STATUTORY GUIDANCE FOR LOCAL AUTHORITIES: LOCAL TOILETS STRATEGIES

Consultation by the Welsh Government

Response from BMA Cymru Wales

3 April 2018

INTRODUCTION

BMA Cymru Wales is pleased to provide a response to the consultation by the Welsh Government on its proposed statutory guidance for Welsh local authorities on the provision of local toilets strategies.

The British Medical Association (BMA) is an independent professional association and trade union representing doctors and medical students from all branches of medicine all over the UK and supporting them to deliver the highest standards of patient care. We have a membership of approximately 160,000. BMA Cymru Wales represents over 7,100 members in Wales from every branch of the medical profession.

RESPONSE

BMA Cymru Wales welcomes the opportunity to comment on this draft guidance as we recognise the need for all members of the public to have sufficient opportunity access appropriate toilet facilities outside the home. We would note that these needs may be particularly acute for individuals who have specific medical conditions that impact on continence and urgency.

We believe that appropriate signposting of facilities for those with mobility impairment, and of changing facilities, will assist with improving access to such facilities. BMA Cymru Wales therefore welcomes both the planned mapping of these facilities, and the plans to make available the mapping data in an open access format which will assist in ensuring facilities can be easily identified by a range of up to date electronic and other resources.

In relation to the specific questions posed within the consultation document, we would respond as follows:

Cyfarwyddwr cenedlaethol (Cymru)/National director (Wales):
Rachel Podolak

Cofrestrydwy yn Gwmni Cyfyngedig trwy Warant. Rhif Cofrestredig: 8848 Lloegr
Swyddfa gorfrestredig: BMA House, Tavistock Square, Llundain, WC1H 9JP.
Rhestrwyd yn Undeb Llafur o dan Ddeddf Undebau Llafur a Chysylltiadau Llafur 1974.
Registered as a Company limited by Guarantee. Registered No. 8848 England.
Registered office: BMA House, Tavistock Square, London, WC1H 9JP.
Listed as a Trade Union under the Trade Union and Labour Relations Act 1974.
Question 1: Is the process for consulting, preparing, publishing and reviewing a local toilets strategy clear?

We would consider that the document is comprehensive and detailed, but yet is clear to read. It should therefore should be helpful to local authorities in guiding them in the development of their local toilets strategies.

We would suggest one addition for both consultation and reviewing toilet strategies and that is consideration of compliments, complaints and communications that have been received about the toilets.

Feedback from users is a key element which could and should be used to shape each strategy, both initially and at subsequent review points. We therefore suggest this is formally identified within the flowchart on page 9; as well as picked up in the relevant sections on ‘population need’ (pages 15-16), ‘involvement’ (page 22) and ‘assessment of need – what to consider’ (page 23); and again under ‘review process’ (pages 34-35). In this last instance we would suggest that a summary of the findings from communications, compliments and complaints, and of the responses to these, could inform the review.

Question 2: Is there enough guidance on longer term thinking to shift the focus towards finding sustainable solutions?

Predicting the future is always challenging, and appropriate responses to adapt to future challenges need to be flexible and use feedback to inform change. In our view, the strategic approach outlined in the plan has the potential to be flexible. We would also suggest that the ability to respond to feedback would be enhanced by an expectation to response to communications, compliments and complaints as we have outlined in our answer to the previous question.

Question 3: Is there enough guidance on integration to enable the mainstreaming of toilets for public use within wider local policies?

As drafted, we believe that the guidance makes detailed cross-reference to the relevant legislation, to other planning arrangements and to other stakeholders. It also makes the intended policy direction on access to public toilets clear. The guidance does include a number of very similar acronyms very close to each other on pages 18 and 19 (LWP, LDP and LTP) and we would suggest that it might be easier to read if these were instead defined in full within the text.

Question 4: Is there enough guidance on involvement to allow for the needs of the local and visiting population to be properly assessed?

The outlined approach to involvement has one omission in our view, and that is responding to recent communications compliments and complaints as we have raised in our response to previous questions.

From a user perspective we would note that this strategy is not just about access to toilets, but also about access to toilets which are safe and clean. Feedback may indicate whether facilities are accessible or not, but it may also indicate whether toilets currently provided are of very poor standard. Some of the feedback in the strategy was about poor toilet facilities in Wales, and this strategy guidance should do what it can to help in delivering improved standards. We therefore believe that indicating within guidance that communications, compliments and complaints should be considered and acted upon will assist with this.
Question 5: Is there enough guidance on collaboration to enable partnership working and encourage shared solutions?

The guidance as drafted provides examples of potential partners. One omission which we would observe from the list of organisations with facilities across Wales is that of universities and colleges. These bodies have facilities across Wales, and therefore are publicly-funded bodies that we believe could also be encouraged to make toilets publicly available.

Question 6: Is there enough guidance on prevention to focus local toilet strategies to prevent problems from occurring or getting worse?

BMA Cymru Wales welcomes the intent to prevent problems before they occur or worsen. We suggest that some consideration should be given to requiring strategies to identify facilities which are:

- key facilities (e.g. the only facility in a location); or
- facilities believed to be at risk of being lost (based on current intelligence);

and to consider how to maintain access at these sites.

Question 7: Are there any significant gaps in the current draft guidance?

Gaps in the guidance have already been identified within our answers to previous questions. We would therefore reiterate our suggestion that:

- there is a need to consider communications, compliments and complaints when drafting or reviewing a local strategy;
- consideration of universities and colleges as partners who could make toilets publicly available; and
- the identification of ‘key’ and ‘at-risk’ toilet provision, with plans to maintain access at these sites.

Question 8: Is the design of the National Toilet Logo fit for purpose?

The design and proposed size of the toilet logo appear to be sensible, in our view. Although we would also suggest that other organisations, such as the RNIB, may be better placed to comment on the readability of the proposed logo for those with vision impairment.

Question 9: We would like to know your views on the effects that the Statutory Guidance on Provision of Toilets in Wales: Local Toilets Strategy would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

BMA Cymru Wales does not identify any language impacts associated with this draft guidance.

Question 10: Please also explain how you believe the draft Statutory Guidance on Provision of Toilets in Wales: Local Toilets Strategy could be formulated or changed so as to have:

- positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and
• no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

We do not have any specific suggestions to offer in relation to how language impacts associated with this draft guidance could be enhanced.