

## ABERDEEN CITY COUNCIL

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<b>COMMITTEE</b>	Operational Delivery Committee
<b>DATE</b>	31 August 2022
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Free Period Products
<b>REPORT NUMBER</b>	CUS/22/182
<b>DIRECTOR</b>	Andy MacDonald
<b>CHIEF OFFICER</b>	Derek McGowan
<b>REPORT AUTHOR</b>	Paul Tytler
<b>TERMS OF REFERENCE</b>	1.1.1

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### 1. PURPOSE OF REPORT

- 1.1 Section 6 of the Period Products (Free Provision) (Scotland) Act 2021 (the Act) requires Aberdeen City Council to produce and communicate a “Statement on Exercise of Functions” to summarise the arrangements in place to meet the legal duties imposed by the Act.

### 2. RECOMMENDATION(S)

That the Committee:

- 2.1 Approves the “Statement on Exercise of Functions” contained in Appendix 1 and instructs the Chief Officer – Early Intervention and Community Empowerment to arrange for the publication thereof.

### 3. CURRENT SITUATION

- 3.1 Since 2017, Aberdeen City Council has developed the provision of free period products to alleviate period poverty. This has been done through communities and schools with currently 99 access points across the city, through a service level agreement with CFINE.
- 3.2 The Period Products (Free Provision) (Scotland) Act 2021 requires the following key steps to be taken:
- 3.2.1 **Section 1(1)** Each local authority must ensure that, within its area, period products are obtainable free of charge (in accordance with arrangements established and maintained by the local authority) by all persons who need to use them.
- 3.2.2 **Section 1(2)** The period products obtainable free of charge by a person under such arrangements (whether obtained under one or more than one local authority’s arrangements) are to be sufficient products to meet the person’s needs while in Scotland.

- 3.2.3 **Section 2(1)** Each education provider must ensure that period products are obtainable free of charge (in accordance with arrangements established and maintained by the education provider) by the persons mentioned in subsection (5).
- 3.2.4 **Section 2(2)** An education provider is to do so by providing period products, or securing their provision, in such locations within each institution in Scotland managed by the education provider as are specified in arrangements established and maintained under subsection (1).
- 3.2.5 **Section 2(5)** The persons referred to in subsection (1) are persons who—
- (a) need to use period products, and
  - (b) are—
    - (i) pupils at a school managed by the education provider, or
    - (ii) students undertaking, in Scotland, a course (or part of a course) of education at a further education institution or higher education institution managed by the education provider.
- 3.2.6 **Section 4** Arrangements established and maintained under section 1(1), 2(1) or, as the case may be, 3(1) must provide for—
- (a) period products to be obtainable—
    - (i) reasonably easily, and
    - (ii) in a way that respects the dignity of persons obtaining them,
  - (b) a reasonable choice of different types of period products to be obtainable.
- 3.3 **Section 6** of the Act requires local authorities and education providers to each publish a “Statement on Exercise of Functions”, describing their plans for the exercise of their functions under the Act and the provision of relevant information. Before preparing the statement, the Council required to undertake consultation. The full statement is at Appendix 1.
- 3.4 Surveys were conducted during 2022 to understand what improvements were required and, in response, developments including working to expand access points in local pharmacies and exploration of the feasibility of online fulfilment have been identified. In total, 1046 responses were received.
- 3.5 The Act requires the publication of the statement as soon as reasonably practicable after the relevant statutory guidance is first issued by the Scottish Ministers. The relevant guidance was issued in September 2021. The statement can and will be developed as the development of service delivery progresses, so any amendments required following consideration by Committee can be incorporated.

#### 4. FINANCIAL IMPLICATIONS

4.1 There are no direct financial implications arising from this report. The cost of fulfilling these duties is fully met through a grant from Scottish Government.

#### 5. LEGAL IMPLICATIONS

5.1 The publication of the statement will fulfil Aberdeen City Council's duty under section 6 of the Act.

#### 6. ENVIRONMENTAL IMPLICATIONS

6.1 There are no direct environmental implications arising from this report, although it is expected that the promotion and increased use of reusable products will have an impact in due course.

#### 7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H)  *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
<b>Strategic Risk</b>	No significant risk identified	The availability of free period products ensures that the Council and partners are supporting anti-poverty measures	L	Yes
<b>Compliance</b>	No significant risk identified	Publishing statement	L	Yes
<b>Operational</b>	No significant risk identified	The Council and partners are already providing free period products, the publication of and commitment expressed in this statement will not affect operational arrangements	L	Yes
<b>Financial</b>	No significant risk identified	The Council and partners are already providing free period products, the publication of and commitment expressed in this statement will not	L	Yes

		result in additional financial impact		
<b>Reputational</b>	No significant risk identified	Continuing to ensure provision of free period products in line with the requirements of this legislation will result in no reputational detriment	L	Yes
<b>Environment / Climate</b>	No significant risk identified	This risk is not relevant to the provision of free period products	L	Yes

## 8. OUTCOMES

<b><u>COUNCIL DELIVERY PLAN 2022-2023</u></b>	
	<b>Impact of Report</b>
<b>Aberdeen City Council Policy Statement</b> <b>Working in Partnership for Aberdeen</b>	The provision of free period products is in line with the anti-poverty measures identified in the Council Delivery Plan and partnership agreement
<b><u>Aberdeen City Local Outcome Improvement Plan</u></b>	
Prosperous Economy Stretch Outcomes	While the requirements of the Act are not based on economic need, the proposals in this paper will support Stretch Outcome 1 – ‘No one will suffer due to poverty by 2026’ by further increasing access to free products.
Prosperous People Stretch Outcomes	The provision of free period products can be seen to be a measure that contributes to the anti-poverty agenda
Prosperous Place Stretch Outcomes	The provision of free period products can be seen to be a measure that contributes to the anti-poverty agenda
<b>Regional and City Strategies</b>	No direct impact

## 9. IMPACT ASSESSMENTS

<b>Assessment</b>	<b>Outcome</b>
<b>Integrated Impact Assessment</b>	Stage 1 assessment completed
<b>Data Protection Impact Assessment</b>	A Data Protection Impact Assessment may be required if online fulfilment is developed and will be considered as part of that feasibility.

## **10. BACKGROUND PAPERS**

10.1 None

## **11. APPENDICES**

11.1 Appendix 1 – Aberdeen City Council Free Period Products Statement on Exercise of Functions

## **12. REPORT AUTHOR CONTACT DETAILS**

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## **Aberdeen City Council Free Period Products Statement on Exercise of Functions**

### **Introduction**

The Period Products (Free Provision) (Scotland) Act 2021 places a duty on local authorities and education providers to provide access to period products for all those who might need them.

It requires the provision of period products free of charge, in a reasonably easy way that respects the dignity of persons obtaining them.

This universal provision is not based on economic need. Period products must be obtainable reasonably easily and in a way that respects the dignity of the persons obtaining them. There must also be a reasonable choices of different period products available.

Local Authorities must each publish a Statement on Exercise of Functions summarising the arrangements they have put in place to meet the legal duties imposed by the Act.

This statement sets out Aberdeen City Council's commitment to free product provision and details current and future provision in education facilities and the wider community.

### **Our Commitment**

#### **Community**

Aberdeen City Council is committed to the provision of free products for those who may need to access them.

We will comply with Section 1 (1) of the Act by ensuring the provision of free period products for Aberdeen's citizens and visitors to the city for work, leisure and study.

All products are free of charge and easy to obtain, with the following commitments:

- A reasonable choice of both single use and reusable products are offered;
- Provision will be available in the community, as well as in education facilities;
- Due consideration is given to respect and dignity in our approach;
- Due consideration is given to those who may face additional barriers, including those who are BME, LGBTQ, disabled, homeless, victims of domestic abuse etc;
- Public consultation(s) and community engagement is carried out to inform our provision;
- What products are available and where these can be accessed is communicated efficiently to our citizens; and
- Provision will be regularly monitored and reviewed.

## **Education facilities**

Our intent for schools includes the following guiding principles:

- Protecting students' dignity, avoiding anxiety, embarrassment and stigma
- Making a range of products and different qualities available, giving students choice about the products they want to use
- A response that is reflective of students' views and experiences
- An efficient and dignified approach which demonstrates value for money
- An offer for all eligible students throughout the year to include both term time and holidays
- Ensuring sanitary products are easily accessible to meet individual needs
- Individuals being able to get sufficient products to meet their needs
- Gender equality, ensuring anyone who menstruates can access products, and that language is gender neutral. The roll out of gender-neutral toilets should also be taken account of
- Awareness raising and education to both promote the 'offer' and change cultural norms

## **Consultation**

In following the guidance for the Act published under Section 5, and with regard to Section 7 of the Act requiring consultation, two consultations were carried out in order to inform this statement:

- A community consultation was completed in February 2022 and had 157 responses.
- A school consultation was completed in June 2022 and had 989 responses.

The community consultation was open to any member of the public regardless of gender, age or menstruating status. The school consultation was open to pupils aged 9 and above and their families. We particularly sought views from those who met the following criteria:

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

The consultation covered:

- Awareness of free product availability
- Types of free products currently used
- Types of products wanted
- Venues/buildings where people would like products
- Locations within venues/buildings where people would like products

The findings of the consultation have been used to shape Aberdeen City Council provision and as a result developments include:

- Considering the possibility of online ordering and delivery of products;

- Expanding the range of locations to include pharmacies and further workplaces

Aberdeen City Council is partnered with CFINE to provide free products in the community. Products available include single use pads and tampons in various sizes and absorbencies to accommodate differing needs and preferences. In some venues, reusable items such as period pants, period cups and reusable pads are available. The type of products available will be regularly reviewed to meet the needs and wants of the community.

Products are available for collection by anyone who needs them, or by anyone collecting on behalf of another person. Products will normally be available within toilet facilities of a building, unless otherwise stated. Those who wish to access products can do so without having to ask a member of staff and in a way that respects their dignity. A person may access as many products as required.

Information on stocked venues can be accessed via the PickUpMyPeriod App. PickupMyPeriod allows users to enter a postcode or location to see where free period products are available in their area. Users can filter what products are available, check building opening hours and also access a wide range of advice and support on various topics including health and wellbeing, financial support, domestic abuse and addiction support. The app can be downloaded via these links:

For Android: <https://play.google.com/store/apps/details?id=com.myperiodapp>

For Apple: <https://apps.apple.com/gb/app/pickupmyperiod/id1500403938>

### **Education Facilities Provision**

Aberdeen City Council will provide free products in all primary and secondary school establishments for which the local authority is the education provider. Products will be available in a way which respects the dignity of the pupil and should be accessed without having to ask a member of staff.

Products will be available during term time in at least one building of the school which is normally used by pupils. For most schools, products should be located within the toilet facilities or a specially designated place such as a cupboard.

Schools may have products available in multiple locations. Schools are not expected to be a collection point during the school holidays. Schools will be provided with stock so that pupils can take enough products home for the duration of the school holidays.

Pupils will be consulted to ensure that the products available are appropriate to their needs and preferences. A reasonable choice of disposable and re-usable products will be available to pupils to ensure their needs can be adequately met whilst attending school. This will be monitored and reviewed on an ongoing basis.

Aberdeen City Council will work with CFINE to provide ongoing support, risk management and awareness education to its schools to ensure every pupil in Aberdeen who requires products is able to easily obtain them.

### **Communication**

Aberdeen City Council will endeavour to communicate with its pupils and the wider community as to the provision of free products on an ongoing basis. We will make use of various communication channels including, but not limited to, social media, website, and local press outlets to inform Aberdeen's citizens and visitors what products are available and where they are located.

Aberdeen City Council has made available the results of the public consultations and will continue to share any further engagement via above mentioned communication channels.

The PickUpMyPeriod App will be promoted to ensure those who require products can easily and quickly access information as to their nearest collection point.

### **Additional / Future Provision**

Aberdeen City Council recognises the importance of Period Dignity for all. We are not only committed to meeting all statutory obligations, but also to exploring additional provision.

We will pilot supplying local pharmacies with products to support them in addressing access barriers for the most vulnerable in our community. We will engage with organisations to target specific groups to ensure full inclusivity with regard to Period Dignity.

Aberdeen City Council will continue to work closely with our statutory partners Police Scotland, Aberdeen City Health and Social Care Partnership and others to expand product provision.

We will continue to monitor, evaluate and build on service provision to ensure Aberdeen remains a period friendly city where everyone has easy access to products appropriate to their needs.