a very positive development in terms of equality in Scotland. It would be:

- very positive for sex equality – menstruating being something which overwhelmingly affects girls and women
- positive for transgender people who struggle to access period products
- positive in terms of age equality – erratic/unpredictable periods can be a significant source of stress for older menopausal/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); with women being the vast majority of those who experience domestic abuse in Scotland, and more vulnerable to financial abuse due to the gender pay and income gap.