

Jane Hutt AC/AM  
Y Dirprwy Weinidog a'r Prif Chwip  
Deputy Minister and Chief Whip



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref: JH-/05241/19

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8 May 2019

*Dear Janet,*

Thank you for your letter of 18 April requesting clarification and further information regarding the petition concerning making baby and toddler changing available in both male and female toilets (P-05-871).

To clarify the position regarding design standards, statutory guidance contained in Approved Document M: 'Access to and the use of buildings' of the Building Regulations identifies that where baby changing provision is intended, the only provision should not be located in wheelchair-accessible unisex toilets.

With regards to the local toilet strategies produced by local authorities, the Welsh Government does not intend to formally scrutinise the strategies. The local authority must publish its local toilet strategy by 31 May 2019. It was made clear during the passage of the Public Health (Wales) Act that accountability for the contents of the local toilets strategies lay with local authorities to their own populations. However, the Ministerial commitment to map the toilet facilities of all types identified by local authorities during the production of their strategies has been taken forward, and the data received has been scrutinised and is currently being finalised. Local authorities have been required to identify toilet facilities of all types, including baby changing facilities as part of this data collection exercise.

The Welsh Government has not had discussions with the private sector regarding provision of baby and toddler changing facilities as it would not be appropriate. However, we are aware that a number of local authorities have secured agreement with private businesses to include their toilet facilities within their local toilet strategies. They have also identified properties under their control for inclusion.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

It must be borne in mind that these first publications of the local toilets strategies are the starting point for further actions to be taken to meet the identified needs of each authority's population.

The provisions for local toilet strategies within the Public Health (Wales) Act 2017 Section 8 took account of the actions contained in Health and Social Care Committee's 2012 report, *Public health implications of inadequate public toilet facilities*. The requirements for consideration of wider use of existing facilities; the possibility of charging and community involvement were all included within the statutory guidance provided for local authorities for preparing and consulting on their local toilet strategies. The statutory guidance also identifies how local authorities may use the planning system as a mechanism to secure the provision of public toilets.

The statutory guidance makes it clear that baby changing facilities accessible to parents/carers of both sexes should be considered. The action identified in the 2012 report for developing an overarching Toilet Strategy for Wales was rejected during the passage of the Public Health (Wales) Act.

Best wishes,  
Jane

**Jane Hutt AC/AM**

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