

South Ayrshire Council

**Report by Director of Education
to Cabinet
of 14 June 2022**

Subject: Period Products (Free Provision) (Scotland) Act 2021

1. Purpose

1.1 The purpose of this report is to seek agreement from the Cabinet to the South Ayrshire Period Products Delivery Statement.

2. Recommendation

2.1 It is recommended that the Cabinet agrees the South Ayrshire Period Product Delivery Statement.

3. Background

3.1 The Period Products (Free Provision) (Scotland) Act 2021 received Royal Assent on 12 January 2021. The Scottish Government advised local authorities on 2 March 2022 of their intention to bring the legal provisions into force on 15 August 2022. From this date local authorities will have a legal duty to make period products available for free for anyone who needs them, and in their role as education authorities, make period products available for free in schools. They are also required to publish a Statement on how they will exercise their functions under the Act.

3.2 South Ayrshire Council has been providing access to free period products since 2018/19. Products have been readily available within primary and secondary schools and the 'wee white bag' initiative is a widely promoted scheme allowing anyone who needs it to collect a bag of period products from a wide range of public buildings and from organisations working in partnership with the Council. The places where a bag can be picked up are advertised on the Council's website and social media channels:

[Wee White Bag - South Ayrshire Council \(south-ayrshire.gov.uk\)](https://www.south-ayrshire.gov.uk/wee-white-bag)

3.3 There is also an app – PickupmyPeriod that can be readily downloaded which shows nearby locations where products can be accessed. The locations are augmented as new organisations offer to make products available from their venue and the Council is responsive to feedback from the public. This is particularly relevant following COVID restrictions when some community venues were closed for a sustained period of time.

3.4/

3.4 The wee white bag initiative has been very popular with 9,500 distributed since it launched in Summer 2019. A consultation was undertaken in March 2022 within schools and communities on the accessibility of period products to inform the South Ayrshire Council Delivery Statement. There were 423 responses to the public consultation and 242 responses to the school consultation.

4. Proposals

4.1 The Period Products (Free Provision) (Scotland) Act 2021 and accompanying guidance is focussed on people in Scotland having ‘reasonably convenient access to period products, free of charge, as and when they need it.’ The key principles of the legislation are:

- Products should be reasonably easy to access and the process should not be unduly complex or bureaucratic;
- The approach taken should respect the dignity of individuals and places offering products should consider privacy and should make effort to minimise embarrassment. Individuals should not routinely have to ask for products or justify why they need them or the amount they require;
- A reasonable choice of product should be offered although the full range of products need not be available from all venues;
- Consideration can be given to making sustainable or plastic-free products available as part of the choice of products but pressure cannot be applied to get people to use reusable products;
- The approach taken should be inclusive and recognise that not everyone requiring products will identify as female so some access in gender neutral and disabled toilets is appropriate.

4.2 The South Ayrshire Council Delivery Statement has been informed by the experience of making products accessible since 2018/19, by the results of the consultation undertaken within schools and communities and by the principles underpinning the legislation. The Delivery Statement is set out at [Appendix 1](#). The accessibility of products is continually being refined especially in light of venues reopening following the easing of COVID restrictions. It is therefore proposed that an update will be provided to Elected Members via the Members’ Bulletin one year following commencement of the Act .

5. Legal and Procurement Implications

5.1 This report ensures that the Council is complying with the requirements of the Period Products (Free Products) (Scotland) Act 2021 in terms of the accessibility of period products and the requirement to publish a Statement on how we will exercise our functions under the Act.

5.2 There are no procurement implications arising from this report. Collaborative work is undertaken with procurement to access period products at the most competitive rates.

6. Financial Implications

6.1 Financial support is provided by the Scottish Government for the provision of period products within the community and within schools. This is subject to annual

reporting on spend. The proposed delivery statement consolidates and strengthens access to period products within communities and schools but will be delivered within the Scottish Government financial envelope. No additional financial pressure on the Council budget is anticipated.

7. Human Resources Implications

7.1 Not applicable.

8. Risk

8.1 *Risk Implications of Adopting the Recommendations*

8.1.1 There are no risks associated with adopting the recommendations.

8.2 *Risk Implications of Rejecting the Recommendations*

8.2.1 The risk associated with rejecting the recommendations is that the Council is not considered to have complied with the requirements to publish a Statement on how it plans to exercise the functions required under the Act.

9. Equalities

9.1 The proposals in this report have been assessed through the Equality Impact Assessment Scoping process. There are no significant potential positive or negative equality impacts of agreeing the recommendations and therefore an Equalities Impact Assessment is not required. A copy of the Equalities Scoping Assessment is attached as [Appendix 2](#).

10. Sustainable Development Implications

10.1 ***Considering Strategic Environmental Assessment (SEA)*** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy. The Delivery Statement consolidates existing access arrangements rather than introducing new arrangements.

11. Options Appraisal

11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

12. Link to Council Plan

12.1 The matters referred to in this report contribute to Commitments 2 and 3 of the Council Plan: Closing the Gap/ Reduce poverty and disadvantage; and Grow Well, Live Well, Age Well/ Health and care systems that meet people's needs.

13. Results of Consultation

13.1 Consultation has taken place with members of the public via an online survey and with both primary and secondary school pupils.

13.2 Consultation has taken place with Councillor Stephen Ferry, Portfolio Holder for Education, and Councillor Lee Lyons, Portfolio Holder for Health and Social Care, and the contents of this report reflects any feedback provided.

14. Next Steps for Decision Tracking Purposes

14.1 If the recommendations above are approved by Members, the Director of Education will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Publish the Delivery Statement on the Council's website and promote via social media channels	August 2022	Service Lead – Children's Services and Child Poverty
Provide an update via the Members' Bulletin one year after commencement of the Act	September 2023	Service Lead – Children's Services and Child Poverty

Background Papers: None

Person to Contact Claire Monaghan, Service Lead – Children's Services and Child Poverty
County Buildings, Wellington Square, Ayr, KA7 1DR
Phone 01292 612757
E-mail claire.monaghan@south-ayrshire.gov.uk

Date: 7 June 2022

Strategic Context

South Ayrshire Council has a vision of ‘making a difference every day.’ We recognise that easy access to free period products can make a difference to many people in our community and can support our strategic objectives of closing the gap and supporting people to grow well, live well and age well.

Current Arrangements

We have been providing access to a range of period products since 2018/19 through our schools, Council venues and community locations and our mission has been to do this in a way which makes products as reasonably accessible as possible and which reduces the embarrassment of those wanting to access products.

The South Ayrshire Council approach has been to make a range of products available including:

- Pads including with and without wings
- Tampons including with and without an applicator
- Panty liners
- Reusable pads
- Period pants (as part of an online pilot)
- Menstrual cup
- Wee white bag

Products are available from our schools and from Council buildings including swimming pools (including The Quay Zone) and activity centres, community centres, town and village halls and museums, libraries and mobile libraries, and public toilets. We have also trialled online ordering for reusable products. Products are also available at other local venues and information is readily available via the Council’s website on where products can be accessed.

[Wee White Bag - South Ayrshire Council \(south-ayrshire.gov.uk\)](https://www.south-ayrshire.gov.uk)

Information can also be accessed via the PickupmyPeriod app.

Consultation Results

We have recently consulted on the arrangements we have in place with communities via an online survey widely promoted through social media and community groups and parent groups and an online survey with school pupils. There were 423 respondents to the public consultation and 242 responses to the school consultation.

In terms of the public consultation, responses confirmed that people continue to want to access a range of products from a range of venues. There were suggestions for current venues to be augmented particularly in rural areas with hairdressers, petrol stations and garden centres referenced. An emphasis was placed on accessing products discreetly with most respondents suggesting the toilet area as the most suitable access point. There is demand for online ordering particularly from respondents in more rural areas and we will look to see if there is scope to strengthen online ordering arrangements linked to bulk buying as well as reusable products. Awareness of venues and products was reasonable but varied by location and by age group. We will work to maximise awareness of local arrangements.

In terms of the school consultation, there was good awareness of being able to access products and most participants thought these were easy to access. There was a suggestion about using health rooms for this and being able to leave the classroom readily to do so. Schools will continue to review local arrangements to make these responsive to feedback and in light of experience of young people accessing period products.

Proposed arrangements

In line with the Period Products (Free Products) (Scotland) Act 2021 and associated guidance and our practice to date, the arrangements to access period products will be underpinned by key principles as follows:

- Products will be reasonably easy to access from a range of venues;
- We will promote dignity in accessing products and seek wherever possible to attend to privacy considerations and make reasonable effort to minimise embarrassment;
- Individuals will not routinely have to ask for products or justify why they need them or the amount they require;
- It is recognised that people accessing products may be doing so on behalf of themselves or on behalf of other people;
- A reasonable choice of product will be offered;
- While we will promote reusable products, people will not be under pressure to opt for these;
- The approach taken will be inclusive and recognise that not everyone requiring products will identify as female;
- We will be open to suggestions to new venues and new approaches to accessing period products and will keep our arrangements under review.

The results of our consultation confirm that people in South Ayrshire continue to want a range of period products from a range of local venues including schools. We therefore propose to continue to make the following products available:

- Pads including with and without wings
- Tampons including with and without an applicator
- Panty liners
- Reusable pads
- Period pants
- Menstrual cup
- Wee white bag

We will make products available from our schools and from Council buildings including swimming pools (including The Quay Zone) and activity centres, community centres, town and village halls and museums, libraries and mobile libraries, and public toilets. We will continue to work with other local venues to increase local access and to promote information on venues where products can be accessed via the Council's website and the PickUpMyPeriod app. Due to their cost, reusable products will be available through a smaller number of locations. We will look to see how to strengthen online ordering arrangements for reusable products and bulk ordering.

Review Arrangements

South Ayrshire Council recognises that access arrangements are dynamic and evolve and grow as more local organisations opt to become involved and make products available from their venues and as we get feedback from those accessing products about their experience and suggestions on how to improve access. We will be open to new suggestions and will keep our arrangements under review and provide updates to our Delivery Statement periodically.

South Ayrshire Council Equality Impact Assessment Scoping Template

Equality Impact Assessment is a legal requirement under the Public Sector Duty to promote equality of the Equality Act 2010. Separate guidance has been developed on Equality Impact Assessment's which will guide you through the process and is available to view here: [Equality Impact Assessment including Fairer Scotland Duty](#)

Further guidance is available here: [Assessing impact and the Public Sector Equality Duty: a guide for public authorities \(Scotland\)](#)

The Fairer Scotland Duty ('the Duty'), Part 1 of the Equality Act 2010, came into force in Scotland from 1 April 2018. It places a legal responsibility on Councils to actively consider ('pay due regard to') how we can reduce inequalities of outcome caused by socio-economic disadvantage, when making strategic decisions. See information here: [Interim Guidance for Public Bodies](#) in respect of the Duty, was published by the Scottish Government in March 2018.

1. Policy details

Policy Title	Period Products (Free Provision) (Scotland) Act 2021
Lead Officer (Name/Position/Email)	Claire Monaghan, Service Lead – Children's Services and Child Poverty – claire.monaghan@south-ayrshire.gov.uk

2. Which communities, groups of people, employees or thematic groups do you think will be, or potentially could be, impacted upon by the implementation of this policy? Please indicate whether these would be positive or negative impacts

Community or Groups of People	Negative Impacts	Positive impacts
Age – men and women, girls & boys	-	Access to period products for anyone requiring them
Disability	-	-
Gender Reassignment (Trans/Transgender Identity)	-	-
Marriage or Civil Partnership	-	-
Pregnancy and Maternity	-	-
Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers	-	-
Religion or Belief (including lack of belief)	-	-
Sex – gender identity (issues specific to women & men or girls & boys)	-	-
Sexual Orientation – person's sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	-	-
Thematic Groups: Health, Human Rights & Children's Rights	-	Reduces the financial burden of period products on families

3. What likely impact will this policy have on people experiencing different kinds of social disadvantage? (Fairer Scotland Duty). Consideration must be given particularly to children and families.

Socio-Economic Disadvantage	Negative Impacts	Positive impacts
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	-	-
Low and/or no wealth – enough money to meet Basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	-	-
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure/hobbies	-	-
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	-	-
Socio-economic Background – social class i.e. parent’s education, employment and income	-	-

4. Do you have evidence or reason to believe that the policy will support the Council to:

General Duty and other Equality Themes Consider the ‘Three Key Needs’ of the Equality Duty	Level of Negative and/or Positive Impact (High, Medium or Low)
Eliminate unlawful discrimination, harassment and victimisation	Low
Advance equality of opportunity between people who share a protected characteristic and those who do not	Low
Foster good relations between people who share a protected characteristic and those who do not. (Does it tackle prejudice and promote a better understanding of equality issues?)	Low
Increase participation of particular communities or groups in public life	Low
Improve the health and wellbeing of particular communities or groups	Low
Promote the human rights of particular communities or groups	Low
Tackle deprivation faced by particular communities or groups	Reduces the financial burden of period products on families which is of particular relevance to low income households

5. Summary Assessment

<p>Is a full Equality Impact Assessment required? (A full Equality Impact Assessment must be carried out if impacts identified as Medium and/or High)</p>	<p>YES</p> <p>NO</p>
<p>Rationale for decision:</p> <p>The proposed delivery statement continues access to period products provided in communities and schools rather than bringing about a significant change. Positive benefits which are already provided under existing period product access arrangements will be consolidated and strengthened over time</p>	
<p>Signed : Claire Monaghan Service Lead</p> <p>Date: 18 May 2022</p>	