

DATA LABEL: PUBLIC



COUNCIL EXECUTIVE

PERIOD DIGNITY: PERIOD PRODUCTS (FREE PROVISION) (SCOTLAND) ACT 2021

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

The purpose of the report is to inform Council Executive on the approach to the implementation of the Period Products Act and the approach to free provision of period products across West Lothian.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Agrees the proposed approach as set out in the report, and
2. Agree that officers should provide annual updates to the Partnership and Resources PDSP.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; making best use of our resources; working in partnership
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Period Products (Free Provision) (Scotland) Act 2021.
III	Implications for Scheme of Delegations to Officers	None.
IV	Impact on performance and performance Indicators	Improving access to period products may impact on a number of performance indicators
V	Relevance to Single Outcome Agreement	We live longer, healthier lives and have reduced health inequalities.
VI	Resources - (Financial, Staffing and Property)	West Lothian Council has been allocated £173,000 for 2021/22.
VII	Consideration at PDSP	Reports on period poverty were considered at Partnership and Resources PDSP on 19 January 2018 and Council Executive on 23

April 2019

VIII Other consultations

Anti-Poverty Experts by Experience Panel, Anti-Poverty Practitioners Group and West Lothian Council Community Regeneration team.

D. TERMS OF REPORT

D.1 Background

The Period Products (Free Provision) (Scotland) Act 2021 places a duty on local authorities to provide access to period products for all those who might need them. This universal provision is not based on economic need. The Act will come into force in its entirety by December 2022.

The Act builds on the existing voluntary provision in education and community settings funded by the Scottish Government since 2018/19. The Act states that “everyone in Scotland who menstruates” should have reasonably convenient access to period products, free of charge, as and when they are required. This includes visitors to Scotland for the duration of their stay. In West Lothian, period products have been available in schools and community settings since 2019.

Currently all period products are purchased from a social enterprise company called Hey Girls. Hey Girls supply environmentally friendly products which use 100% certified organic cotton, sustainable bamboo and chemical-free products. All of their products are biodegradable or recyclable with a long-term goal of being carbon neutral.

D.2 The Act

There are three sections to the Act:

Section one of the Act places a duty on Local Authorities to make period products obtainable free of charge for anyone who needs to use them.

Section two of the Act places a duty on education providers to make period products obtainable free of charge on their premises for pupils and students during term time.

Section three of the Act allows Scottish Ministers to specify public service bodies who have to make period products obtainable free of charge to people on their premises (to date no bodies have been so specified).

D.3 Funding, Monitoring and Evaluation

The full cost of delivering universal access is currently unknown both within West Lothian and across Scotland. COSLA has a working group where this is being explored. Monitoring data will be requested from all local authorities associated with the delivery of access to free period products during 2021/22. The data collected will include total cost of delivery, including products (disposable and reusable) and administration and total number of products purchased split into disposable and reusable. Full funding will be provided in order to ensure that local authorities will be able to deliver the requirements of the Act. West Lothian Council has been allocated £173,000 for 2021/22.

There will be an independent evaluation between 2022/23 and 2025/26 with both

process and impact evaluations being conducted between May to September 2025. It will cover the three-year period from 2022/23 (when commencement of the substantive duties is expected) to 2025/26. It is proposed that the evaluation will capture information from communities as well as councils to provide a full understanding of the impact.

D.4 Guidance

Guidance was published for responsible bodies under section five of the Period Products (Free Provision) (Scotland) Act 2021 about the exercise of the functions conferred on them by the Act. There are a number of duties/tasks the council needs to undertake in advance of the full implementation of the Act, which include the following:

Undertaking an open public consultation that seeks the views of individuals who meet the following criteria:

- Those who currently use sanitary products.
- Those who will use sanitary products in the future.
- Those who collect sanitary products on behalf of others.

The consultation needs to cover:

- Premises where people want the products to be made available.
- Where in these premises products should be made available.
- Ways in which the products can be obtained.

The guidance also specifies that all responsible bodies must produce a Statement of Exercise of their functions that details the arrangements they will put in place to meet the duty. As noted in the guidance, the Act specifies the particular requirements of local authorities which includes the following:

- That all products are easy to obtain
- That a reasonable choice of products be offered. This will include re-usable and single use products.
- That due consideration is given to respect and dignity in the approach (including gender equality)
- That due consideration is given to those who may face additional barriers, for example, those who are disabled, homeless, gypsy/travellers, victims of domestic abuse or those who have cultural barriers.

D.5 West Lothian Approach

Prior to the Act, provision for free period products was undertaken by Education Services for schools and the Anti-Poverty service for community provision to ensure those who experienced period poverty had access to products which was both free non-stigmatising and dignified.

In consultation with pupils in individual secondary schools, products are available in a variety of locations. In primary schools they are available from the school office.

Community provision is available in a variety of council and partner locations: partnership centres, community centres, Xcite leisure venues, country parks, GP surgeries and community shops. During Covid-19 lockdown, boxes of assorted period products were available to pick up from Bathgate Partnership Centre and Arrochar House and a range of single use products continued to be

stocked at local community shops and pantries and country parks. In addition, reusable period products have been offered via free home delivery since November 2020 with over 1500 reusable products delivered to date across West Lothian.

Given the requirements of the Act, West Lothian Council's Community Regeneration team will lead on the future development of access to free period products. A steering group will be set up to support the implementation of the Act. The group will have representation from a number of council services, community planning partners and the third sector. It is anticipated that membership of the steering group will grow in the coming months as the consultation is undertaken and work is undertaken towards producing a Statement of Exercise.

The steering group will be responsible for undertaking the consultation and producing the Statement of Exercise. It will build on the current arrangements already in place and will work towards ensuring that a range of period products are available across the county in both schools and public places. The steering group will ensure that appropriate monitoring system including financial and performance are in place to manage the process and to satisfy the monitoring and evaluation requirements.

E

CONCLUSION

West Lothian Council and its partners are well placed to respond to the duties contained in the Period Products (Free Provision) (Scotland) Act 2021. Both schools and community partners have offered free products for some time. The Community Regeneration team is best placed to lead the steering group to ensure there is good representation from across community planning partners, the third sector and other interested parties to ensure that access is both dignified and responsive to local needs.

F. BACKGROUND REFERENCES

[Period Products \(Free Provision\) \(Scotland\) Act 2021](#)

[Guidance to responsible bodies September 2021](#)

Appendices/Attachments: None.

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