



A Simple Guide for Charity Trustees: Arranging and Signposting Toilet Facilities

September 2026

This guide is intended to help Area Meeting Trustees make practical decisions about toilet facilities in their buildings in light of current UK legislation, statutory guidance, and local circumstances. It does not replace fact-specific legal guidance or seek to cover every eventuality.

Key Documents

EHRC Code of Practice for services, public functions and associations: [Code of practice for services, public functions and associations | EHRC](#)

Quakers in Britain statement of policy: [Microsoft Word - August 2026 Statement-of-policy-on-provision-of-trans-inclusive-facilities-bym-2026](#)

Introduction

The vast majority of Quaker Area Meetings provide toilet facilities for members of the public, volunteers, worshippers, visitors, and building users. Recent developments in the interpretation of the Equality Act have prompted organisations to review how those facilities are arranged and signposted.

There is no single risk-free approach for every charity. Trustees should understand the legal context, consider the needs of their users, and make a reasoned decision that reflects the legal position, the existing context of their buildings, Quaker corporate discernment and their own discernment as Trustees.

1. Understanding the Legal Context

The EHRC's code of practice for services (linked above), is statutory guidance in this area.

As a starting point, trustees should be aware that:

- There is no general obligation to provide sex-segregated toilets for the public, and public-facing toilet facilities can be arranged in several lawful ways. The situation is different for workplace toilet provision. This guidance note covers only toilet facilities which are public-facing.
- Trans people are protected under the Equality Act 2010 from the point they begin transitioning; a Gender Recognition Certificate is not required for that protection.

- There is no practical or acceptable way for service providers to verify a person's birth sex without creating significant risks of harassment or discrimination.
- The EHRC Code of Practice applies primarily to service providers. Individuals are not committing an offence simply by using a toilet that does not align with their perceived gender.

Trustees should therefore focus on providing facilities that are safe, clearly explained, and workable in practice.

2. Reviewing Your Existing Facilities

The best approach depends largely on the facilities already available in your building.

Buildings with Fully Self-Contained Toilets

If your building already has individual toilet rooms with:

- a toilet,
- handwashing facilities,
- full-height walls and doors, and
- lockable privacy

These facilities present very little legal or operational risk. In most cases, no changes are required beyond ensuring clear signposting about what facilities are behind each door, and who you expect to use them – which might be everyone.

Buildings with Shared Toilet Areas

Where facilities consist of cubicles and shared handwashing areas, trustees should consider:

- how the facilities are currently designated;
- who uses the building;
- whether alternative facilities exist;
- the likelihood of complaints or concerns arising;
- the effect of any changes on trans, non-binary, disabled, and other users.

There is unlikely to be a single solution suitable for every meeting house, community building, or charity property.

3. Principles for Decision-Making

When considering options, trustees should be clear about the purpose of any change

Ask:

- What risk are we trying to address?
- Will the proposed change create new risks?
- Who may be disadvantaged by the change?

A change that reduces one concern may unintentionally create difficulties for another group of users.

Avoid, where possible, relying on accessible toilets as the default alternative

Accessible toilets should remain available primarily for people who need them because of disability or access requirements. Using them as the main alternative for other groups can reduce availability for disabled users.

Consider future building projects

Where significant refurbishment is planned, trustees may wish to consider incorporating additional self-contained, gender-neutral toilet facilities. These are generally the simplest and lowest-risk facilities to operate and explain.

4. Signage and Communication

Clear signage is one of the most effective ways of reducing confusion and complaints.

Good signage should:

- explain the nature of the facility;
- indicate who it is intended for;
- identify any self-contained alternatives nearby;
- avoid ambiguous language.

For example, a sign might explain that:

"These toilets are trans-inclusive. This area contains toilet cubicles and a shared handwashing area. Self-contained toilet facilities are available on another floor."

This allows users to make informed choices about which facilities they prefer to use.

Area Meeting Trustees should also ensure that staff, volunteers, and regular users understand the approach being taken and can explain it consistently if questions arise.

5. A Trustee Decision-Making Checklist

Before implementing any changes, trustees should:

- ✓ Review the facilities available in each property.
- ✓ Consider the needs of all users, including disabled, trans, non-binary, and other users.
- ✓ Assess both the risks of the current arrangement and the risks created by any proposed change.
- ✓ Seek appropriate advice and consultation within the organisation.
- ✓ Record the principles and reasoning behind the decision in trustee minutes.
- ✓ Consider recording a commitment to review arrangements if issues arise.
- ✓ Ensure signage is clear and consistent.
- ✓ Communicate any changes before implementation.

- ✓ Consider whether future refurbishment projects could include more fully self-contained toilet facilities.

Conclusion

The current legal position does not require Area Meetings to adopt a single model for public toilet provision. Trustees should take a thoughtful, evidence-based approach that balances legal compliance, inclusion, accessibility, practicality, and the needs of their building users. Clear signage, careful reasoning, and well-documented decision-making are likely to be the most important safeguards whatever approach is chosen.

Appendices: Decision matrices

Below is a summary table based on possible existing facilities in a meeting house. It focuses on the practical risks Trustees may wish to weigh when discerning an approach.

Scenario	Facility Arrangement	Main Benefits	Main Risks
Situation 1	Trans-inclusive women's toilets; trans-inclusive men's toilets; (Note that neither of these are a single sex space under the Equality Act 2010) Accessible toilets reserved for those who need them.	Aligns with Quakers in Britain's commitment to trans inclusion; accessible toilets remain available for disabled users.	Risk of challenge or complaint from some cisgender users who object to sharing facilities with trans people.
Situation 2	Trans-inclusive women's toilets; trans-inclusive men's toilets; (Note that neither of these are a single sex space under the Equality Act 2010) Permit use of the accessible toilet by people seeking a single-sex alternative when not required for accessibility purposes.	Reduces risk of complaints from people uncomfortable using trans-inclusive facilities; remains broadly consistent with Yearly Meeting discernment.	Reduces availability of accessible facilities for disabled users.
Situation 3	Convert women's and men's toilets into single-sex facilities; advise trans and non-binary users to use the accessible toilet when not needed for accessibility.	Reduces risk of challenges from those seeking single-sex spaces.	Requires trans and non-binary users effectively to "out" themselves (and associated risk of claims); Arguably not in keeping with existing Quaker discernment Reduces availability of accessible facilities; May create confusion or distress where trans men are expected to use women's facilities and trans women are expected to use male facilities;
Situation 4	All toilets are fully enclosed self-contained rooms with basins and full privacy.	Lowest-risk arrangement; high privacy; avoids questions about shared spaces.	Few identified risks; trustees should ensure clear signposting.

Situation 5: Total Desegregation (all-user facilities)	All toilets available to all users regardless of sex or gender.	Potentially straightforward to administer; avoids categorising users.	May be unpopular or uncomfortable for some users; could generate objections despite likely legality if clearly signposted.
Future Refurbishment Option	Create additional self-contained, single-room, any-gender facilities with washbasins and full-height lockable doors.	Described as the lowest-risk type of facility to invest in; maximises privacy and user choice.	Primarily cost, space, and feasibility considerations during renovation projects. (The presentation identifies no significant equality-related risks.)

Cross-cutting risks identified:

Regardless of the options chosen, trustees should consider:

Risk Category	Description
Legal challenge	Different facility arrangements may give rise to discrimination complaints from different groups of users.
Accessibility impact	Using accessible toilets as an alternative provision can reduce availability for disabled people.
Inclusion impact	Some arrangements may require trans or non-binary people to identify themselves in ways not required of other users.
User experience	Confusion, distress, or disagreement may arise if signage and expectations are unclear.
Reputational impact	Decisions may attract criticism from different perspectives regardless of the approach adopted. There are very few risk-free options.
Operational impact	Staff and volunteers need clear guidance and communication to explain the chosen approach consistently.