

# **Engender submission of evidence to the Scottish Parliament Local Government and Communities Committee Call for Evidence on the Period Products (Free Provision) (Scotland) Bill**

## **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.<sup>1</sup> The cost of period products remains 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.<sup>2</sup> 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 associated 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

---

<sup>1</sup> American Family Physician (2012) Dysmenorrhea.

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

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.<sup>3</sup>

## 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.**

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 living.<sup>4</sup> 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 Aberdeen,<sup>5</sup> 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.

---

<sup>3</sup> 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.

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

<sup>5</sup> CFINE Pilot Project Report (2018) Improving access to Sanitary Products

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 focusing on the experiences of young women and girls, for example, a 2018 survey conducted by Young Scot,<sup>6</sup> and the *Girls in Scotland survey 2018* from Girl Guiding.<sup>7</sup> 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’.<sup>8</sup>

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, 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.<sup>9</sup> 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 of the Bill that “Everyone in Scotland who needs to use period products has the right under this Part to obtain them free of charge.”<sup>10</sup>** 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 increasingly doing 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.

---

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

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

<sup>8</sup> ‘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>>

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

<sup>10</sup> S1 Period Products (Free Provision) (Scotland) Bill

### **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 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 focused on provision in schools and further and higher education because of the lifelong 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 women<sup>11</sup> and women have less leisure time,<sup>12</sup> do more housework<sup>13</sup>

---

<sup>11</sup> Poverty Alliance Why is the Living Wage Important?

<sup>12</sup> 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>>

<sup>13</sup> 'Women still do majority of household chores, study finds' *The Independent* <<https://www.independent.co.uk/life-style/women-men-household-chores-domestic-house-gender-norms-a9021586.html>>

and provide up to 70% of unpaid care and childcare.<sup>14</sup> 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 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 as 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.<sup>15</sup> 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 many organisations already do and is provided for in the Bill in relation to schools and specified public services.

---

<sup>14</sup> Skills for Care (2012) Carers Matters – Everybody’s business

<sup>15</sup> Engender ‘Period Poverty in Scotland’ Roundtable Discussions Summary (2017)

**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 products. 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.”<sup>16</sup>

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 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,

---

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

mothers forego their own consumption to meet the needs of their children.<sup>17</sup> 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."<sup>18</sup>

**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 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 of menstruation which needs tackling, and stigma which needs challenging.

---

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

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

## CONCLUSION

**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.<sup>19</sup> **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 important but not the sole barrier to women's access to period products, and that menstruation is an important aspect of all women's health.

### FOR FURTHER INFORMATION

Contact: Eilidh Dickson, Policy and Parliamentary Manager, Engender

Email: [eilidh.dickson@engender.org.uk](mailto:eilidh.dickson@engender.org.uk)

### ABOUT US

Engender is a membership organisation working on feminist agendas in Scotland and Europe, to increase women's power and influence and to make visible the impact of sexism on women, men and society. We provide support to individuals, organisations and institutions who seek to achieve gender equality and justice.

---

<sup>19</sup> The Free Period Scotland survey