



The
Executive Office

The Executive Office

Period Products (Free Provision) Act (NI) 2022

Provision of Free Period Products

Public Consultation Document

26 June 2023 – 18 September 2023





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Introduction:

1. This consultation seeks your views on how best the Executive Office (TEO) ensures that period products are “**obtainable free of charge**” by “**all persons who need to use them**”, “**while in Northern Ireland**”.
2. We are seeking views on:
 - The ways in which users ought to be able to obtain period products free of charge (the “**how**”);
 - The locations in which period products ought to be obtainable free of charge (the “**where**”); and
 - The types of period products which ought to be obtainable free of charge (the “**what**”).
3. Like other bathroom products access to period products is an essential item for personal care to address a normal biological need. There is currently no scheme that provides universal access to free period products here. To address this gap the Period Products (Free Provision) Act (NI) 2022 was made pursuant to a Private Members’ Bill in the last Assembly and received Royal Assent in May 2022. The Act says that free period products are to be made available from May 2024.



The Act:

4. The Act introduces 2 new duties; one of which, arising under section 1 places a duty on the Executive Office (TEO) to ensure that period products are obtainable free of charge to meet the needs of “*all persons who need to use them ...while in Northern Ireland*”. The other duty is placed on specified*¹ public sector bodies and relates to the provision of free products that a person needs whilst in

¹ Each NICS department may specify the public service bodies subject to this new duty.

particular premises. This consultation relates to the section 1 duty (universal duty) only.

5. TEO is considering how this universal duty may be implemented in the most effective way and we want your thoughts to help shape the way forward.
6. The Act requires that the free products are to be obtainable reasonably easily and individuals may collect products for someone else who needs them. Therefore, generally venues not accessible to the general public are not considered appropriate locations.
7. Further background on the Act is contained at **Annex A**.

Consultation:

8. The consultation will run for 12 weeks from 26 June 2023 – 18 September 2023. The responses will then be analysed and considered alongside the responses we received from our engagement process to inform the development of the arrangements to implement the Act.
9. We want to hear from as many people as possible on all the questions in the consultation.

Responding to the Consultation:

10. The best way to respond to this consultation is online, through our questionnaire which can be accessed here:

<https://consultations.nidirect.gov.uk/teo/provision-of-free-period-products-consultation>

11. An electronic version of this document is available for you to download at:

www.executiveoffice-ni.gov.uk/consultations/consultation-free-period-products



It should take no longer than 10 minutes to complete these questions.

Alternative Formats:

12. Copies in other languages and formats, (including Braille, large print etc.), can be made available on request. If it would assist you to access this document, in an alternative format or language other than English, please contact us using the e-mail or postal address below.
13. Completed hard copy questionnaires and general written responses can be sent to us by:

E-mail at: period.products@executiveoffice-ni.gov.uk

Or:

**Post at: Equality Policy & Legislation Team
The Executive Office
Room A5.1
5th Floor Castle Buildings
Stormont Estate
BELFAST
BT4 3SR**



We would ask that written responses are received no later than 18 September 2023.

Impact Assessments:

14. A Section 75 Equality Screening, Rural Needs Impact Assessment, Data Protection Impact Assessment and Human Rights Impact Assessment have been completed, the outcomes of which are available at **Annex B**.





Privacy, Confidentiality and Access to Consultation Responses:

15. The Department intends to publish a synopsis of responses to the consultation (subject to our Moderation Policy). This may include a list of names of organisations that responded but not personal names, addresses or other contact details.
16. The Executive Office (TEO) is committed to protecting your privacy. For more information about what we do with your personal data please see our consultation privacy notice. That privacy notice at **Annex C** explains how TEO uses the information supplied by you as part of a consultation, what we do with it, the ways in which we will safeguard it, and what your data protection rights are.
17. Your response, and all other responses to this consultation, may be disclosed on request in accordance with the Freedom of Information Act 2000 (FOIA), and the Environmental Information Regulations 2004 (EIR). However, all disclosures will be in line with the requirements of the Data Protection Act 2018 (DPA) and UK GDPR.
18. If you want the information that you provide to be treated as confidential it would be helpful if you could explain to us why you regard the information you have provided as confidential, so that this may be considered if the Department should receive a request for the information under the FOIA or EIR.



What Happens Next?

19. Following the close of the consultation on 18 September 2023, all responses and feedback will be collated for review by The Executive Office. Findings from our consultation will be shared on The Executive Office website.





Complaints:

20. If you have any concerns about the way this consultation process has been handled, you should send them to the following address:

**Machinery of Government
Room SD03
Stormont Castle
BELFAST
BT4 3TT**

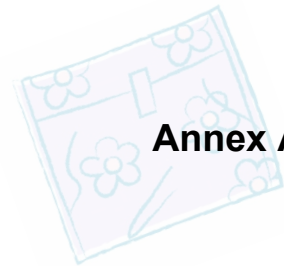
E-mail: info@executiveoffice-ni.gov.uk

Telephone: **(028) 9037 8055**

21. Please note, if you choose to send your complaint in writing, you should state clearly the reason for your complaint in the 'subject' bar of your e-mail, or at the top of your letter.

THANK YOU FOR TAKING THE TIME TO COMPLETE THIS QUESTIONNAIRE.





Annex A

Background:

22. Period inequality contributes to the poor mental health and wellbeing experience of those who are unable to access the basic health essentials of period products. This is a growing issue particularly in light of the increased cost of living².
23. However, like other bathroom products, period products are essential items for personal care to address a normal biological need **and should therefore be available to everyone who needs them, regardless of their economic status.**
24. To address this gap the Period Products (Free Provision) Bill was introduced in the Northern Ireland Assembly in October 2021, sponsored by Pat Catney MLA. The Bill had broad support in the Assembly and the **Period Products (Free Provision) Act (Northern Ireland) 2022** “the Act” received Royal Assent on 12 May 2022.
25. The requirements of the Act go beyond seeking to make provision for those in financial difficulty. Rather, as stated above, there is a recognition that period products are necessary and essential items that should be available free of charge and accessible by all persons who need to use them.
26. Section 1 of the Act places a duty on the Executive Office (TEO) to ensure that period products are available free of charge to all persons who need to use them. Section 10 of the Act provides that this provision will come into operation on or before **12 May 2024** and we now want your thoughts on what this provision should look like.

² Source: <https://www.gov.scot/publications/period-products-free-provision-scotland-act-2021-equality-impact-assessment/pages/3/>



Requirements:

27. The legislation also sets out a number of requirements in relation to the provision of free period products under this scheme – known as “arrangements”. These include the requirement that:
- products must be reasonably easy to obtain, in a way that respects dignity, privacy and confidentiality,
 - a reasonable choice of types of period products is offered; and
 - arrangements should be published in a way that respects dignity, privacy and confidentiality.
28. These arrangements **must also allow for products to be obtainable by another person on behalf of a person who needs them.**
29. The department plans to put arrangements in place to provide persons with products that are reasonably easy to obtain. The arrangements **may** also allow for period products to be delivered. In the event that delivery was made available, persons may be required to pay associated packing and delivery costs. However, the Act provides that these costs are not recoverable if a person could not reasonably obtain products in accordance with the arrangements in any other way.



Reasonably easily:

30. Where and how free products can be obtained should be neither complex nor bureaucratic. As described in the ‘Respect for Dignity, Privacy and Confidentiality’ section below, generally products should be freely accessible from places where individuals are comfortable collecting them without having to ask for them or justify why they need them.
31. Reasonable ease should also include ease of physical access for those with physical disabilities or mobility issues.



Respect for Dignity, Privacy and Confidentiality:

32. As noted above period products should be obtainable in a way that respects the dignity of the individual obtaining them including privacy and confidentiality.
33. While progress has been made in recent years to tackle the stigma associated with menstruation and period products, people who need to access period products may still find this an embarrassing situation and any potential embarrassment should be minimised as much as possible.
34. Therefore, the ways in which and places where, products are made available should consider the needs and wishes of users in relation to privacy (including for religious and/or cultural reasons) and avoiding anxiety or embarrassment. For example, use of discrete packaging.
35. A dignified approach may include products easily accessed without individuals having to:
 - Ask someone for products; and / or
 - Justify why they need them.
36. However, it should be noted that there may be occasions when individuals may be required to ask for these products. For example, for reusable products which are significantly more expensive than single use products. In these cases, different arrangements may be put in place to access the free products.



Reasonable Choice

37. A reasonable choice is required by the Act however not all types of products have to be available in all locations. Within the Act “products” are defined to include tampons, pads and articles which are reusable. It would appear appropriate to provide a reasonable range of products at various locations. The extent of the range may be determined by local factors including a phased delivery of products allowing us to build an understanding of need and distribution avenues.



Impact Assessments:

A number of impact assessment screening documents are available as part of the full suite of consultation documents, and can be accessed via the following link:

www.executiveoffice-ni.gov.uk/consultations/consultation-free-period-products

A summary of the outcome of each is provided in the table below:

Impact Assessment / Screening:	Outcome:
Section 75 Equality Screening	Screened Out
Rural Needs Impact Assessment	Screened Out
Data Protection Impact Assessment	Screened Out
Human Rights Impact Assessment	Screened Out





Privacy Notice:

<https://www.executiveoffice-ni.gov.uk/teo-privacy-notice>





Annex D

Consultation Questions:

These questions can also be answered online here:

<https://consultations.nidirect.gov.uk/teo/provision-of-free-period-products-consultation>

About You:

Are you responding as an individual or on behalf of an organisation?

Tick:	Local Council Area:
<input type="checkbox"/>	Individual
<input type="checkbox"/>	On behalf of an organisation

If responding on behalf of an organisation, please tell us your organisation's name in the space below.



1. Where do you live:

Tick:	Local Council Area:
	Antrim and Newtownabbey Borough Council
	Ards and North Down Borough Council
	Armagh City, Banbridge and Craigavon Borough Council
	Belfast City Council
	Causeway Coast and Glens Borough Council
	Derry City and Strabane District Council
	Fermanagh and Omagh District Council
	Lisburn and Castlereagh City Council
	Mid and East Antrim Borough Council
	Mid Ulster District Council
	Newry, Mourne and Down District Council
	Other

1a. If you selected "Other" please provide further detail in the space below:



2. ***What is your postcode? This is to identify the general location of respondents.***

**First 3/4 digits of Postcode only:
(e.g., BT1)**

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3. ***In order to make sure we are asking a broad section of the community for their views, please tell us a bit more about yourself. Please tick all that apply.***

(Please note this information will remain anonymous and be treated as such. If answering on behalf of an organisation, please tick all that apply to your members.)

Tick all that apply:	About You:
<input type="checkbox"/>	I currently use period products.
<input type="checkbox"/>	I will need to use period products in the future.
<input type="checkbox"/>	I am a mother, sister, partner, or family member of someone who needs access to period products.
<input type="checkbox"/>	I am a father, brother, partner, or family member of someone who needs access to period products.
<input type="checkbox"/>	I do not need period products for myself, but for someone who does, who is not a family member.
<input type="checkbox"/>	I prefer not to answer this question.
<input type="checkbox"/>	Other



3a. If you selected “Other” please provide further detail in the space below:

4. Would you use free period products if they were available?

Tick:	Answer:
<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

5. What, if anything, would STOP you from accessing these free period products?

(Please tick all that apply.) Please remember that these products will be available for everyone whether or not they can afford to purchase them themselves.

Tick all that apply:	Answer:
<input type="checkbox"/>	Being too embarrassed.
<input type="checkbox"/>	If I don't know where I can get them.
<input type="checkbox"/>	Can't get to the physical locations where free products may be provided? <i>(Please provide further detail below. This may be related to transport issues, mobility issues, issues around insufficient disabled access, etc)</i>
<input type="checkbox"/>	For cultural or religious reasons <i>(please provide further detail below.)</i>



	I would prefer to purchase my own choice of products.
	Nothing would stop me.
	Other.

5a. If you selected “can’t get to the physical location”, “for cultural or religious reasons” or “Other” please provide further detail in the space below.

**6. Who would you be prepared to collect the free period products for?
(Please tick all that apply).**

Tick all that apply:	Who:
	Myself
	Another person in household
	Another person not in my household.
	I would not be prepared to collect for someone else.
	Other.

6a. If you selected “Other” please provide further detail in the space below:



**7. What free period products do you think should be available?
(Please tick all that apply.)**

Tick all that apply:	Product:
	Pads
	Applicator Tampons
	Non applicator Tampons
	Panty Liners
	Reusable Period pants
	Reusable Menstrual cups
	Reusable pads
	Reusable panty liners
	Other

7a. If you selected "Other" please provide further detail in the space below:



8. ***How important or unimportant are reusable products to you?
(Please tick one space only.)***

Tick one:	Importance:
<input type="checkbox"/>	Very important
<input type="checkbox"/>	Quite important
<input type="checkbox"/>	Not very important
<input type="checkbox"/>	Not at all important

9. ***Reusable products are more expensive. Alternative arrangements may be required to access these products. Would you be prepared to provide your contact details in order to obtain them?***

Tick:	Answer
<input type="checkbox"/>	Yes
<input type="checkbox"/>	No



**10. How do you think period products ought to be made available?
(Please tick all that apply)**

Tick all that apply:	How:
	Collect in person from a physical location as required.
	Delivery. (You may be required to provide your contact details and may be required to pay costs associated with packing & delivery)
	An online or text pre order “click and collect” style service
	Other

10a. If you selected “Other” please provide further detail in the space below:



- 11. In terms of physical locations where do you think would be the best places to obtain free period products from? (Please tick all that apply).**

(Please note: Schools are not included in this list as they are not accessible by the general public and provision is already made for those in schools by the Department of Education.)

Tick all that apply:	Location:
	Public Libraries
	Public buildings <i>(Please provide further detail in the space below)</i>
	Museums / Cultural spaces
	Community venues <i>(Please provide further detail in the space below)</i>
	Other <i>(Please provide further detail in the space below)</i>

("All toilets" are not included as an option as it is anticipated that the budget which will be made available will not be sufficient to meet this option.)



11a. If you have selected “Public buildings”, “Community venues” or “Other” please provide further detail and/or examples in the space below.

**12. Given the legislation indicates that the provision of free period products must respect privacy, dignity, and confidentiality where within a building would you feel most comfortable accessing Free Period Products?
(Please tick all that apply.)**

Tick all that apply:	Location:
	In the toilets of relevant buildings
	At the reception area.
	In a discreet location within the building.
	On a display stand in the building.
	Other.
	Don't have a preference.

12a: If you selected “Other” please provide further detail in the space below:



- 13. How do you think the provision and location of free period products should be publicised?
(Please tick all that apply.)**

Tick all that apply:	Answer:
	NI Direct website
	Dedicated App showing the locations of free period products.
	Local media (e.g., local newspapers, local radio, etc)
	Social media
	Prominently displayed within the relevant location supplying the products
	Other – please provide more information.

- 13a: If you selected “Other” above please provide further detail in the space below:**



- 14. *If the locations of products were to be provided via an app how likely or not likely are you to use this app?***

Tick one:	Likelihood:
<input type="checkbox"/>	Very likely
<input type="checkbox"/>	Somewhat likely
<input type="checkbox"/>	Not very likely
<input type="checkbox"/>	Not at all likely

- 15. *Some groups (such as those from certain cultural backgrounds, those with a disability, those who are homeless, etc.) are likely to have certain specific needs when accessing free period products. Please provide any further information you think is relevant or should be taken into account to meet the needs of such groups in the space below.***



Impact assessments:

- 16. A number of impact assessment screening exercises have been carried out and are listed separately here www.executiveoffice-ni.gov.uk/consultations/consultation-free-period-products. If you have any additional comments or information please provide further detail in the space below.**

Any other comments / feedback:

- 17. Please provide any further comments and / or feedback you wish to make in relation to the provision of free period products in the space below.**

Should you require further information or would like to speak to someone regarding the provision of free period products please e-mail Period.Products@Executiveoffice-ni.gov.uk or telephone (028) 9052 2907.



Deadline for Responses:

Please return responses no later than 18 September 2023 via:

E-mail to: period.products@executiveoffice-ni.gov.uk

Or:

**Post to: Equality Policy & Legislation Team
The Executive Office
Room A5.1
5th Floor Castle Buildings
Stormont Estate
BELFAST
BT4 3SR**

THANK YOU FOR TAKING THE TIME TO COMPLETE THIS QUESTIONNAIRE.