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Summary

The legal risk and responsibilities of hotel and hospitality industry in general were the major focus of this report. Legal legislatives, liabilities, risks such as data protection risk, food hygiene, health and safety risk were examine. The hotel proprietor Act 1956 and requirements for proprietor licensing were also considered.

Legal and Legislative in the Hospitality

Nowadays, hospitality is more than just a word. There is a whole industry surviving on the business of hospitality. The industry has many legislations and regulations enforced, for the safety of its consumers or customers, incorporated into many acts. These acts are created to make their customers feel welcomed, comfortable, relaxed, and these also help the customers to create unforgettable memories. Hospitality is about smiles, trust, caring, and providing the best service to the customers. Hospitality has also been a part of almost every religion, and now it is a part of modern society.

The hospitality industry deals with people, whether residents or immigrants into a country. And as such, optimum customer satisfaction is the key to survival for businesses in the industry; if the business will last long and make the desired profit, the customers must be given fair treatment. However, in discharging such hospitable duties, there are laws and regulations which must be followed, failure to comply may lead to severe punishment from the authorities. Some countries provided rules and regulations which oblige a hotel to provide food and drinks to all the customers who take refuge or shelter in the hotel, however, in some other countries, the customer must demand these extra services.

The government, in an attempt to ensure the safety of tourists, employees, and employers in the hospitality industry formulate legal law and regulations, which is often referred to as Hospitality Act. It fits for the sectors within the country to comply with these laws once established. Violation of such attracts penalty (is) from the government. The penalty varies from country to state and depending on the gravity of the section of the law violated. The penalty for breaching the law ranges from criminal and civil actions against you (including fines) and even imprisonment for more serious breaches.

Staffs and workers in this industry operate under given laws and requirement. These laws affect both customers and workers in the industry. For instance, hoteliers are booking customers in their hotels; they must ensure compliance with Credit card Order Act of 1990 and the Data Protection Act of 1998.

Specifically, any surcharges that credit card companies asked hotelier for payments made by credit card must be identified on the guest's bill. Also, once a customer gives the credit card details to the hoteliers, the hoteliers must ensure the safety of such information. Personal data of the customer should not be made available to the general public

Legal, legislative risks are the policies, laws, codes, regulations formulated by the business body or government that poses a threat to the business owner or limit the activities of the industry.

Liability Risk

Like any business, hospitality industries must be aware of liability, if not curtailed, it becomes a threat to the sustenance of the business. Nonetheless, just a few hotels in the industry take cognizance of this risks and takes a precautionary measure. It's a binding obligation on both the junior and senior employees of the hospitality to be wary of such risk so as not to be caught unawares and becomes a liability. Some of these ignored potential liabilities might warrant a legal lawsuit been filed against the hospitality when they occurred. The under-listed are the types of liability risk combating the hospitality industry in United Kingdom.

Data Protection Risk

In any sector of the economy, information security is cardinal to the efficiency of operation. This is also valid for the hospitality industry as well due to the sort of data customers are required off when using the services of the tourist industry. Resorts, motels, Hotels, Casinos all often depend on one form of data or another collected from their customers, such as their phone numbers, names, credit card details, addresses, etc. From the perspective of cybercriminals, hospitality appears to offer an ideal target vector for conducting crimes such as identity theft and credit card fraud due to the existence of multiple databases and devices containing both Payment Card Information (PCI) and Personally Identifiable Information (PII).

Health and Safety Risks

In the hospitality industry, there are the usual suspects in terms of workplace hazards and risks that are generic to the business. These hazards are found in most hospitality venues, including hotels, tourist centers, etc. This must be addressed to ensure a reduction in the risk of injury to employees in particular, and patrons and guests with public liability issues in mind. A hotel operating in today's regulatory climate just has to accept that identifying and controlling health and safety risks is an average cost of doing business. The hospitality company is required to

reduce the risk of exposure of customers and employees to these common workplace hazards. There is generally a cost involved when violated, but prevention by practicable and reasonable means is better than the cure. Stipulated strategies include:

- Clean up spills as soon as is possible (signpost if the floor is wet).
- Install proper lighting, especially on stairs or pedestrian areas that are uneven so that people can see ahead clearly.
- Use the least hazardous chemicals for the job.
- Do not store chemicals in food and drink containers and make sure they are correctly labeled.

Specific Regulations

- A severe problem demands a drastic solution. Similarly, particular units in the hospitality industry demand specific health and safety policy, some of this policy, as suggested by Ross (2016) include:
- Poor housekeeping practices where pedestrian thoroughfares are clogged with debris and jetsam are the standard back of the house – find somewhere else to store it.
- Ensure all staff wear enclosed, non-slip footwear for the task.
- If practical for your venue, slip-resistant high-grade vinyl laid behind the bar is a recommended solution.

Risks

Best practice for risk management involve identification, assessment, and prioritization of risks throughout a life cycle of the industry (bibloteka.com). The industry is liable to clients or third parties if the incurred damage emanated from the negligence of the management or the company.

Food hygiene

Food and drink sector of the hospitality industry must make sure that their food processing and packaging comply with the Health and Safety Act 1974. Entrepreneurs and institutions that provide accommodation services, such as hotels, hospitals, senior centers, dormitories, jails and barracks, should develop their knowledge and skills about food safety Purnomo (2006, p.1). Consumer feed backs are among the possible methods to develop knowledge and skills of the enterprises regarding food safety.

According to hotelschool.co the following tips can be adopted as basic food hygiene:

- Start with personal hygiene. Wash your hands before and after you prepare food as well as before you eat food and after you have visited the toilet.
- Don't cross-contaminate your chopping boards or utensils. Keep items separate and wash with an anti-bacterial soap after use in hot water. Dry properly before storing.

Risk Management

Risk management entails understanding the concepts and scope of managing risks that may occur during the process of operating in the hospitality industry, proactively. Risk management involves strategies such as Acceptance, Avoidance, Reduction, Transfer, and Sharing.

Data Protection Risks management

With the use of technology incorporated into the hospitality, lots of chances of a data breach occurring. The industry may, at times, be overwhelmed by the amount of record keeping in the hospitality industry. Such records could become quite valuable resources if there's a need to prove adherence to any of the numerous hospitality laws (Thompson, 2018).

Hotel Proprietors Act 1956

Under the Hotel Proprietors' Act 1956, a hotel proprietor may in certain circumstances be liable to make functional any loss of or damage to a guest's property even though it was not due to any fault of the proprietor or staff of the hotel. This liability, however:

- Extends only to the property of guests who have engaged sleeping accommodation at the hotel
- Is limited to £50 for any one article and a total of £100 in the case of any one guest, except in the case of property which has been deposited, or offered for the deposit, for safe custody

License Requirements

For a business to obtain license to practice in the hospitality industry, they must

- Obtaining PRS for Music license from the relevant copyright owners
- Acquiring alcohol/liquor license
- Obtaining a building permit

- Obtaining a planning permission to use the building as a restaurant. Often, you will need planning permission to change from one use class to another if the building was not previously a restaurant.

Conclusion

To successfully run a business in the hospitality industry, laws, regulations and policies formulated to guide the business transactions in the industry must be identified and strictly obeyed.

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