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ASSESSMENT 2

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LECTURER: Dale Clarke



STUDENT: Vasvie Redzheb

Student number: 1909618

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Introduction

Global tourism and hospitality industry grows steadily each year.



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In figures the total turnover of all businesses in the hospitality industry in 2015 is 86bn, in 2016 is 92bn and in 2018 reached 98bn and expected to grow up to 100bn this year. This means that, although the industry looks saturated, there is still need for more hotels or B&B all over the world. But opening a new hotel is not that easy so far. Some studies have shown that hotels are the most innovative segment of the tourism industry that (Jacob et al, 2003; Sundbo et al, 2007; Pikkematt and Weiermar, 2007; Pikkemaat, 2008); most often introduce technological innovations (Orfila-Sintes et al, 2005) and that innovations have positive effect on hotel image, profitability and customer satisfaction (Jacob et al, 2003). But catching up the modern times is not enough to start or lead a hospitality environment.

I been tasked to outline and analyze the legal legislation risks that not only the managers, but also the employees must consider and follow, before start working in hospitality industry. Briefly, those legislation risks are: data protection nowadays, health and safety in work place and its importance, risk assessment, Hotel Proprietors Act and its purpose and employment legislation and who is protected under it.

DATA Protection



Data protection is very important nowadays. In today's modern world where technologies lead the life data protection is a must. But what is data? Data is personal information or facts gathered in order to be used for some research, reference or analysis. Our data is everywhere- in our ID, in social media, debit cards, address. Because it's so spread it needs to be protected. Here comes the Data Protection Act (DPA) which controls how our personal information is collected, how is used or going to be used and also how is stored. This is United Kingdom act of the Parliament which is connected with EU Data Protection Directive in 1995 and last is updated in 2018 of General Data Protection Regulation (GDPR). In most cases the conditions are the same for the individuals but in some cases our data is collected and stored even without our concern and will. After the GDPR collecting information from customers should involve working with third parties or subcontractors, especially in business or in our case in Hospitality Industry. For example when I worked as an administrator in insurance company where I obviously needed personal or sensitive information as date of birth or debit details- first before asking for them I needed to make sure that the customers are aware of GDPR law, also information will be protected, stored securely and is not going to be shared or used for something else. There is no particular time or period how long this data can be stored but GDPR principles agreed that this information needs to be kept until and only it's necessary and then should be removed from the system of the company.

Health and Safety



Work place is an environment where employees spend time during the working process. So being safe and staying healthy is very important and also it is responsibility of both sides- employees and employers. For employees by following certain rules and for employers by making sure that there are health and safety rules to follow. Every work place (hotel) needs to have an agreed plan for emergencies. This is so called Emergency and Disaster Response Plan. It should be regularly updated and all the staff must be trained and know how to respond in case of emergency. Some of these are: bomb and terrorism threats, earthquake, flood, robbery, fire and etc. Also safety and exit signs should be allocated over the places in order to warn people and help to avoid danger. Every business type have different working environment but no matter of that the law is the same and it aims to raise awareness of workers not only the rights when they are working but also their responsibilities too.

And from the employers point of view is again a rule, making sure that they provide all the necessary equipment, conditions so their workers can be safe and healthy during the whole laboring process. For example some of those rules are proper training regarding the risks and hazards in the workplace. This training is also called COSHH (Control of Substance Hazardous to Health). It must be done before starting the job in departments where employees has direct contact with chemicals, dust or infection hazards. In hotel industry they are housekeeping, food and beverage. I always was going through COSHH training before starting a new job. It gave me proper and clear information about the cleaning products and how to use them without causing damage neither myself nor other around me. Other training is about manual handling-include how to lift, carry or lower heavy objects in order to keep our physical health.

Food hygiene



Food is clearly one of the most important things that help all creatures and plants to live. But keeping it clean and safe enough is even more important. Food hygiene is a state and act which is a must in order to ensure the safety of it from its growth, harvest, storage, transportation and consumption. According to World Health Organization (WHO)

“ Lack of adequate food hygiene can lead the foodbourne

disease and death of consumer”



Risk Assessment

Risk assessment is about taking necessary measures to control the risks in the working environment. This risks assessments show what should be done when staring new business and hiring employees, to avoid hazards and be aware of them too. It depends on the type of the business too. First of all health and safety risks plan needs to be done. This plan also should include what in your business might cause harm to people, how can prevent that damage. This is so called risk assessment. And once all the risks are identified the business need to decide how to control, avoid them and also what measures should be taken in order to protect the employees.

Hotel Proprietors act

A Proprietors act is a law established in 1956. According to this act the hotel is kind of establishment which is operated by individuals or so called proprietor who is serving food and also offering sleeping accommodation if is requested without signing any contract between the guest (traveller, person) who request the service and the proprietor (owner) who regardless provide the service receiving the specific amount for it.

In this act also is mentioned that the proprietor, in some circumstances can be responsible also along with his staff or as it said in the act itself “be under the like liability if any ...” for causing damage to guest’s properties or belongings. This means that the owner also is responsible for his employee’s actions, and also the service he provide through them or together with them.

But together with that is clearly underline that this not include properties left outside the accommodation such as a vehicles. Basically the hotel Proprietors act is a regulator between the accommodation and service provider (the proprietor) rights and the responsibilities and also the rights and responsibilities of the guests or consumers. Always should have adequate measures in order to achieve balance for both sides – service providers and consumers.

Employment legislation



Employment legislation is a regulator between the rights and responsibilities of workers in order to achieve better and clear relationship with their employers. This is the connection point where both sides negotiate and accept each other and start working together.

Employment legislation or law covers many areas and touch many points which help to protect the worker himself and also the organization that he mend to work for. These areas are spread through the contract they sign, where are included working hours, payments, employment status (part-time, full-time, permanent), holidays, and so on. And once it's signed that means that the worker is "legalized" in this organization. Employment law also includes both side responsibilities during laboring process. The legislation also covers anti-discrimination law- no discrimination according sex, age, disability, re-locating, data protection and etc.

Some people think that this law is not very important and they prefer to work without being "legalized" – thinking this will help them to save more money however this law is aimed to protect, support both sides. For example if the employee is sick or pregnant- this contract can protect her position and rights until and after maternity leave.

Conclusion

The knowledge of laws and their governance is very important in hospitality industry. All employees and managers supposed to know enough about the different laws and rules to avoid breaking them. Failing to follow those conditions can result fines, negative publicity and can be catastrophic for company's reputation. So keeping customers safe, looking after its staff, fair marketing are the only way that leads to success.

I would like to say that, even though the law looks like a barrier between the employees and employers requirements, those regulations are the only way that keeps both side rights and demands satisfied.

(Barth,2009)"...act prudently and use reasonable care...".

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