



Llywodraeth Cymru
Welsh Government

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Public Health (Wales) Act: Local Toilets Strategies

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Background to the Act (Green Paper)



- Longstanding commitment to:
‘consider whether or not public health legislation would provide significant benefits to health and wellbeing in Wales’
- Green Paper consultation about whether a Public Health Bill was needed - held Nov 2012–Feb 2013
- Calls for legislation to address specific public health issues

Background to the Act (Development of the proposal)

- Poor toilet provision regularly raised as an important public health issue by stakeholders and in reports produced by organisations such as Help the Aged and by the National Assembly for Wales' Health and Social Care Committee
- In November 2013 a discussion took place in plenary on the provision of public toilets. Minister for Local Government recognised the provision of public toilets should remain a priority and the Public Health Bill was a potential way of achieving this
- Minister for Health & Social Services asked officials to consider and develop an appropriate proposal for inclusion in the Public Health Bill White Paper

Background to the Act (White Paper)



- White Paper consultation held April–June 2014
- Outlined a series of practical and pioneering legislative proposals including: **Improving provision of and access to toilets for public use**
- A proposal to place a duty on each local authority to develop a strategy on the provision of and access to toilets for public use in their area
- Purposefully developed to cover a wider range of facilities potentially available to the public, rather than traditional ‘public toilet’ facilities alone

Background to the Act (White Paper responses)



- Responses from local authorities recognised the importance of public toilet facilities but the majority opposed the imposition of a duty, primarily due to the challenging financial climate
- Vast majority of other stakeholders (including Local Health Boards, community councils, representative organisations and members of the public) were in favour of the duty

Background to the Act

(Bill introduction and scrutiny)

- Public Health (Wales) Bill introduced June 2015
- Scrutiny by the National Assembly for Wales June 2015–March 2016
- Bill not passed – May 2016
- New Government manifesto commitment to re-introduce a Public Health Bill
- Bill re-introduced 7 November 2016, but without restrictions on the use of e-cigarettes in public spaces
- **Bill passed 16 May 2017**
- **Royal Assent 3 July 2017**

The Public Health (Wales) Bill proposes changes to the law in Wales to improve health and prevent avoidable health harms.



These include:

Restrictions on **smoking** in:

- » school grounds
- » hospital grounds
- » public playgrounds.



A national **register of retailers** of tobacco / nicotine products.

Prohibiting **handing over** tobacco / nicotine products to under-18s.

A licensing system for practitioners of **special procedures** in Wales:

- » acupuncture
- » body piercing
- » electrolysis
- » tattooing.



Prohibiting the **intimate piercing** of a person under the age of 16.

Requiring **health impact assessments** to be carried out for key decisions.



Maximising the public health role of community **pharmacies** to meet the needs of communities.



A duty on each local authority in Wales to publish a **local toilets strategy**.



What Local Toilets Strategies can do:

- Create a strategic and transparent approach
- Move away from the idea that only local authorities are responsible for toilet provision – **toilets available for public use**
- Encourage community involvement and involvement of private businesses and other organisations to help provide the solutions
- Encourage creative solutions to better meet the public's need for access to suitable toilet facilities

What Local Toilets Strategies cannot do:

- Provide a solution to every issue – accepts that supply may not always be able to meet demand
- Put a new, fully accessible toilet everywhere – expectations need to be managed
- Promise wide expenditure – it is about using existing resources creatively

Local Authorities' role

- Make an Assessment of Need of the local population, (including visitors), through consultation with the population
- Identify how those needs will be addressed
- State the actions that will be undertaken to address the needs identified
- Include these actions in their Local Toilets Strategy
- Publish their Local Toilets Strategy and make it available to the public
- Publicise the toilets named in the Strategy
- Regularly review actions in Strategy according to a mandatory timeframe

Welsh Government's role

- Write and publish statutory guidance for local authorities on Local Toilets Strategies – which must be followed
- Set out criteria for considering what to include in the Assessment of Need
- Set out criteria on who should be consulted
- Advisory role to local authorities on developing their strategies – but not 'policing' them

Welsh Government – additional actions

We have Ministerial commitments made in response to issues raised during the progress of the Act:

- developing a national toilet map for Wales using existing mapping tools utilised by the Welsh Government; and to make the dataset available to third parties who may wish to use it;
- accepting the principle of developing an app, but this should be done by third parties utilising the data made available by the Welsh Government;
- exploring options for a logo that could be displayed at all identified publicly accessible toilet facilities across Wales.

Welsh Government – additional actions

National Toilets Map



Working with Welsh Government mappers to develop a dataset showing opening times, facilities and other useful information

Local Authorities will map each toilet they identify to the agreed dataset and Welsh Government systems will upload it to the Lle map

Welsh Government – additional actions

National Toilets Logo



- Not a replacement for other signage
- Designed to be easy read
- Designed to be displayed by scheme participants to show that anyone can use their toilet for free without question

Timescales

- Welsh Government to issue statutory guidance for public consultation **Dec 2017**
- Welsh Government to issue final statutory guidance by **May 2018**
- Provisions of Part 8 of the Act come into force **May 2018** – clock starts for Local Authorities
- Local Authorities have a year to make their assessment of need and publish their Local Toilets Strategies – by **May 2019**
- Act provides for mandatory statement of progress two years after publication
- Act provides for mandatory review within a year of each local election – but local authorities can review their Strategies at any time

Diolch yn fawr
Thank you very much



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