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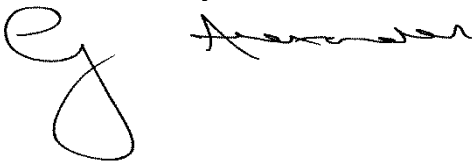
7 January 2022

Dear Ms Treanor

**PERIOD PRODUCTS (FREE PROVISION) BILL – CALL FOR VIEWS**

Please see attached NIPSA's written response.

Yours sincerely



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# **CONSULTATION ON PERIOD PRODUCTS (FREE PROVISION) BILL**

**NIPSA RESPONSE  
JANUARY 2022**

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## INTRODUCTION

1. NIPSA is the largest trade union in Northern Ireland representing over 41,500 members employed across the whole of the public services in organisations such as the Northern Ireland Civil Service and its Agencies, Local Government, Education Authority, the Health Trusts, the NI Housing Executive as well as a host of Non-Departmental Public Bodies (NDPBs). NIPSA also represents a significant number of members in the Voluntary Sector.
2. NIPSA welcomes the chance to respond to this vital consultation on eliminating a side of poverty that is continuously hidden yet remains so pervasive within our society. Taking steps to fight period poverty is one step forward in producing a strategic and cohesive framework that will take serious strides forward in tackling gender inequality. We were therefore very pleased to welcome and respond to Pat Catney's Private Members Bill in December 2020.
3. This response to the Period Products (Free Provision) Bill will first provide an overview of NIPSA's stance on the issue before answering the Survey.
4. NIPSA fully supports creating a universal right of access to free sanitary products for everyone in Northern Ireland. Access to sanitary products should be made available to all those who menstruate, regardless of gender identity, and all approaches taken to improving access to sanitary products should be trans and non-binary inclusive. The system should also allow for access issues so that everyone can collect a 'bulk' supply rather than have to make too frequent inconvenient and perhaps expensive journeys to collect what they need.
5. Campaigns to alleviate stigma around menstrual health, as well as funding to ensure ease of access to free products is essential. The continuing stigma attached to something as natural as menstruation, even without the added pressure of having to cope with not being able to afford essential items vital for the process is unwarranted, unjustified and unnecessary. The high level of shame felt by many is a clear indicator of gender inequality and outdated patriarchal notions that have no place in a progressive and modern society. This Bill has the potential to significantly alter attitudes towards provision of sanitary products. NIPSA believes that if this was provided to everyone not just in educational establishments in Northern Ireland but in ALL workplaces in the public, private and third sector, this not only helps to alleviate "period stigma" but also issues related to poverty stigma rather significantly as a direct result.
6. Period Poverty has been exacerbated as a result of COVID-19 health crisis and the need to maintain good hygiene has never been more important. Due to extensive job losses, an increase in people using food banks and may other local support services being cut, families have been hard hit and are under more

financial pressure now, more than ever, meaning organisations such as the Homeless Period Belfast has seen an exponential increase in demand and requests for period packs. During the period April to June 2020 they received three times the demand than in previous years. We don't really talk about hygiene poverty, but it is just as big a problem as not being able to eat. For instance, medical problems such as the likes of endometriosis and other health conditions have the potential to make periods even heavier, leading to further financial stress for many women already struggling. Additionally, the rise in street based homelessness for women has meant even less access to products, forcing people to use objects such as old newspapers in an effort to provide some relief. Not only is this seriously damaging to health, it reinforces the overwhelmingly negative stigma attached to some of the most vulnerable people.

7. Ongoing discrimination against women simply for a natural biological process also has the potential to creep into and harm other areas of life too. Coercive and controlling behaviour within a domestic abuse situation, for instance, can include bullying, manipulation and even abuse by exploiting the menstruation process. This includes the likes of forceful behaviour, financial control and limiting access to products as a form of invoking embarrassment and having the potential to seriously affect a women's health.
8. Inaccessibility to suitable products not only deepens inequality but also renders some women and girls unable to partake in certain activities, schooling and employment as a result. Adult women experience period poverty to the extent that days at work can be missed. The increase in precarious working coupled with a lack of statutory sick pay means that many women may lose out on the little economic freedom they currently have due to a lack of such provision. This is particularly acute for the likes of zero hour contracts, where many have to make a choice between suffering at work or calling in sick with fear they will get no pay or be put down the list of what shifts they can do. For this reason, as stated previously, it also should be pushed further to ensure that all workplaces in the public, private and third sector have access to free sanitary provision. Providing what is basic essentials to women should be routine in ALL workplaces. The fact that this is not the case is symbolic of the wider inequality and discrimination that women continue to face.
9. Young women and girls can be particularly hesitant when it comes to sanitary products. This not only comes down to menstruation-related stigma, but also fear of being seen as "poor" by fellow students. Gendering sexual education classes for menstruation not only leads to males believing it is something that should not be discussed, but also socialises women and girls into seeing it as something that should just "be dealt with". Inclusive education should be implemented with a requirement for all schools to take a proactive approach to education about menstruation. A study by Plan International UK (2017)<sup>1</sup> found that 1 in 10 adolescents in the UK have missed school because of a lack of menstrual products and 1 in 7 have struggled to afford period care. A survey

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<sup>1</sup> <https://plan-uk.org/media-centre/plan-international-uks-research-on-period-poverty-and-stigma>.

carried out by the Homeless Period Belfast of 200 students across Northern Ireland found that:

- 74% have had to leave a lesson, school or miss a day entirely because of a lack of access to products.
- 53% have had to ask their teacher for period products due to not having any.
- 87% said that a lack of access to period products has impacted their attention and/or attendance.
- 91% have had to use toilet roll as a temporary measure at school.
- 89% stated that a lack of access to period products has affected their mental and emotional wellbeing.

It is clear the education of these young students is at risk if support is not provided.

10. As stated at the beginning of this response, it is important that this proposed Bill is inclusive of the needs of not only cis women and girls, but also trans men and non-binary people, in a manner that tackles the stigma and barriers of all who menstruate and face period poverty. It is also important to note that while the issue of period poverty predominately impacts cis women and girls, not all those who have periods are women and girls. For instance, many trans men and non-binary people also menstruate, whilst trans women do not. It is important that any Bill that is developed is inclusive from the outset and does not create further barriers for trans and non-binary people in accessing period products.
11. In addition to the comments we have already made in relation to the dispensing of products in workplaces and the difficulty in getting access in rural localities we wish to re-emphasise our position made in response to Pat Catney's initial consultation that products should also be dispensed in the likes of GP surgeries, pharmacies, community centres, sexual health clinics, food banks, local shops, women's refuges, homeless shelters, libraries, etc. In other words, provision should be wide enough to ensure that accessibility is as easy as possible across Northern Ireland.
12. NIPSA welcomes the opportunity to respond to this call for views to make provision for free period products available to anyone who needs them. Creating legislation which ensures accessibility to sanitary provision is a clear step forward in terms of gender equality and alleviating period poverty. In taking forward this legislation the Executive must ensure that the necessary resources are allocated to ensure its effective delivery.

## SURVEY QUESTION RESPONSES (CLAUSE BY CLAUSE COMMENTS)

### **Q1. How would you like your response to be published?**

We would like our response to be published.

### **Q2. Are you content that any of your suggestions which have been published to the Committee or the Assembly may inspire the text of an amendment?**

Yes.

### **Q3. What is your name?**

Geraldine Alexander.

### **Q4. What is your email address?**

[geraldine.alexander@nipsa.org.uk](mailto:geraldine.alexander@nipsa.org.uk).

### **Q5. Please indicate if you are providing a submission as an individual or an organisation.**

I am providing a submission on behalf of an organisation. The organisation is the Northern Ireland Public Service Alliance (NIPSA). A trade union representing over 41,500 members employed across the civil and public services in Northern Ireland. See also point 1 above.

## **Clause 1**

### **Q6. Do you agree with the proposed duty described in Clause 1?**

Yes.

### **Q7. Do you think the duty takes account of all necessary factors eg. dignity, accessibility, choice, differently able people, travel arrangements, consultation and advertisement of arrangements for provision of period products?**

NIPSA believes protections regarding these factors could be strengthened, as set out below.

### **Q8. Would you add, detract from or otherwise amend any element of Clause 1? If yes, what amendment would you make?**

It is important that Part 3 (1)(b) of Clause 1, which states that “Arrangements established and maintained under subsection (1) may, where they include provision under which period products may be delivered to a person, require the person to pay costs associated with packing and delivery (except where the person could not reasonably obtain products in accordance with the arrangements in any other way)” does not adversely impact on people with a disability who may not be able to collect period products in person or do not have anyone to collect them for them. In such

circumstances the regulations should “include provision under which period products will be delivered” with no cost associated with packing and delivery.

Part 4 (b) puts a duty on the Department of Health to “consult on the arrangements to be established and maintained by it under subsection (1), including the locations in which period products ought to be obtainable free of charge.” When deciding where free period products will be available, it is important to consider if they are accessible to all. For instance, will a trans boy in an all-boys school be able to access these products? Will these products only be available in girls’ bathrooms in mixed gender schools? Will students or workers have to ask members of staff (and subsequently “out” themselves) for access to products? These are all important factors to consider in making period products free and accessible, so that all who need these products can readily access them.

In addition, there should be an explicit duty on the Department of Health, when consulting on “the locations in which period products ought to be obtainable free of charge,” to take account of rural needs and ensure there is equal access to period products across urban and rural areas.

Similarly, when consulting on the types of period products to be made available (as per part 4 (c) of clause 1), there should be a duty on the Department of Health to consult the different needs of disabled people and people from different ethnic, religious, cultural and racial backgrounds. For a variety of reasons, different people require different period products and this diversity should be reflected in any consultation done by the Department of Health.

## **Clause 2**

### ***Q9. Do you agree with the proposed duty described in Clause 2?***

Yes.

***Q10. Do you agree that the clause takes into account all necessary aspects of preparation to roll out the scheme, such as identification of relevant public service bodies; provision of free period products at each of their sites; provision only for use while on those premises; the ability for Departments to make regulations about these arrangements on a phased basis; and the ability for the Assembly to use affirmative procedure to give a relatively high level of scrutiny to these regulations?***

NIPSA believes that protections regarding these factors could be strengthened, as explained below.

***Q11. Would you add, detract from or otherwise amend any element of Clause 2? If yes, what amendment would you make?***

As previously stated NIPSA would like to see the duty to provide free sanitary products in any and all public buildings, including workplaces in the public, private and third sector.

Part 6 of clause 2 could be strengthened to offer additional protections for people from particularly economically disadvantaged or impoverished backgrounds. Part 6 of clause 2 states that persons can obtain period products sufficient to meet their needs while the person is in the premises. However, this could be strengthened to allow any person to take products home with them to use outside of the premises, if they cannot access period products at home. This would provide additional safeguards for anyone who is particularly vulnerable to period poverty.

### **Clause 3**

***Q12. Do you agree that the principles set out in clause 3 - easy access, dignity, choice and publicised arrangements - are relevant and proportionate principles to underpin the implementation of this scheme?***

Yes.

***Q13. Would you add, detract from or otherwise amend any element of clause 3? If yes, what amendment would you make?***

No.

### **Clause 4**

***Q14. Do you agree that this clause will help co-ordinate implementation between Departments and Public Service Bodies?***

Yes.

***Q15. Would you add, detract from or otherwise amend any element of clause 4? If yes, what amendment would you make?***

Yes. Part 6 of clause 4 states that “A Department may issue guidance jointly with another Department.” This could be strengthened by noting that cross-departmental working is to be encouraged and that it is preferable for guidance to be issued jointly between Departments.

### **Clause 5**

***Q16. Do you agree that clause 5 would provide transparency as to how specified public service bodies are providing period products in the best interests of appropriate product users?***

Yes.

***Q17. Would you add, detract from or otherwise amend any element of clause 5? If yes, what amendment would you make?***

Clause 5 should be strengthened by putting a duty on public service bodies to consult on the needs of users which fall into the various Section 75 groups.



## Clause 6

**Q18. Do you agree that this clause will make available timely, useful information that will benefit persons obtaining free period products?**

Yes.

**Q19. Would you add, detract from or otherwise amend any element of clause 6? If yes, what amendment would you make?**

No.

## Clause 7

**Q20. Do you agree with the proposed duty in clause 7?**

Yes.

**Q21. Do you agree that this clause provides a comprehensive list of key definitions of terminology used throughout this Act?**

Yes. NIPSA welcomes the fact that this clause has been drafted in line with gender neutral drafting practices to include all people who menstruate, including transgender and non-binary persons.

**Q22. Would you add, detract from or otherwise amend any element of clause 7? If yes, what amendment would you make?**

No.

## Clause 8

**Q23. Do you agree that this clause signposts the reader to accessible and standardised explanations of the legal terms used throughout the language of this Act?**

Yes.

**Q24. Would you add, detract from or otherwise amend any element of clause 8? If yes, what amendment would you make?**

No.

## Clause 9

**Q25. Do you agree that there should be two years to allow everyone to prepare for this new law?**

Yes.

**Clause 10**

***Q26. Do you agree that when it becomes an Act, this should be called the “Period Products (Free Provision) Act (Northern Ireland) 2021”? If no, what amendment would you propose and why?***

Yes.