

Consultation on introduction of provisions for Changing Places Toilets within building regulations.

Analysis Report

10 June 2019



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The opinions expressed in this report are those of the respondents to the consultation, as summarised and presented by the report author.

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1. Summary

Introduction

1. The purpose of this consultation was to seek views on the introduction of a provision, under Scottish Building Regulations, for inclusion of Changing Places Toilets as part of certain types of new development.
2. Changing Places Toilets offer larger, supported facilities that address the needs of people for whom current accessible sanitary accommodation is inadequate. These facilities assist people with complex care needs to take part in everyday activities such as travel, shopping, family days out or attending a sporting event.
3. A growing network of Changing Places Toilets exists across Scotland but there is no current legislation requiring their provision within buildings. The introduction of regulations to require Changing Places Toilets in defined types of larger new buildings would increase the provision of such facilities nationally in a proportionate manner.

The Consultation proposals

4. The consultation proposed a proportionate and equitable requirement, set through building standards, for the provision of such facilities as part of new development. Such provision would be over and above the current provision of standard and accessible sanitary facilities in buildings.
5. The Changing Places consortium publish a comprehensive resource for organisations who wish to consider the provision of a Changing Places Toilet in a new or existing building. They also maintain a directory of active facilities on their website¹. Currently, there are 190 Changing Places Toilets across Scotland.
6. The Building Standards Division of the Scottish Government became involved with the work of [PAMIS](http://pamis.org.uk/)² and the Changing Places Consortium in 2008-9 through support for the introduction of guidance

¹ <http://www.changing-places.org/>

² <http://pamis.org.uk/>

on Changing Places Toilets into BS 8300: 2009 ('Design of buildings and their approaches to meet the needs of disabled people. Code of practice'), the UK reference document for delivery of inclusive environments. This publication was the result of several years of work by organisations such as PAMIS to promote awareness of the need for, and benefit of, such facilities and to assist organisations and building owners in the provision of such facilities on a voluntary basis.

7. BS 8300 was last revised in 2018 and provision for accessible environments within buildings is current addressed via BS 8300-2:2018 – 'Design of an accessible and inclusive built environment. Buildings. Code of practice'.
8. The presence of Changing Places Toilets in a wide range of buildings where members of the public have easy access has, for the past decade, been recommended good practice in the provision of inclusive buildings.
9. The Scottish Government (SG) sought comments on the proposal to regulate for the provision of such facilities as part of defined types of new development. The consultation³ was published on the SG Consultation CitizenSpace portal from 18 February 2019 to 13 May 2019. It was highlighted in the Building Standards e-newsletter which is issued to over 8,000 registered e-news recipients.

Statistical Analysis of Consultation Responses

10. A total of **1112 responses** were received to the consultation. Responses were received from 1040 individuals and 72 organisations, categorised as follows:

Respondent Category	Number	Percentage of total
Individual	1040	93.5%
Organisation	72	8.1%

³ <https://consult.gov.scot/building-standards/changing-places-toilets/>

11. Of the responses to identify an organisation type, breakdown is as follows:

Respondent Category	Number	Percentage of total
Local Authority	24	2.1%
Commercial Organisation	3	0.3%
Designer/Consultant	5	0.4%
NDPB/Agency	0	0%
Professional Body	5	0.4%
Voluntary Organisation	33	3.0%
Academic Body	0	0%
Advisory Body/ Committee	2	0.2%
Contractor/ Developer	1	1.6%
Housing Provider/ Registered Social Landlord	0	0%
Industry Association / Manufacturer	4	0.4%
Other (Please Specify)	20	1.8%
Total responses identifying an organisation⁴	97	8.7%
Not answered (response as individual)	1015	91.3%
Total	1112	100%

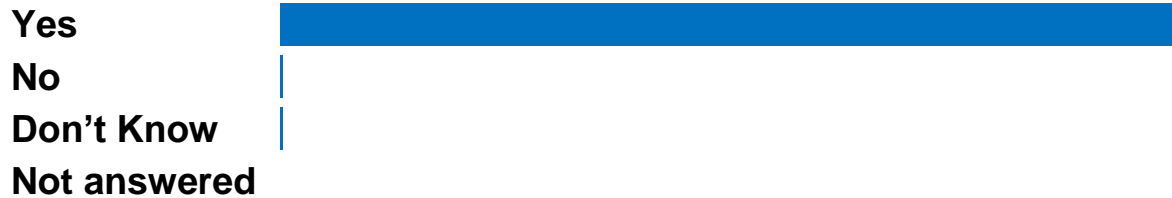
Discussion of consultation proposals

12. The consultation set out a proposed specification for a Changing Places Toilet and proposed the circumstances under which one should be provided under building regulations as part of new development.
13. Three specific questions were posed and respondents were also asked for any additional comments on proposals.

⁴ 25 responses from individuals provided input to the 'organisations' section.

Question 1:

Do you support the proposal to introduce a requirement for Changing Places Toilets in certain buildings through building regulations?



Option	Total	Percentage
Yes	1109	99.7%
No	1	0.1%
Don't Know	2	0.2%
Not answered	0	0%

Q1 Comments:

887 of 1112 responses also offered comments in response to this question. These comments are analysed and summarised in the next section.

Question 2:

Do you agree with the proposed circumstances, listed in draft clause 3.12.3 within the consultation document, where a Changing Places toilet should be provided on the construction, conversion or extension of a building?



Option	Total	Percentage
Yes	1048	94.2%
No	21	1.9%
Don't Know	42	3.8%
Not answered	1	0.1%

Q2 Comments:

631 of 1112 responses also offered comments in response to this question. These comments are analysed and summarised in the next section.

Question 3:

Are there any other situations where you consider building work should trigger a requirement to provide a Changing Places Toilet?



Option	Total	Percentage
Yes	621	55.8%
No	55	5.0%
Don't Know	410	36.9%
Not answered	26	2.3%

Q3 Comments:

546 of 1112 responses also offered comments in response to this question. These comments are analysed and summarised in the next section.

Question 4:

Please use this question to provide any other commentary or observations you have on the proposal to make provision for Changing Places Toilets through building regulations.

Q4 Comments:

642 of 1112 responses also offered comments in response to this question. These comments are analysed and summarised in the next section.

14. It is noted that, overall, 989 of the 1112 responses to the consultation (89%) offered commentary in response to one or more of the four questions posed.

2. Detailed analysis

Background

15. Elements of the good practice advice within BS 8300 is generally implemented within building regulations in Scotland and across the UK for the provision of accessible sanitary accommodation. This is designed around an understanding of a need for additional space and assistive fixtures to enable people to use sanitary facilities safely and without assistance where practicable.
16. However, this 'standard' provision of accessible sanitary accommodation does not adequately address situations where a person may need more space or will be more reliant upon assistance and one or more carers will be present. Similarly, it does not consider the need for mechanical assistance in the transfer of a person to and from sanitary facilities such as WCs. The Changing Places specification was developed to provide these facilities and offer sanitary accommodation that will meet the needs of people with more complex care needs.
17. The 'Changing Places' specification has proved to be successful where implemented and is delivering significant benefits to users in Scotland and to their families and carers. The presence of a Changing Places Toilet in a building or location enables people with complex care needs to take part in everyday activities such as travel, shopping, family days out or attending a sporting event.
18. The facility is significantly larger than current sanitary accommodation and is intended to supplement, not replace, such accommodation. This is important to recognise as a single use of a CPT will generally result in a longer period of occupation than a normal accessible toilet.

Current good practice guidance – BS 8300

19. The good practice guidance within BS 8300 includes recommendations on the types of building within which a CPT should be considered. This list recognises the benefits of provision in buildings that are open to the public, have a managed environment

and will generally have consistent opening hours when the facility can be accessed. The list includes the following building types.

CP toilets should be provided in buildings and complexes such as:

- a. major transport termini or interchanges, e.g. large railway stations and airports;*
- b. motorway services;*
- c. sport and leisure facilities, including large hotels;*
- d. cultural centres, e.g. museums, concert halls and art galleries, and faith centres;*
- e. stadia and large auditoria;*
- f. large commercial retail premises and shopping centres;*
- g. key buildings within town centres, e.g. town halls, civic centres and main public libraries;*
- h. educational establishments;*
- i. health facilities, such as hospitals, health centres and community practices;*
- j. other visitor attractions, such as theme parks, monitored beaches and parks.*

(extract from BS 8300-2: 2018. Text is copyright BSI, 2019)

Analysis of responses: approach

20. Due to the large number of responses, analysis was carried out to group comments together into different key themes. The most common themes for each question are detailed in the following sections together with supporting commentary.

Question 1: main themes

“Do you support the proposal to introduce a requirement for Changing Places Toilets in certain buildings through building regulations?”

21. **887** of 1112 responses offered comment in response to this question.

Key Themes	Number of responses
Comments on the need for Changing Places facilities:	
Needed to address health, safety and dignity / Avoids changing on a toilet floor	320

Key Themes	Number of responses
This is a basic equality issue/ human rights issue / Lack of provision is discriminatory	308
Everyone should have access to these most basic needs / toilets should be accessible for everyone	281
These facilities are needed for an inclusive Scotland	151
Expanding provision prevents the social isolation that occurs where facilities are not available	145
There is undoubtedly a need / to increase available numbers	142
Example offered of positive personal experience of CPTs	91
Current disabled toilets are not always large enough for the disabled person, wheelchair or scooter and carer	56
This makes it much easier for people who need a clean, safe place to change in privacy	48
Children get bigger and outgrow baby changing facilities. They then need CPTs	8
People may not need them now but they may need them in the future	7
It's the right thing to do.	5
Sends a positive message regarding inclusion	3
May not be reasonably practicable to provide these facilities in a lot of existing buildings or smaller premises	2
Key Themes	Number of responses
Comments on delivery through building regulations:	
Regulation is needed to deliver these facilities	47
Building regulations should be more effective than addressing through the planning system	2

Question 1: summary of responses and comments

22. A proportion of respondent (20% / 225 responses) who agreed with the proposal did not offer any commentary.
23. Most respondents who offered comment focussed on why they considered the introduction of these facilities was needed. In commenting on the proposal to introduce provision via building regulations, the principle response was the view that regulation was needed to deliver these facilities at a rate beyond the current voluntary provision. Two respondents expressed the view that building regulations offered a more suitable vehicle for this than the Scottish Planning system.
24. Of the 1112 responses, all but three respondents agreed with the proposal that provision of Changing Places Toilets should be addressed through the building standards system. Of the 80% that also offered comment, the following issues were raised most frequently.
 - Needed to address health, safety and dignity / Avoids changing on a toilet floor
 - This is a basic equality issue/ human rights issue / Lack of provision is discriminatory
 - Everyone should have access to these most basic needs / toilets should be accessible for everyone
25. There were 145 responses which confirmed that without these facilities being available, people with complex care needs can face social isolation due to the concern that, once outside, they would not have access to suitable toilets.
26. Almost 100 respondents cited positive personal experiences relating to the availability of Changing Places Toilets and the difference this makes to everyday life.

Question 2: : main themes

Do you agree with the proposed circumstances, listed in draft clause 3.12.3 within the consultation document, where a Changing Places toilet should be provided on the construction, conversion or extension of a building?

27. Whilst just over 94% of respondents agreed with the proposed circumstances, a significant number of comments were also offered in response to the question.
28. **631** of 1112 respondents offered comment in response to this question. A further 114 of those respondents who answered 'Yes' to this question did not provide any additional comments. A summary of the main themes, presented by number of responses, is set out below.

Key Themes - not related to where CPTs are proposed	Number of responses
This is a basic equality issue	103
General support - Increases available facilities	80
Regulation needed to deliver	47
Toilet provision should be provided for all groups - male, female, gender neutral, accessible and changing places.	39
Prevents social isolation where facilities are not available	16
Disabled children and adults need a place to change or be changed in a safe way	15
Accessible toilets are not accessible to all	13
Needed for an inclusive Scotland	6
It will increase the number of available CPTs	5
Change seen as positive	3
Seems to be a reasonable and proportionate response to an existing, and likely growing need.	3

Key Themes - not related to where CPTs are proposed	Number of responses
Gives people the peace of mind knowing that their needs are being taken into account.	2

Key Themes - related to where CPTs are proposed	Number of responses
Focus on provision in new builds / Cost effective to include it at the build stage	31
Provide CPTs when providing other toilets in a building	29
Provide in public buildings	22
Provide where altering buildings	22
Provide where it is possible to do so	14
Size alone should not be the trigger, consider broader common sense rules / The floor area requirements are too rigid	10
It is logical and reasonable to phase this into planned building and development.	7
In any large new building	6
for retail unit, would support 'large supermarket'	5
Public buildings should be made to install these, even if they are not extending, etc.	5
Consider challenge of provision in rural areas	4
Encourage provision in smaller buildings such as community halls	4
Should be addressed the same way as other access issues / It should be provided just as baby changing is provided	4
Also need to consider access within the building, to the facility	3
Any requirements to provide shouldn't overburden smaller businesses	3

Key Themes - related to where CPTs are proposed	Number of responses
Where extending, more than just floor area should be considered.	3
Allowances should be made to have a toilet for all (which is a CPT) and another accessible toilet for everyone to use	2
An extension on a building to facilitate this is a must.	2
Provide more than one in some key buildings	2
Retrofit in leisure centres with swimming pools	2
Subsidise action by the building owner where there are no other local facilities	2
the 25% increase trigger seems generous to facilities who might try to avoid the provision	2
We need to look at changing needs and evolve solutions	2
Provisions do not go far enough	2

29. Additionally, single comments were received on a number of issues including: all public places should have a changing places toilet located within a reasonable distance; wording should reflect social rather than medical model of disability; consider exclusion if there are other facilities nearby; do not restrict guidelines to new build only; provide in every town and tourist attraction; existing premises may be too small to allow this; improvement should be funded by users; locate close to other toilets; provision may be challenging in urban situations; need to consider location of facility if related to part of the building use; do not apply to extensions as this discourages extension; not in every building but in a public hub available centrally; and comment offered on the detail of facilities provided within CPTs

Question 2: summary of responses and comments

30. Just over half of respondent (57% / 631 responses) offered further commentary on this issue.

31. Of the respondents that offered further comment on other situations where a CPT should be provided, responses focussed most commonly on the following topics.
- Agreement that a focus on new builds would make provision most cost effective to include it at the build stage.
 - A desire to see CPTs provided where providing other toilets in a building.
 - That CPTs should be provide in public buildings.
 - There should be a need to provide CPTs when altering buildings.
32. Other key themes included: consider provision where it is possible to do so; concerns that building size/area alone should not be the trigger and that broader common sense rules may be needed; provision in any large building; for retail, reference point should be 'large supermarket'; public buildings should make provision even if they are not undertaking other work; recognition of the challenge in delivering CPTs in rural areas; and encouraging provision in smaller buildings such as community halls

Question 3: : main themes

Are there any other situations where you consider building work should trigger a requirement to provide a Changing Places Toilet?

33. **546** of 1112 respondents offered comment in response to this question. 52 of those respondents who answered 'Yes' to this question did not provide any further comments. A summary of the main themes, presented by number of responses, is set out below.

Key Themes	Number of responses
Make provision where a building is being refurbished	97
Provide in all public buildings	65
Make provision at public/visitor attractions / public spaces & parks	55

Key Themes	Number of responses
Provide CPTs when providing other toilets in a building	42
Generally support proposals as recommended	39
Provide at travel hubs, airports / Ferries / cruise liners (ref to terminals)	37
Make provision everywhere possible	30
Provided in leisure facilities generally (not just swimming pool)	27
Include in new public buildings with toilets	27
All shopping centres, new or refurbished / broader provision in retail	23
Look at coverage / consider spatial provision / think holistically of where they are placed - use, access and location	17
If it can be incorporated in a building, it should always be considered	17
all buildings used by the public	16
All changes to public buildings / where public buildings are rationalised	16
Provide in healthcare buildings generally	14
All schools	14
Restaurants / premises with public bar/dining areas	13
When requested (employers) / offices & places of work	13
Trigger of changing use, where being sold or if moving to public use	10
Provide in community centres	10
Publicly funded buildings/renovations should require CPTs	10
When needed by a regular occupant/visitor	10
All new schools	10
Smaller assembly buildings	9

Key Themes	Number of responses
Colleges and Universities	8
Where there is an increased need in this area.	7
Reduce specified area or occupant limits to capture more buildings	6
Council authorities should be required to build more public facilities.	6
If unrestricted access to any building, provide correct hygiene facilities	6
Cultural venues / libraries	8
Large developments generally	5
Public toilets	5
Events / long temporary construction like the Christmas Markets	5
One per town would be proportionate / Provide on every high street	5
Where other accessibility improvements are being undertaken	4
Public access buildings with higher levels of visits by disabled persons	4
Residential homes / newly planned care facilities	4
A building getting repairs or changing hands in licence/ownership	3
All new buildings	3
Retrospective provision / existing buildings not undergoing change	3
Hotels	3
Retrospective installation should be encouraged	3
Stadia (covered by consultation proposals)	3
Consider as part of planning permission as well	3

Key Themes	Number of responses
Every town (population > 10,000) should have a public CPT attached to public toilets	2
Recognise a need for exceptions for historic /listed buildings	3
Extending where 'disabled' toilets in the original building - replace in preference of changing places toilet	2
Consider providing folding changing bench in larger existing toilets	3
Holiday parks	2
New housing / when updating social housing	2
Public buildings should have to provide them by a defined date	2

34. Additionally, single comments were received on a number of issues including: action here will help rest of UK; churches; would raise concern if list of buildings expanded further; consider conversion/adaptation of sporting facilities; if numerous accessible toilets, perhaps some could be combined to form a CPT; large car parks; make provision a condition of government funding; religious buildings; retail parks.

Question 3: summary of responses and comments

35. Just over half of respondent (56% / 621 responses) offered further commentary on this issue.
36. Of the respondents that offered further comment on other situations where a CPT should be provided, responses focussed upon two main areas.
- The additional trigger of building refurbishment was the single largest response in terms of number of comments.
 - The topic of provision as part of the public realm – buildings and other facilities - was the most recurring across more than ten

related themes, indicating a preference for provision of these facilities where practical.

37. Other key themes included: the provision of a CPT where other toilet facilities are provide; the benefit of locating facilities at major transport hubs or interchanges; expanding provision in the education and the retail sector and in assembly/recreation buildings such as leisure and community centres.

Question 4: main themes

“Please use this question to provide any other commentary or observations you have on the proposal to make provision for Changing Places Toilets through building regulations.”

38. **469** of 1112 responses offered comment in response to this question.

Key Themes - Commentary on the need for CPTs generally	Number of responses
These are needed for an inclusive Scotland / Enables disabled people to get out and enjoy Scotland	74
Needed to address health, safety and dignity / Avoids changing on a toilet floor	67
Access to toilets is a fundamental right / Everyone should be provided with adequate toilet/changing facilities	65
Regulation needed to deliver	40
A small change can make a huge difference to people's lives	31
Proposed action is long overdue / It is the right thing to do / Get it done	30
Positive reception, without specific additional commentary	21
Example provided of the benefit of CPTs	19
Adequate facilities should be a standard in any design plans	13

Key Themes - Commentary on the need for CPTs generally	Number of responses
Provide CPTs when providing other toilets	13
Need for financial incentives to help small premises deliver facilities and where not required by regulation	10
New public buildings with toilets should have a CPT	8
Benefit to other user groups not just PMLD / People may not need them now but they may in the future	6
Enhances peoples quality of life and may attract more people to a particular area	5
Saves cost if new buildings incorporate a CPT - better than retrofit	4
Game changer for families of people who need this facility / Very positive move for disabled people and will help so much	4
Requiring this in larger buildings will promote CPTs as the norm	3
Ensure there is provision in every town in Scotland	3
These should be an option, but not mandatory	4
Also make more mobile CPT facilities available	2
Everything, where possible, should be accessible to all	2
A current lack of facilities in all highlighted building types is noted	2
Local authorities have a responsibility here as well	2
Need to also continue to promote voluntary uptake of CPTs	2
Society should try to meet the needs of our most vulnerable citizens	2

39. Additionally, single comments were received on a number of issues including: public awareness programme when possible, at least once a year nationally; buildings should have a manual handling policy in case of an emergency; consider installation in the car park of

buildings used by the public that are smaller, particularly remote or frequently used; retrofit in hospitals, shopping centres, retail parks, sports facilities, and attractions; should consider a distance trigger; facilities should be privately funded; consider public use changing rooms in town centres funded by local businesses; commentary on other sources of advice and support.

Key Themes - Commentary on the provision or form of CPTs	Number of responses
There is a need to make the access to these facilities simple	18
CPT facilities need to be managed/maintained properly	15
Manage access to prevent vandalism/misuse. Use system like the RADAR key	8
Base the provision of facilities on the needs of users	6
A need broader review of sanitary provision and how we describe facilities / questions on current provision for accessible toilets	5
Provision should follow the building types listed in BS 8300	4
Facilities should be fit for purpose and not compromised	4
Keep facilities big enough to use hoist properly / space is essential	3
Mandate showers in all CPTs	2

40. Additionally, single comments were received on a number of issues including: facilities need a padded, profiling changing bed; provide a more detailed specification; should also include a 'Clos-o-mat' toilet as standard; make them dementia friendly - better signage and use of contrast; concern that CPT solution not suitable for everyone.

Question 4 – summary of comments

41. The majority of respondent (58% / 642 responses) did not offer any further commentary here.

42. Of the 42% of respondents that offered further comment, the issues which were raised most frequently related to the need for CPTs to

deliver an inclusive society, address the health, safety and dignity of people and the need for everyone to have access to adequate toilet facilities. This reflects the most common topics cited in response to question 1. There was also continued recognition of the benefits such facilities will offer.

43. To support delivery, there was recognition of the benefit of funding such work and of the general need to continue to encourage uptake beyond what is proposed in regulations. There were also a number of comments repeating views on the building types and stations which should offer CPTs, similar to those offered in response to questions 2 & 3.
44. A smaller number of comments offered suggestions on the provision or form of CPTs. The most common theme in responses focussed on the need to make access to facilities simple and convenient and on the importance of correct management to give assurance that toilets will be available and well-maintained.

Next Steps

45. This analysis will be expanded to provide a full Consultation Report and Scottish Government Response on the topic of the consultation.

Building Standards Division
Scottish Government
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