

EQUALITY COMMISSION FOR NORTHERN IRELAND

Response to the consultation proposals by the Department of Finance on the Proposals for amendment of Technical Booklet Guidance to Part R (Access to and use of buildings) – Changing Places Toilets Provision¹

October 2021

- 1.1 The Equality Commission welcomes the opportunity to respond to the Department of Finance’s proposals.
- 1.2 The Equality Commission for Northern Ireland, together with the Northern Ireland Human Rights Commission, has been designated as the Independent Mechanism for Northern Ireland (IMNI), to promote, protect and monitor the implementation of the United Nations Convention on the Rights of Persons with Disabilities in the region. Together with the Equality and Human Rights Commission and the Scottish Human Rights Commission we form the United Kingdom Independent Mechanism.
- 1.3 Article 9² of the United Nations Convention on the Rights of Persons with Disabilities requires States Parties to take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas.
- 1.4 These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to, inter alia:

¹ [Part R CPT update 2021 Public Consultation Proposal C2 document \(finance-ni.gov.uk\)](#)

² [Article 9 – Accessibility | United Nations Enable](#)

a) Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;

b) Information, communications and other services, including electronic services and emergency services.

- 1.5 Article 19³ of the United Nations Convention on the Rights of Persons with Disabilities requires State Parties to recognize that persons with disabilities have the right to Live independently and being included in the community.
- 1.6 The Commission's understanding is that the Department of Finance (DoF) intends to implement amendments to local Building Regulations technical guidance that would ensure new/relevant large buildings commonly used by the public are fitted with Changing Places Toilet (CPT) facilities⁴ in a properly targeted and proportionate manner.
- 1.7 The Commission welcomes this proposal and would highlight the importance of introducing corresponding monitoring and assessment measures to ensure effective compliance with the proposed regulations.
- 1.8 Whilst welcoming the proposal to introduce a requirement into building regulations⁵ for the provision of CPT facilities, the Commission recommends that consideration should be given to making further amendments to Part R of the regulations to improve access for disabled people to housing and the built environment.
- 1.9 Article 19 (the right to live independently) of the UN Convention on the Rights of Persons with Disabilities⁶ makes clear that disabled people have the right to determine how to live their own lives, particularly with respect to personal decisions regarding their living arrangements, including with respect to personal care and support.
- 1.10 The Commission continues to **recommend access to adequate, sustainable and long-term independent living**

³ [Article 19 – Living independently and being included in the community | United Nations Enable](#)

⁴ Changing Places toilet (CPT) facilities meet the needs of people with profound and multiple learning disabilities as well as people with other physical disabilities such as spinal injuries, muscular dystrophy and multiple sclerosis.

⁵ [The Building Regulations \(Northern Ireland\) 2012 \(as amended\). Part R](#)

⁶ [UN Convention on the Rights of Persons with Disabilities](#)

provision for all people with disabilities for whom it is a viable housing option⁷.

- 1.11 While Part R of the Building Regulations - 'Access and Facilities for Disabled People'⁸ has applied to all new private sector builds since 2001, providing basic access standards in dwellings, the Building Regulations do not include the 'Lifetime Homes Standard' that were adopted for all social housing in 1998⁹.
- 1.12 We consider that more needs to be done to ensure that all new builds in private tenures comply with accessible standards, so as to better facilitate individuals to secure a home and remain in it. Over time, the universal application of accessible standards would significantly reduce the need for formal care services and costly home adaptations in the future¹⁰.
- 1.13 The Lifetime Homes Standard uses a set of 16 design criteria to build homes that are inclusive, accessible and adaptable. It is complemented by wheelchair standard housing *'the designs of which have been evolving to meet the needs of assisted wheelchair users and carers'*¹¹.
- 1.14 We note that the benefits of amending Part R to include the lifetime homes standards for privately owned housing could include¹²:
- savings on future adaptations, heating and costs associated with household accidents;
 - delaying moves into residential care;
 - reduced need for temporary residential care; and
 - savings in healthcare and re-housing costs.

⁷ Equality Commission for Northern Ireland (2019): [Housing and Communities Policy Recommendations](#)

⁸ [The Building Regulations \(Northern Ireland\) 2012 \(as amended\), Part R](#)

⁹ [Lifetime homes - Designing Buildings Wiki](#)

¹⁰ Wallace, A. (2015): [Housing and Communities Inequalities in Northern Ireland](#) at page 141

¹¹ NIHE (2013): [Interdepartmental Review of Housing Adaptation Services](#)

¹² Northern Ireland Housing Council (2010): [Why the private sector should build to Lifetime Homes standards: A business case by the NIHC](#) as quoted in ECNI (2012): [Response to DSD consultation on the Housing Strategy: Facing the Future](#)