



Belfast City Council

CHANGING PLACES TOILETS DRAFT POLICY

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1. Introduction

This policy sets out Belfast City Council's approach and commitment to providing Changing Places Toilet facilities in public places within council facilities and across the council area.

Changing Places Toilets (CPTs) meet the needs of people with profound and multiple learning disabilities as well as people with other physical disabilities such as spinal injuries, muscular dystrophy and multiple sclerosis. These specialised toilet facilities make public places and spaces accessible and inclusive for everyone, including children, adults and older people with complex needs or mobility issues. Where they are not provided, people are changed on a toilet floor, which is dangerous, unhygienic and undignified. Without them, people may be excluded entirely from certain public spaces.

Installing Changing Places Toilet facilities is a practical step through which public bodies can demonstrate that they are taking positive action to promote equality of opportunity for disabled people, as outlined in the Disability Equality Duty.

The Council will strive to:

- provide as required a Changing Places facility in every new large building development¹ in which the public will have access to its services and where public toilet provision is available for others (in accordance with Building Regulations - Part R).
- make every effort to include Changing Places facilities when we extend or extensively refurbish an existing Council-owned building where it is reasonable to do so.
- review where such Changing Places facilities could be installed on the council estate e.g playgrounds, parks
- when organising a large public event, consider if it can take place at a venue that already has a Changing Places facility or include a mobile/portable facility, if a permanent Changing Places toilet is not available.
- require organisers of all large-scale public events (e.g. concerts, festivals) on council property to make reasonable adjustments to ensure that customers have access to either a fixed or portable Changing Places facility as part of the design of the event.
- When organising smaller public events, encourage small scale events organisers to undertake an accessibility audit and to provide a Changing Places facility where possible.

¹ Large buildings developments are defined in the Department of Finance Amendments to Technical Booklet R (June 2022) - Paragraph 6.14A <https://www.finance-ni.gov.uk/sites/default/files/publications/dfp/AMD%208%20final.pdf>

2. Background

Thousands of people with profound and multiple learning disabilities, as well other disabilities that severely limit mobility, cannot use standard accessible toilets.

People may be limited in their own mobility so need equipment to help them or may need support from one or two carers to either get on the toilet or to have their continence pad changed. Standard accessible toilets (or "disabled toilets") do not provide changing benches or hoists and most are too small to accommodate more than one person. Without Changing Places toilets, the person with disabilities is put at risk, and families are forced to risk their own health and safety by changing their loved one on a toilet floor. This is dangerous, unhygienic and undignified.

It is now accepted and expected that everyone has a right to live in the community, to move around within it and access all its facilities. Government policy promotes the idea of "community participation" and "active citizenship," but for some people with disabilities the lack of a fully accessible toilet is denying them this right. Providing these toilets in public places would make a dramatic difference to the lives of thousands of people who desperately need these facilities.

The Department of Finance recently updated the Building Regulations to make provisions requiring Changing Places toilets in certain buildings commonly used by the public. This new requirement for Changing Places Toilets is in addition to the current requirements for standard accessible toilets and will benefit around 7,000 people in Northern Ireland. The new statutory guidance came into effect on 30 June 2022 and applies to buildings constructed after this date.

Benefits for the Council and Others

There are a number of benefits that a Changing Places facility can bring both to the ourselves and the wider council area. These include:

- **Compliance** – we have a statutory duty under the Disability Discrimination Act to ensure all of our premises are accessible. The provision of Changing Places facilities helps us to meet this obligation.
- **Customer benefits** – Changing Places facilities provide people with disabilities with the ability to freely attend council properties, locations and events knowing that they can safely visit a clean, hygienic toilet at all times. It also provides family members and carers with the freedom to plan visits to such locations without worrying about when or for how long they can attend.
- **The Purple Pound** – the purple pound refers to the combined spending power of people with disabilities in the UK. At last estimate, it has a value of over £200 billion in the UK economy which can represent a huge amount of new custom for businesses or service providers that are accessible to disabled people.
- **Reputation** – Any business or service provider which installs Changing Places facilities will be clearly demonstrating that it cares for the disabled and their families. This improves their reputation and provides them with a unique selling point over and above their competitors.

3. What are Changing Places Toilets (CPTs)?

Changing Places Toilets (CPTs) meet the needs of people with profound and multiple learning disabilities, as well as people with other physical disabilities such as spinal injuries, muscular dystrophy and multiple sclerosis. However, the range of people who may need to use a CPT can also include for example people living with stroke, older people who require assistance, people who are unable to transfer independently or have no sitting balance, people who are doubly incontinent or who have total dependency on assistants.

These toilets provide specific equipment including a height adjustable adult-sized changing table, a tracking hoist system, adequate space for a disabled person and up to two carers, a peninsular WC with room either side and a safe and clean environment including tear off paper to cover the bench, a large waste bin and a non-slip floor.

These facilities enable people with complex care needs to take part in everyday activities such as travel, shopping, family days out or attending a sporting event.

An example of a Changing Places Toilet is shown below



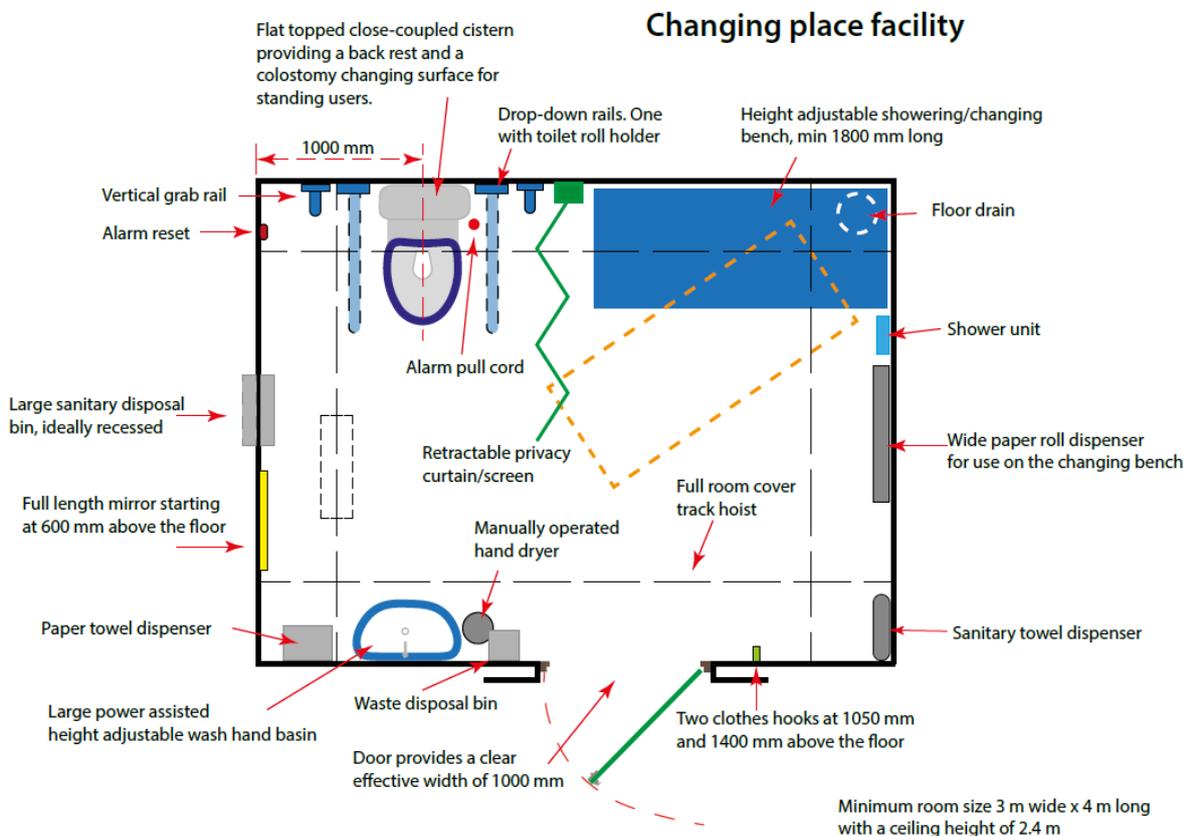
Image from Changing Places Consortium

A standard-sized CPT facility is a room with a floor area of 12m² (3m wide and 4m long, with a ceiling height of 2.4m). A room of 3m x 4m gives a rectangular space to allow users and carers to move between each piece of equipment in the toilet.

Changing Places Toilets have a range of features including:

- A tracking hoist covering the full room
- A height adjustable adult changing bench which is easily cleaned
- A peninsula WC with drop down support rails and 1m clearance each side
- A non-slip floor
- Optional adjustable shower
- Adjustable height sink
- Privacy curtain or screen
- Alarm pull cords and reset button
- Comfortable temperature for undressing
- Welcoming and interesting decoration with visual contrast to highlight equipment, door frames and door handles

It is important for a wheelchair user to be able to move in a wheelchair between each item and to have the space for up to two carers, to transfer or hoist the user from the wheelchair on to the fold down bench or from the wheelchair on to the peninsular toilet, or from the toilet to the adjustable changing bench. These movements between sink, bench and toilet will vary given the size of the adult or child and the size of their wheelchair. Hoists lift (and lower) the user and ease manual handling for the carers. BS 8300 Part 2 new Code of Practice sets out CPT layout and fixtures detail standards.



4. Belfast City Council's Approach

The Council already have a number of Changing Places Toilet (CPT) facilities within the council estate. We have Changing Places facilities in the following locations:

- Belfast City Hall
- Belfast Zoo
- Andersonstown Leisure Centre
- Olympia Leisure Centre
- Lisnasharragh Leisure Centre
- Brook Leisure Centre
- Girdwood Community Hub
- Waterfront Hall
- Templemore Baths

4.1 Provision of Changing Places Toilet facilities within the Council Estate

When reviewing the provision of any future Changing Places Toilet facilities within the Council estate we will consider the following factors in advance of any decision.

Existing Provision

The requirement for Changing Places Toilet facilities will be based on the existing level of provision as identified via a review of relevant buildings and locations on the council estate. It should be accepted that not all buildings or locations will require a Changing Places facility to be provided. We will also take into account the availability of Changing Places Toilets in non-council assets. Consideration must be given to the proximity of any other CPT facilities and whether an alternative facility is within walking distance.

The location of 'Changing Places' facilities across Belfast can be found at the following link www.changingplaces.uktoiletmap.org/

Cost / Investment Priority

The Council aspires to provide Changing Places Toilet facilities in public places within council facilities and across the council area. Whilst cost alone will not be the deciding factor in any decision, the cost of installing any specific Changing Places facility will clearly need to be carefully considered in conjunction with all of the other capital programme priorities identified by the council.

The cost of a specific facility may be greatly influenced by the location. For example, the costs for installing a CPT in a new building will differ from the cost to install a CPT in an existing building. Other cost considerations may include structural changes to an existing building, changes to entrance or exit points, maintenance costs and security costs.

Management and Maintenance

The management and maintenance of any such CPT facility will need to be carefully considered when examining any proposal. Following installation there will be ongoing costs associated with cleaning, checking and maintaining the equipment within the facility. Other ongoing costs include the removal of sanitary waste and the provision of sanitary products such as the wider tear off paper roll. Staff will also need to be trained on room set up, including how and when to put the hoist in the charging position, how to identify any problems within the facility and procedures to follow and who to contact should a fault or problem arise.

Staff should not need to be trained on the operation of the equipment. If a customer and their carer wish to use the facility but are unsure how to do so they should be advised not to use it at all.

New Builds

All new builds are required to comply with The Building Regulations 2012 which were amended in June 2022 to make provision for Changing Places Toilets and to introduce criteria for the provision of Changing Places Toilets in certain in-scope buildings, depending on their type and size in terms of footprint or capacity when larger buildings, commonly visited by the public, are newly built or where a building is formed by a material change of use.

This new requirement for Changing Places Toilets is in addition to the current requirements for standard accessible toilets. (See Appendix 1)

Existing Council Buildings

We will make every effort to include a CPT facility when we extend or extensively refurbish an existing council owned building where it is reasonable and practicable to do so.

There may be some other council buildings which do not meet the criteria above and which may be relatively smaller in size, but for which the provision of a Changing Places facility might be appropriate.

Wider Council Estate

The Council will carry out a review to determine where Changing Places facilities could be installed on the wider council estate, including in our parks and open spaces. This review will take a range of factors into consideration including affordability, location and other site-specific information.

4.2 Provision of Changing Places Toilet Facilities at Events

Events organised by Council

When organising public events, the council will consider if it can take place at a venue that already has a Changing Places facility or will make reasonable adjustments to ensure that customers have access to either a fixed or portable Changing Places facility as part of the design of the event.

Events organised by External Organisers

Any large scale outdoor event

Any outdoor event at which more than 5,000 people will be in attendance is deemed to be a “large scale” event. However, it will be at the discretion of the Council to determine whether an event is defined as “large scale” for the purposes of this policy (based on a range of factors including location and area covered, duration, attendees, impact on surrounding area or services, etc.).

It will be a condition of hire (whether the event requires an entertainments licence or otherwise) that event organisers must complete the Planning Checklist for Large Scale Events at Section E of the Council’s Inclusive Events Guide for review by the EDU team. As a further step we will consider the requirement to include an access audit within the Event Management Plan which is submitted in support of the event. It would then be for the organiser to justify why they would not be required to include a CPT as part of their site set-up.

An officer of the Council involved in management of the land for hire must ensure these steps are followed.

Small Scale Community Events

For small scale community events that are on council land we will request that the organisers complete the Small Scale Events Checklist at Section E of the Council’s Inclusive Events Guide.

Inclusive Events Guide

All event organisers must have regard to the Council’s Inclusive Events Guide, which has information on how event organisers can make events accessible to visitors. There is information on how organisers could make reasonable adjustments at events venues by considering time, space, adjustability and attitude.

A copy of the Inclusive Events Guide can be found at the following link

[Update current Sharepoint link to one which is accessible to public](#)

REFERENCES

Changing Places: the practical guide (The Changing Places Consortium)

<https://www.changing-places.org/>

[Link to PDF version here](#)

Changing Places: legal framework concerning provision of Changing Places public toilets

[Link to PDF version here](#)

Disability Discrimination Act 1995

<https://www.legislation.gov.uk/ukpga/1995/50/contents>

The Building Regulations (Northern Ireland) – AMD 8 – Amendments to Technical Booklet R

<https://www.finance-ni.gov.uk/sites/default/files/publications/dfp/AMD%208%20final.pdf>

British Standard 8300:2018 – Design of buildings and their approaches to meet the needs of disabled people

<https://www.thenbs.com/PublicationIndex/documents/details?Pub=BSI&DocID=320547>

Health and Safety at Work Act 1974

<https://www.legislation.gov.uk/ukpga/1974/37/contents>

Health and Safety at Work Order (Northern Ireland) 1978

<https://www.legislation.gov.uk/nisi/1978/1039>

The Purple Guide to the Health, Safety and Welfare at Outdoor Events

<https://www.thepurpleguide.co.uk>

Relevant legislation

British Standard (BS) 8300

British Standard 8300:2018 – Design of buildings and their approaches to meet the needs of disabled people, provides guidance on good practice for the design of new buildings and their approaches to meet the needs of people with disabilities. As a code of practice, this British Standard takes the form of guidance and recommendations.

The guidance in this standard covers a wide range of impairments and the use of the built environment by people with disabilities who may be residents, visitors, spectators, customers, employees, or participants in sports events, performances and conferences, and recommends that Changing Places toilets should be provided in larger buildings and complexes. It also provides guidance on the installation of Changing Places toilets.

The Building Regulations (Northern Ireland) 2012

The Building Regulations (NI) 2012 Technical Booklet R (Access to and use of buildings) makes provision for Changing Places Toilets. Recent amendments to the Building Regulations introduced criteria for the provision of Changing Places Toilets in certain in-scope buildings, depending on their type and size in terms of footprint or capacity when larger buildings, commonly visited by the public, are newly built or where a building is formed by a material change of use.

This new requirement for Changing Places Toilets is in addition to the current requirements for standard accessible toilets. The new statutory guidance effective from 30 June 2022 can be accessed at the following link.

<https://www.finance-ni.gov.uk/sites/default/files/publications/dfp/AMD%208%20final.pdf>

Northern Ireland Act 1998

Section 75 of the Northern Ireland Act As well as complying with anti-discrimination law, service providers who are public authorities are subject to Section 75 of the Northern Ireland Act 1998. This means that, in carrying out their work, public authorities must have due regard to the need to promote equality of opportunity for a range of groups including between persons with a disability and persons without.

Disability Discrimination Act 1995

Section 49A of the Disability Discrimination Act 1995 (as amended by the Disability Discrimination (NI) Order 2006) requires the Council, as a public body, to promote positive attitudes towards disabled people and to encourage participation by disabled people in public life when carrying out its functions.

Under the Disability Discrimination Act 1995 (DDA), service providers have a duty to make reasonable adjustments to enable disabled people to access their services. Reasonable adjustments may mean changing practices, policies or procedures if they make it impossible or

unreasonably difficult for disabled people to access a service. Failure to make a reasonable adjustment when one would have been appropriate may be held to be discrimination.

Provisions under Disability Discrimination Act: discrimination, and justification for less favourable treatment.

Discrimination occurs in the case of a provider if, “for a reason which relates to the disabled person’s disability, he treats him less favourably than he treats or would treat others to whom that reason does not or would not apply” (s.20). It is also discrimination if a s.21 duty to make reasonable adjustments (see below) is not complied with. However, in both cases, it is only discrimination if the provider cannot show that the less favourable treatment is justified. Less favourable treatment can be justified on a number of grounds. The Act states that less favourable treatment could be justified if the provider of services believes, and it is reasonable in all the circumstances for him/her to believe, that one of these grounds applies (s.20):

Health and Safety

One of the grounds capable of justifying less favourable treatment, and relevant to public Changing Places toilets, is that of health and safety. The Act states: “in any case, [where the less favourable treatment] is necessary in order not to endanger the health or safety of any person (which may include that of the disabled person)” (s.20). There are clearly very real health and safety issues around the use of hoists and changing benches in public toilets. However, if a provider were to put forward such an argument, it would have to show that its health and safety argument was based on proper and well-informed risk assessment.

Under s.2 of the **Health and Safety at Work Act 1974**, all employers have a duty to “ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees”. The Health and Safety at Work Order (Northern Ireland) 1978

The Management of Health and Safety at Work Regulations 1999 contain, amongst other things, an explicit obligation to carry out a risk assessment in relation to both employees (r.2) and non-employees (r.3).

Technical Booklet R – Access to and use of buildings: October 2012.

The changes to Technical Booklet R take effect from 30th June 2022. The previous editions will continue to apply to work started before 30th June 2022, or to work subject to a building notice or full plans applications submitted before that date

Changing Places Toilets should be provided in the following types of new buildings:

Assembly, entertainment and recreation buildings* with a capacity of 350 people or more; or a collection of smaller buildings associated with a site used for assembly, entertainment and recreation, such as theme parks, zoos and venues for sport and exhibitions, with a capacity of 2000 people or more;

- shopping centres/malls, or retail parks with a gross floor area of 30,000 m² or more;
- retail premises with a gross floor area of 2500 m² or more;
- leisure and sport buildings with a gross floor area of 5000 m² or more;
- hospitals and primary care centres;
- cemetery and crematorium buildings.

** Assembly, entertainment and recreation buildings can be defined as buildings such as amusement arcades; art galleries; cinemas; concert halls; conference centres; further education colleges; hotels that provide functions, leisure and sport facilities; libraries open to the public; motorway service areas; museums; places of worship; theatres; university buildings open to the public; or any other buildings or sites as defined by these thresholds, which are open to the public and used for the purposes of assembly, entertainment or recreation.*