

## **Response to the Consultation on the Proposed Sanitary Products (Free Provision) (Scotland) Bill – December 2017**

### **Introduction**

Colleges Scotland is the collective voice for the college sector in Scotland, representing its interests with the aim that colleges are at the heart of a world class education sector that is recognised, valued and available to all. Colleges Scotland, as the membership body, represents all 26 colleges, which deliver both further education and around 28% of all higher education in Scotland.

We welcome the opportunity to respond to the consultation on the Proposed Sanitary Products (Free Provision) (Scotland) Bill. Our response is set out below.

### **Aim and approach**

#### **1. Which of the following best expresses your view of the proposed Bill?**

Fully supportive.

#### **Please explain the reasons for your response.**

Colleges Scotland is supportive of the proposal to ensure those on low incomes who menstruate, are able to access sanitary products in a way which protects their dignity and health.

### **Universal provision of sanitary products**

#### **2. 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.**

Colleges Scotland is mindful of the Programme for Government commitment for schools, colleges and universities to provide free sanitary products for pupils and students on low incomes, and has already been examining how this commitment could be delivered. The mechanism of delivery requires careful consideration, especially given the relatively low proportion of an individual's time which is spent in school, college or university – a reality which is heightened for those who undertake study which requires significant time outside of the institution, including those on placement, distance learners and those undertaking work-based learning.

A system modelled on the C-card scheme could allow for schools, colleges and universities to act as partners in a broader scheme, whilst protecting access to sanitary products for individuals outside of their institution contact time.

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

The card should be available only to those on low incomes or in receipt of benefits; card holders should have unlimited access to free sanitary products.

**Please explain the reasons for your response.**

Colleges Scotland does not have policy on this question, however, as other elements of student support are subject to means-testing our belief is that it would be appropriate to similarly implement this policy. Colleges have funds to distribute to students facing hardship, and it may be feasible to include registering eligible students for such a scheme at the same time as dispensing discretionary funding.

### **4. 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)?**

Colleges Scotland has consulted with college principals, who are supportive of colleges dispensing free sanitary products. Mindful of our response to question 2, we would suggest that alternative locations should be brought into a dispensing network to ensure that those entitled to free sanitary provision are able to access these items outside of their contact time with their college.

### **Schools, colleges and universities**

### **5. 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)?**

No.

**Please explain the reasons for your response.**

This proposal seems to be a micro-level consideration. Should colleges be obliged to make sanitary products available for free, it should be for colleges to establish how best to do that. Many colleges have procured contracts for dispensing machines and products which may have costs for changing or breaking the contract, which would not be an effective use of public money. In the interim, proposals which allowed the institution to make sanitary products available in a manner which suits the college (for example, some colleges may choose to have a basket of products available in bathrooms) would provide a level of flexibility to ensure that students have their needs met quickly.

### **Financial implications**

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

#### **(a) Government and the public sector (e.g. local authorities, the NHS)**

Some increase in cost.

#### **(b) Colleges and universities**

Some increase in cost.

#### **(c) Businesses (including suppliers/retailers of sanitary products)**

Broadly cost-neutral.

**(d) Individuals (including consumers of sanitary products)**

Some reduction in cost.

**Please explain the reasons for your response.**

The evidence around lost days of work and study would suggest that implementing this policy may reduce these, which would be a net gain for productivity so would have broadly cost-neutral financial implications for businesses. For the Scottish Government and public-sector bodies, which includes both schools and colleges, the cost implication would be higher in the introductory phase as the delivery mechanism is agreed and rolled out – for example, in purchasing machines which dispense freely, or in seeing out/ending contracts for delivery. Colleges Scotland would expect to see such a commitment funded by the Scottish Government, and would advocate for a model which is not reliant on delivery from core budgets. On an individual level, we would expect to see some reduction in costs, particularly for those on low incomes who are able to make use of free sanitary provision.

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

The Bill should propose a costing exercise to establish whether having sanitary products procured nationally would reduce the cost per item of sanitary products (including mooncups) and dispensing machines. It is worth noting that the National Union of Students owns and operates a purchasing consortium which all colleges in Scotland, and all higher education institutions, excluding Glasgow University, St Andrews University, Glasgow School of Art and Dundee University, are able to access.

**Equalities**

**10. 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.**

The consultation takes care to note the specific need of individuals with gender identities which are not aligned with their sex as assigned at birth; this should be carried through into the final Bill. This represents an opportunity for a progressive and forward-thinking Bill, so it may be prudent to consult with organisations in Scotland who support Trans people in the drafting stage.

The Bill is likely to have a positive effect on females, in reducing the financial burden related to menstruation, especially for those who have to make the very real choice to prioritise purchasing sanitary protection over other essentials.

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

Ensure that drafting of the Bill is done in consultation and partnership with women's organisations.

**Sustainability**

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

Unsure.

**Please explain the reasons for your response.**

These proposals focus on disposable tampons and sanitary towels. Consideration should be given as to whether the proposed Bill could positively impact on consumer knowledge of, and attitudes to, alternative products such as washable reusable towels, mooncups, period pants and other innovative products.

Colleges Scotland  
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