

This template summarises the key decisions/actions taken in the EHRIA, and has been separated from the full EHRIA document for publication on the SPS external website in compliance with statutory requirements.

<b>Background</b>	
<b>Title of the Policy</b>	Access to Free Sanitary Products in SPS Buildings
<b>EHRIA Lead (role)</b>	Michele Watson
<b>Date EHRIA completed</b>	19 September 2019
<b>Review date and frequency</b>	1 September 2022
<b>Is this a new or revised policy/practice?</b>	New <input checked="" type="checkbox"/> Revised <input type="checkbox"/>

<b>Scoping</b>
<p><b>What are the aims of this policy/practice?</b></p> <p>For all SPS buildings to provide access to free sanitary products in visitor and employee toilets.</p>
<p><b>WHO did you consult with?</b></p> <p>The EMG discussed the communication from the Permanent Secretary to the Chief Executive in January promoting this strategy and for this to be implemented across the Prison estate to ensure equality of access for all across similar agencies.</p> <p>The EMG approved the introduction of free access to sanitary items across SPS.</p> <p>SPS TUS are fully aware and supportive of the issue of period poverty from a trade union perspective and the SPS intent to apply introduce and apply this procedure.</p>
<p><b>WHAT did you learn?</b></p> <p>It is considered both the impact and the risk to be low. Some potential impacts on the protected characteristics have been identified. No negative impacts have been identified.</p> <p><b>Key Findings</b></p> <p>What products should be available? There will be a requirement for differing types of sanitary product, both pads and tampons. Some users, for religious, medical or personal reasons, may only wish to use non-invasive products. Specific products may be required for certain groups including pregnant, post-partum, pre- and post-menopausal users. The brand and quality of the products will need to be agreed, and it is likely that multiple brands, designs and absorbencies will be required. This will require adequate storage in each building where the products are available.</p>

Who should they be available to?

The products should be available to all SPS staff working in SPS buildings, contractor staff working for the SPS and all visitors to the SPS. In addition, there may be other Civil service employees who visit and or work at SPS via Secondments, these staff would also have access to free sanitary products. These employees may consider that they are disadvantaged compared with those working in core buildings unless they also have access to free sanitary products.

Where should the products be located?

Products should be in an adequate number of toilets to enable access by all users of each building. This does not require products to be in every toilet, but they should include all visitor toilets and a number of female toilets, gender neutral toilets and male toilets. The reason for inclusion of male toilets is for transgender males who menstruate. Under these circumstances, sanitary disposal units would also need to be located in the male toilets where the products are available. For those buildings that do not have gender neutral toilets, sanitary disposal bins will be placed in each cubicle of the male toilet/toilet block. To provide facilities for Trans colleagues and visitors to SPS. It will be up to the Estates / Establishments to assess the most appropriate locations to provide products based on facilities available within premises.

What is the financial impact?

There are significant cost implications, both direct and indirect, which cannot be quantified, as they will depend on the volume of use and any potential abuse. The direct cost will be the product cost. Products are to continue to be procured through our current provider Greenham's. There will also be the cost of staff receiving the goods, distribution and replenishing in toilet areas and a one off cost to install appropriate containers.

**HOW will this shape your policy/practice?**

Key to the success of this practice is the inclusion of all, thought needs to be given by Estates and Establishments in terms of locations and access not just for products but also for facilities to dispose of products, which is available to anyone who menstruates regardless of age, religion, disability or gender identity.

Thought and consideration needs to go into having gender neutral toilets assigned, in the longer term. This would potentially mitigate any challenge.

**What quantitative and/or qualitative evidence as well as case law relating to equality and human rights have you considered when deciding to develop new or revise current policy/practice?**

The issue of "period poverty" has had significant and sustained media coverage both within the UK and internationally in the past 12-18 months. Access to free sanitary products has been introduced in schools, colleges and universities, and COSLA and the Scottish Parliament announced on 17th and 18th May that they would make free sanitary products available for staff and visitors. A Private Member's Bill, Proposed Sanitary Products (Free Provision) (Scotland), completed consultation on 8th December 2017 and received 1753 responses, of which 96% were supportive of the proposal.

<b>Impact</b> Will the impact and outcomes of the new/revised policy/practice:	
<b>Contribute to eliminating discrimination, harassment and victimisation?</b> E.g. <ul style="list-style-type: none"> <li>It promotes socio economic inclusivity by providing free access to all.</li> <li>As free access is for anyone who menstruates it promotes inclusivity and equality regardless of gender identity.</li> </ul>	<b>POSITIVE:</b> It will contribute to eliminating discrimination, harassment, victimisation <input checked="" type="checkbox"/>
	<b>NO EFFECT:</b> It will have no effect on discrimination, harassment and victimisation <input type="checkbox"/>
	<b>NEGATIVE:</b> It will make discrimination, harassment and victimisation worse <input type="checkbox"/>
<b>Advance equality of opportunity between those who share a protected characteristic and those who do not?</b> E.g. <ul style="list-style-type: none"> <li>Remove or minimise disadvantage</li> <li>Meet the needs of equality groups that are different from the needs of others participation in public life</li> </ul>	<b>POSITIVE:</b> It will advance equality of opportunity <input checked="" type="checkbox"/>
	<b>NO EFFECT:</b> It will have no effect on equality of opportunity <input type="checkbox"/>
	<b>NEGATIVE:</b> It will reduce equality of opportunity <input type="checkbox"/>
<b>Foster good relations between those who share a protected characteristic and those who do not?</b> E.g. <ul style="list-style-type: none"> <li>Tackle prejudice</li> <li>Promote understanding</li> </ul>	<b>POSITIVE:</b> It will foster good relations <input type="checkbox"/>
	<b>NO EFFECT:</b> It will have no effect on good relations <input checked="" type="checkbox"/>
	<b>NEGATIVE:</b> It will cause good relations to deteriorate <input type="checkbox"/>
<b>Ensure Human Rights Compliance?</b>	It will uphold human rights articles. <input checked="" type="checkbox"/>
	It will breach human rights articles. <input type="checkbox"/>

**Please summarise the results of the Equality & Human Rights Impact Assessment, including the likely impact of the proposed policy/practice advancing equality and human rights.**

<b>Positive Impacts</b>  Protected characteristics affected:  Having products available in a cross section of toilets across SPS, including visitors toilets, provides equal access to all regardless of race, age, sex, religion or gender, who may require sanitary products in cases of emergency whilst still preserving their right to privacy and dignity. It also ensures those who may not be able to afford to buy products will still be able to receive access should they require.
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### Negative Impacts

Protected characteristics affected:

Impact	Mitigation

### Recommended course of action

<b>Outcome 1:</b> Proceed – no potential for unlawful discrimination or adverse impact or breach of human rights articles has been identified.	<input checked="" type="checkbox"/>
<b>Outcome 2:</b> Proceed with adjustments to remove barriers identified for discrimination, advancement of equality of opportunity and fostering good relations or breach of human rights articles.	<input type="checkbox"/>
<b>Outcome 3:</b> Continue despite having identified some potential for adverse impact or missed opportunity to advance equality and human rights (justification to be clearly set out).	<input type="checkbox"/>
<b>Outcome 4:</b> Stop and rethink as actual or potential unlawful discrimination or breach of human rights articles has been identified.	<input type="checkbox"/>

### Summary of Outcome decision and Recommendations

Scottish Government have introduced this as part of the Programme for Government approach to tackling socio economic inequalities and have been adopted and approved by SPS EMG, who have committed to implement this programme across all SPS buildings.

### Next steps

Roll out programme across the SPS and review and monitor to assess uptake and cost implications.

If you require this document in an alternative format, please contact [SPSEqualityandDiversityTeam@sps.pnn.gov.uk](mailto:SPSEqualityandDiversityTeam@sps.pnn.gov.uk)