

Toilet Provisions in Commercial Premises.

General

Every building must be designed and constructed in such a way that sanitary facilities are provided for all occupants of, and visitors to, the building in a form that allows convenience of use and that there is no threat to the health and safety of occupants or visitors. This includes disabled people.

Under equality law you have a duty to think in advance about what people with a range of impairments might need (including people with visual impairment, hearing impairment, mobility impairment, or learning disability). You are required to make reasonable adjustments to remove obstacles. This includes in the provision of toilets.

Sanitary accommodation should not be an afterthought in the planning of a building, as this can result in facilities that are small or in awkward locations, making them difficult to access and use. Common issues include screening of the facilities that results in small lobbies and the use of white finishes, sanitary facilities and fittings to suggest cleanliness, creating difficulty for a person with a visual impairment.

Whilst guidance is offered on a variety of building types, some may not be categorised easily. In such cases, designers will need to discuss specific provision with client and user groups and consider the guidance given under this standard to arrive at a practical solution.

How many toilets do I need for my staff?

The relevant legislation is the Workplace (Health, Safety and Welfare) Regulations 1992. Regulation 20, Sanitary conveniences.

<http://www.hse.gov.uk/contact/faqs/toilets.htm>

How many toilets do I need for customers?

For existing premises

Local Government (Miscellaneous Provisions) Act 1976.

Section 20 of the Local Government (Miscellaneous Provisions) Act 1976 empowers local authorities to require the provision of toilets at places of entertainment or other 'relevant places', and to maintain them. 'Relevant places' include places normally or occasionally used for any of the following purposes:

- places for holding any entertainment, exhibition or sporting event to which members of the public are admitted either as spectators or otherwise
- places where food or drink is sold to members of the public for consumption at the place.

The requirement can be for facilities can be made available to the public free of charge.

The council has adopted the following standard

Appendix 1

For new or refurbished premises.

For new or refurbished premises we expect premises to comply with the British Standard for customers.

British Standard 6465-1:2006 Sanitary Installations

The Building Regulations 2010: Access to and use of buildings, Approved Document M –

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/441786/BR_PDF_AD_M2_2015.pdf

<http://www.washroomcubicles.co.uk/how-many-toilets-do-you-need/>

Do I need to provide customer toilets if I am a takeaway?

We would not expect you to provide customer toilets if you are a takeaway, with no seating. However we would still expect you to provide staff toilets.

Do I need to provide accessible toilets for customers?

Under equality law you are under a positive and proactive duty to take reasonable steps to remove or prevent obstacles to disabled people accessing services. Many of the adjustments are not particularly expensive, and you are not required to do more than it is reasonable. What is reasonable for you to do depends, among other factors, on the size and type of your organisation and the goods, facilities or services you provide. Facilities for disabled customers must be provided in new or altered premises. You should also anticipate what barriers your current facilities create for disabled people and make all adjustments that are reasonable or practicable.

If a disabled person can show that there were barriers you should have identified and reasonable adjustments you could have made, they can bring a claim against you in court, and you may be ordered to pay them compensation as well as make the reasonable adjustments. As well as being something you are required by equality law to do, making reasonable adjustments will help a wider range of people use your services.

British Standard BS8300 is another good reference guide in designing facilities for people with disabilities.

Do I need to provide accessible toilets for my staff?

Equality Law, recognises that bringing about equality for disabled people may mean changing the way in which employment is structured, the removal of physical barriers and/or providing extra support for a disabled worker or job applicant.

This is the duty to make reasonable adjustments and making toilets accessible for staff must be considered.

If you are installing toilets we would expect them to be accessible.

Changing places scheme

Changing Places Toilet (CPT) – is a toilet with a changing facility that is suitable for use by people that have profound and multiple learning disabilities or other disabilities and for whom standard accessible toilets may not be fit for purpose. A CPT is provided where the building owner chooses to do so and their installation represents best practice.

To be registered on the Changing Places' national register all new CPTs need to meet the standards specified by the Changing Places Consortium (CPC). Meeting the consortium's standards will mean that registered facilities should meet the needs and expectations of the people who use them as well as their carers.

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

Do I need permission to install toilets?

You should consult the Planning and Building Control services of the City Council about the technical side of installing the sanitary accommodation. They will also advise you about any permissions you may need.

Small Businesses

Small businesses - in small premises, it is recognised that duplication of sanitary facilities may not always be reasonably practicable and that they might be shared between staff and customers. However where practicable, it is good practice for sanitary facilities for staff involved in the preparation or serving of food or drink to be reserved for their sole use, with a separate provision made for customers. Separate hand washing facilities for such staff should always be provided. At least one toilet should be accessible.