

Period Products (Free Provision) (Scotland) Bill

Local Government & Communities Committee Call for Views

Universities Scotland welcomes the opportunity to respond to this call. We agree that period poverty is a serious issue, and it is unacceptable that it should compromise someone's experience of education or quality of life.

Over the past academic year, Scottish HEIs have supported the successful roll-out of the new Scottish Government scheme to provide access to free period products for students.

However, as the scheme is still new, we see value in allowing it to run for at least two full academic years and a thorough evaluation of impact being undertaken before proceeding to a statutory basis for the scheme or a successor scheme.

Moving forward, if a statutory duty is placed on HEIs, it is essential that provision continues to be fully funded, and that there continues to be scope for flexibility in delivery and learning from the existing scheme in HEIs, colleges and schools.

Experience to date

The current scheme was introduced in the 2018/19 academic year, with funding made available from September 2018. At the point of the Scottish Government's initial six-month monitoring exercise in February 2019, 12 HEIs had achieved full roll-out already in line with implementation plans, and all others were on track towards this.

Between September 2018 and February 2019, HEIs had purchased 2,296,474 sanitary products as part of the scheme. By February 2019, 64% of the products purchased had already been distributed, and 85% of the products distributed had been taken by students.

By February 2019, HEIs were also engaging in a wide variety of activity to promote the scheme and collect input from students, to help continue to improve uptake and delivery.

At the six-month point in February 2019, a number of institutions had experienced lower than expected initial uptake. However, the first annual monitoring exercise is indicating that uptake is increasing as the scheme becomes more embedded and awareness-raising activity continues. This first annual monitoring exercise is still underway, with data being gathered by the Scottish Funding Council on behalf of the Scottish Government. Once complete, it should provide a clearer picture.

Additionally, at a practice sharing event for HEIs and colleges at Edinburgh Napier University on 18 October 2019, staff and students involved in delivering the scheme at a number of institutions reflected on initial signs that new first year students entering university in the 2019/20 academic year with prior experience of the scheme at school are contributing to a continuing increase in uptake in HEIs.

Funding

The successful roll-out of the scheme in HEIs has been possible due to dedicated additional funding provided by the Scottish Government. If a statutory duty is placed on HEIs, it is vital that provision is fully funded, and to ensure this, that dedicated additional funding continues permanently. We note that paragraph 52 of the Financial Memorandum to the draft Bill includes an expectation to this effect:

“under the current Scottish Government provision, schools, universities and colleges have been allocated £5.2 million of funding from the Scottish Government to provide free period products and it is assumed that this funding would continue should the Bill be passed.”

Currently, funding for the scheme is only guaranteed for the 2019/20 academic year. Universities Scotland sees a potential risk that if dedicated additional Scottish Government funding were to end in future, then HEIs, colleges, schools and any others covered by a statutory duty would be required to fund this provision themselves, out of existing budgets. In the case of HEIs, existing budgets for teaching and research have already been cut by 12% in 7 years, as highlighted in Audit Scotland’s 2019 report, *Finances of Scottish Universities*.¹ There may be similar situations in other sectors.

In addition, to ensure provision is fully funded, it is critical that funding allocations continue to reflect up-to-date evidence about uptake and costs. As noted already, initial uptake at HEIs was lower than expected, but there are indications that it is increasing over time. Developments in uptake and costs must continue to be taken into account to avoid underestimating funding requirements.

Relatedly, we note the following lines in paragraph 53 of the Policy Memorandum:

“While the focus is on buildings routinely used by students, it is expected that the Bill will also bring benefits to other people who live or work in educational establishments. Most buildings regularly used by pupils or students will also be frequented by staff and others, who will therefore also have access to free products.”

Current funding allocations for HEIs are calculated on the basis of student numbers. If the expectation is that sufficient products should be available for staff and visitors as well, this would need to be taken into account in future calculations.

Delivery

The draft Bill includes a specific requirement to provide products in every female and gender neutral toilet in buildings that are routinely accessed by students. We believe that flexibility in delivery is key, and suggest removing this requirement.

¹ <https://www.audit-scotland.gov.uk/report/finances-of-scottish-universities>

Under the existing Scottish Government scheme, products are expected to be made available to students who need them, in line with a shared set of guiding principles, but without stipulating a specific delivery model. The intention is to provide space for establishments to explore different approaches, tailored to their own contexts, and to enable them learn from experience, and the experience of others, in recognition that this is a new and unprecedented initiative.

At present, many HEIs are making products available at a number of pick-up points, not limited to toilets – in locations such as student shops, student association offices, and campus reception desks, as well as free vending machines in key buildings. Indeed, some HEIs started with provision focused on toilets and moved away from this approach to improve delivery. We think it would be wise to let lessons be learned from experience, rather than legislating for a specific delivery model at this stage.

To our knowledge, no analysis has been undertaken to estimate costs that would be associated with the specific requirement in the draft Bill to provide products in every female and gender neutral toilet – or indeed, the impact this would have on access, in comparison to the current, more flexible approach in schools, colleges, and HEIs. It is possible that costs would be higher than at present, and/or that there would be a negative impact on access. It can be anticipated that the impact of the requirement would vary from one HEI to another, depending on the nature of its campuses and buildings, and it may be that full coverage is challenging in some instances.

Evidence base moving forward

It is important that any legislation takes into account the evidence base offered by the experience of existing scheme in HEIs, colleges and schools.

As noted, the Scottish Funding Council is currently gathering and analysing data, on behalf of the Scottish Government, as part of the first annual monitoring exercise for the scheme. The Scottish Government also commissioned Young Scot to conduct a survey seeking student input on the scheme to date. This important evidence should be reflected on as it becomes available.

Additionally, although implementation is progressing well, the scheme is still new and it is too early to evaluate its full impact. As noted, we see value in allowing it to run for at least two full academic years and a thorough evaluation of impact being undertaken before proceeding to a statutory basis for the scheme or a successor scheme.

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