

Effective Management

BMGM4000

Week 7: Legislation and Regulation

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Aims & Objective

Aim: Understanding the regulation and legislation in an organization

Objectives:

- Understanding regulation and legislation in an organization and restaurant
- Understanding the role of different stakeholders in regulation and legislation
- Understanding how its affect health and safety

Regulation & Legislation

Legislation and Regulations

- Industry and sector-specific codes of practice, ethical issues and standards
- Consumer Protection
- Sale of Goods
- Health and Safety
- Data protection
- Equal opportunities

Regulation

- Modify the employees' behaviour



Why Regulation is important?

Recap SOP

Somehow, it is the bottom line for staff conduct

Fussy Customer



LiveLeak



Starbuck Promise

The Starbucks promise is that each drink should be **perfect every time**. If they fail, then Starbucks fails, and you're completely within your Starbucks rights to ask for a new coffee.



Our mission:
To inspire and nurture the human spirit – one person, one cup and one neighborhood at a time.

Tips Culture

- Asking for Tips
- Service Charge





Do you know you can refuse to pay service charge?

According to UK law, service charges added by the restaurant are entirely optional.

Customer **can request to remove** the service charge from the bill.

Examples in Sharing Service Charge/ Tips

- 50% Kitchen 50% Service
 - 30% Kitchen 70% Service
 - 0% Kitchen 100% Service
-
- Fair share to every employee, including dishwasher
 - Fair share to every employee, excluding dishwasher
 - Share according to the position, manager has higher %
 - Share according to the position, front line service has higher %

Tips Policy

- Not allowed
- You can take it and keep it.
- You cannot keep it and share to team.
- Part-time worker cannot keep it and get share
- Part-time worker can keep it but no share from the pool

- Share according to the position, manager has higher %
- Share according to the position, front line service has higher %
- The manager take all the tips
- No one get the share

What will be your tips/ service charge policy?

Legislation

- Food Business Registration
- Food premises approval
- Premises Licence (England and Wales)
- Personal Licence to Sell Alcohol (England and Wales)
- Alcohol License
- Insurance
- PRS,PPL for Music license
- Food Hygiene Certificate

Food Business Registration

- If you sell, cook, store, handle, prepare or distribute food for the public, you may be considered a food business and will need to register with your local authority.
- This includes food businesses trading:
 - from physical customer-facing premises
 - from home
 - from a mobile unit or temporary premises
 - online (for example via social media or a website) or through distance selling (distance selling means any selling that happens without face-to-face contact with the consumer).

(Food Standards Agency, 2023)

Food Premises Approval

- You need a licence for handling meat, fish, egg or dairy products unless you sell these direct to the public
 - You do not need to be approved if you sell direct to the public or retailers like caterers, pubs and restaurants, as long as:
 - food is less than 25% of your trade
 - you do not handle any wild game meat products
 - you do not sell food outside the county your business is registered in
 - You must still follow the rules for controlling the temperature and storage of any food you transport.

(Gov.uk, 2023)

Premises Licence (England and Wales)

- You'll need a premises licence if you want to sell alcohol or offer entertainment from a particular venue
- Licensable activities include:
 - selling alcohol
 - serving hot food and drinks between 11pm and 5am

and,

(Gov.uk, 2023)

- You'll also need a licence if you provide the following types of entertainment:
- theatrical performance
- showing a film
- indoor sporting event
- boxing or wrestling (indoor or outdoor)
- live music
- recorded music
- dance
- facilities for making music
- dancing facilities
- You still need a licence even if the activities are for charity.

(Gov.uk, 2023)

Personal Licence to Sell Alcohol (England and Wales)

- You need a licence to sell alcohol from a licensed premises
- You must be 18 years old or older and hold a licensing qualification – for example the Award for Personal License Holders (APLH) Lv2.
- You are not required to have a personal licence to be employed in a pub or other business that sells alcohol. Premises licensed to sell alcohol must have a designated premises supervisor,. Anyone who does not hold a personal licence must be authorised to sell alcohol by a personal licence holder.

(Gov.uk, 2023)

Designated Premises Supervisor

A designated premises supervisor (DPS) is the person who has day-to-day responsibility for the running of the business.

All businesses and organisations selling or supplying alcohol, except members clubs and certain community premises **must have a designated premises supervisor.**

Whoever holds this role must be named in the operating schedule, which you will need to complete as part of the application process, when you apply for a premises licence.

(Home Office, 2023)

The Alcohol Wholesaler Registration Scheme (AWRS)

- If you buy alcohol to sell on, you must check that the wholesaler or producer you buy it from is approved.
- **You can be fined or go to prison if you buy alcohol from a wholesaler who is not approved.**
- You do not need to check if you're an individual buying alcohol for a one-off event, such as a party once a year. You still need to get a licence to sell alcohol, known as a **Temporary Events Notice**.

Club Premises Certificates

- Members' clubs can operate under club premises certificates instead of premises licences. This means, for example, that they are **not required to have a designated premises supervisor**, and sales of alcohol **do not need to be authorised by a personal licence holder**.

Qualifying clubs

- To be classified as a club for the purpose of this certificate, a group must meet several conditions. And,

These include:

- legitimacy - each applicant must be a real club with **at least 25 members**
- a membership process that takes at least two days between application and acceptance
- alcohol must not be supplied on the premises other than by the club
- alcohol must be purchased by a committee made up of members all of whom are at least 18 years old
- alcohol for the club must be purchased legally

Insurance

Employers' Liability Insurance

You must get Employers' Liability (EL) insurance as soon as you become an employer - your policy must cover you for at least £5 million and come from an authorised insurer.

EL insurance will help you pay compensation if an employee is injured or becomes ill because of the work they do for you.

You may not need if employ family member or someone who is based abroad.

(Gov.uk, 2023)

Optional Insurance

Public liability insurance

Public liability insurance (PL) is one of the most popular policies for small businesses, as it covers you for claims made against you by members of the public

Contents and portable equipment insurance

Contents cover is designed to keep the show on the road whatever happens, by protecting all your physical bits and bobs in the case of theft, fire, flooding, loss or damage.

(Rose, 2019)

Temporary Events Notice (England and Wales)

Events licenses are required if your restaurant serves alcohol **only on special occasions** or events and **not regularly**.

Licensable activity includes:

- selling alcohol
- serving alcohol to members of a private club
- providing entertainment, such as music, dancing or indoor sporting events
- serving hot food or drink between 11pm and 5am

The process of applying is formally known as ‘serving’ a Temporary Event Notice.

You’ll also need a TEN if a particular licensable activity is not included in the terms of your existing licence, for example holding a wedding reception at a community centre.

(Gov.uk, 2023)

Music Licence

Under The Copyright, ***Designs and Patents Act 1988***, permission is needed from the relevant copyright holders – those people who create music – in order to play or perform music in public.

Obtaining TheMusicLicence gives you this permission, in relation to the vast majority of commercially available music. This ranges from grassroots and independent artists and composers through to the biggest names in the business.

(PPL PRS, 2023)



TheMusicLicence



themusiclicence.co.uk

#restoretherhythm

Food Hygiene Certificate

- Employers are responsible for staff hygiene training. It can be either a formal programme or informal training, such as on the job training or self-study.
- There is **no legal requirement** to attend a formal training or get a **qualification**

(Gov.uk, 2023)

Health & Safety Regulation

- **Operation Procedure**
- **Fire Marshal Training**
- **Food safety management system**
- Metal Health
- Harassment & Discrimination



Conclusion

- Regulation and Policy
- Tips & Service Charge
- Legislation
- Health & Safety

Next Week...

- Debating
- Assessment Criteria

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Q&A Session

- You can work on your essay and ask questions now.



