

The Rt Hon Christopher Pincher MP
Minister of State for Housing
Ministry of Housing, Communities and Local Government (MHCLG)
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By email: pschristopherpincher@communities.gov.uk, toilets@communities.gov.uk

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Toilet provision for men and women: call for evidence

Dear Mr Pincher,

As the world's largest and most influential professional body for construction management and leadership, the Chartered Institute of Building (CIOB) welcomes this call for evidence on toilet provision for men and women.

Access to public hygiene facilities that are inclusive and fit for purpose is crucial. Public toilets must be considered to be as essential as any other public service, and appropriately enshrined in UK law.

Research by the Royal Society for Public Health (RSPH) finds that inadequate public toilet provision directly impedes wider public health efforts, including tackling obesity and encouraging physical activity and social and community engagement amongst our increasingly elderly population. It notes that public toilets disproportionately affect people with ill health or disability, the elderly, homeless and outdoor workers.¹

There is no question that adequate on-site toilet facilities should be provided to workers operating on construction sites. However, unfortunately, this is not always the case, and many workers are forced to use public toilets and washing facilities in the absence of appropriate alternatives. This is despite guidance by the Health and Safety Executive (HSE) which specifies that "use of public toilets and washing facilities should be a last resort and not used just because they are the cheaper option. This would not be acceptable where the provision of better facilities would be reasonably practicable."² It must be noted that the HSE provides simple guidelines on toilet provision for construction sites, however it is not compulsory. Therefore, sites which aim to meet legal requirements may not be providing an adequate number of toilets for their workforce if they choose to ignore guidelines.

Data from a survey of construction professionals, taken in October 2019, highlights the scale of the issue of toilet provision. The survey found that 71% of manual construction workers – those working predominantly or exclusively on-site – reported feeling stressed due to a lack of adequate toilet facilities.³

¹ Royal Society for Public Health (RSPH), [Taking the P***: The Decline of the Great British Public Toilet](#), May 2019

² Health and Safety Executive (HSE), [Welfare at work – Guidance for employers on welfare provisions](#), November 2007

³ Chartered Institute of Building (CIOB), [Understanding Mental Health in the Built Environment](#), May 2020

Additionally, a survey by Unite the Union in September 2017, found many sites did not have hot or cold water (22% and 14% respectively), and 17% of sites did not have separate women's toilets.⁴ When it comes to gender-based access, Unite found that women working in construction experienced serious welfare concerns around toilet, changing and shower facilities and concluded that there is a need for access to sanitary products in the workplace and separate, adequate provision of welfare facilities for women working and visiting the site. The diversity of the construction workforce has long been a key issue facing the sector, with much thought being given to how to attract women into construction careers. Addressing discrimination in toilet and welfare provision will be essential if we are to create a more inclusive and equal sector that can truly help the nation to build back better.

This call for evidence makes explicit reference to examining the efficacy of current building regulations in terms of public toilet provision. We recommend that the review is expanded in scope to include the provision of toilets for outdoor workers, particularly those operating on construction sites, to ensure that toilet provision and hygiene facilities are embodied within existing guidance and prevent further deliberate misinterpretation by rogue practitioners.

The Construction (Health Safety and Welfare) Regulations 1996 were revoked by the Construction (Design and Management) Regulations 2007 (CDM) and updated in 2015 to simplify legislation and improve clarity. Despite these attempts, the wording for welfare facility requirements in CDM regulations does not outline the minimum number of toilets required on-site, the breakdown of provision to account for gender and disability or the distance of toilets from workers. The absence of any statutory requirement for industry to adhere to these regulations is resulting in issues including, but not limited to, the number of toilet and washing facilities available, provision for toilets based on gender, frequency of cleaning and the availability of consumables (for example, toilet paper, paper towels, soap, etc.).

These challenges have only been further exacerbated by the impacts of the Covid-19 pandemic, which has highlighted the critical need for access to adequate toilet and hygiene facilities for the health and safety of workers and visitors on-site. We recognise that the industry must act decisively to address the current lack of toilet provision, however, experience has demonstrated that it is often heavily reliant on prescriptive guidance and legal obligation to enact change.

This review is an excellent opportunity to consider the alignment of industrial regulation with public toilet provision, to improve accessibility, diversity and workplace health and safety.

We are therefore calling on the Government to examine the broader regulations of toilet provision for those working outside in public spaces. We would be delighted to meet with officials from your department to provide further information and expertise on gaps in current regulation and the impact of any regulatory reform. Should this be of interest, please contact Daisy Rees-Evans, Policy Officer at the CIOB at drees-evans@ciob.org.uk.

Yours sincerely,



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⁴ IOSH Magazine, [Survey Reveals Poor Welfare Facilities on UK Construction Sites](#), January 2018