

Specialist Estates Services Notification

23/14

11 December 2023

For action by:

Chief Executives, NHS Health Boards and Trusts
Estates/Facilities Directors and Managers, NHS Health Boards and Trusts

For information only:

Copy to: Head of Capital Estates and Facilities
Department of Health and Social Care, Welsh Government

Dear Colleague,

GUIDANCE ON THE PROVISION OF SANITARY BINS IN HEALTHCARE SETTINGS

Welsh Health Building Note 00-02: Sanitary Spaces provides evidence based best practice guidance on the design of bathrooms, shower rooms, changing areas and toilets in healthcare settings. The designs of these rooms include provision for waste/disposal bins as required.

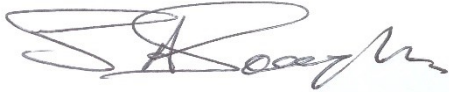
Welsh Government have requested the following policy guidance is issued regarding the provision of sanitary bins in healthcare premises for both female and male facilities:

- There is no direct legal requirement for sanitary bins in toilets but there are a number of areas of legislation and or related guidance where the lack of a suitable means of disposal for sanitary products could be legally challenged.
- The Health and Safety Executive has provided supporting guidance for the Workplace Health and Safety and Welfare Regulations 1992, which states there should be a suitable means for disposing of sanitary products in toilets. This means that employers (including the NHS) should be providing a suitable form of disposal for their workforce.
- Sanitary products are not suitable for flushing and so they would be captured by legislation concerning waste and how it is handled to avoid damage to the sewage system and the environment as a whole (Water Industry Act 1991). This applies to individuals, employers and providers of facilities (including the NHS). Provision of sanitary bins in toilets would be a reasonable way to ensure compliance.
- Failure to provide sanitary bins in toilets for public use could also expose employers, providers of services and public authorities (including the NHS) to claims of discrimination under the Equalities Act 2010.”

Accordingly, NHS organisations are reminded of the importance of reviewing their current provision of sanitary bins on their premises and undertake a review and risk assessment to ensure they have adequate provision in accordance with current Welsh Government policy as detailed above.

Any enquiries on the content of this letter should be addressed to Simon Russell, Deputy Director on 02920 904100 or email simon.russell@wales.nhs.uk

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Douglas', written in a cursive style.

Stuart Douglas BSc (Hons), PGDip, MRICS, MAPM
Director Specialist Estates Services

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