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“THE LEGISLATIVE RISK”

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BUSINESS SKILLS

LECTURE: DALE CLARKE

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Introduction

The assignment requests a report on the legislative risk within the hospitality industry and how those risks need to be handled by management and employees of the different companies.

As the humanity evolves our companies must adapt, new trends and new technology are taking place, so our management teams have new responsibility and new laws to follow.

Few topics will be highlighted in the report:

- Liability and risk management
- Data protection
- Health and safety
- Food hygiene
- Licensing
- Hotel proprietors

In this industry I learnt that it is not enough to have a huge experience on the field but needs to be added a deep knowledge about the environment and a mix of both can make you a perfect candidate as a management role.

However the hospitality industry is one of the most complicated and admired industry and on this purpose Brotherton attributes the definition of hospitality as either a product, a process, an experience, or all three (Brotherton 1999). He describes hospitality as a “contemporaneous human exchange, which is voluntarily entered into, and designed to enhance the mutual wellbeing of the parties concerned through the provision of accommodation and food or drink”. (Brotherton 1999)

Liability and risk management

Hotels are facing a wide amount of threat and damages they need to safeguard from, in particular as they deal with an influx of both leisure and business tourism.

Management role is not just a leadership position of control, it is a position of responsibility in name of the hotel and the company from the smallest of a daily issue to a finance strategy.

I summarized few topics which I personally think a well-trained management team needs to be aware of.

- Data privacy: I will highlight this topic several times in my report being a fundamental of our new generation, with the developing of new technology the security provided from the hotel is now brought at another level of data protection.
- Customer: our biggest resource and biggest weakness, we rely all our effort in to the satisfaction of their needs, following new trends. Our final purpose is their happiness, but along the way customers can create damage to the company itself as for other customers.
- Staff: “Hospitality is almost impossible to teach. It’s all about hiring the right people.” (Meyer D. 2019) the intensity of hospitality job it is a clear fact, but teamwork is the base of a winning company, a management team has the responsibility to train and deliver the creed to every employee. If well executed this will reflect on a good service to the customer.
- Brand: as a management team and employees are the display of the companies and therefore, they are integral part of the market. The most valuable assets for big companies is the brand, define it in this way from the American Marketing Association “name, term, sign, symbol or design, or a combination of them intended to identify the goods and services of

one seller or group of sellers and to differentiate them from those of other sellers". (AMA, 1960)

Health and safety

Every hotel must collect a documentation relative employees and guest safety, plans and check lists.

It is also responsibility of the hotel to perform training, usually in the beginning of the employment or in the first few weeks of work, related to every health and safety hot topic.

Every department will need to be cover by a plan for emergency. A simple action plan it could be applied at the situation:

- Try to identify all the possible hazards.
- Consider which members of the staff could be damaged.
- Appraise the risk and take the precautions you need.
- Gather information present and past to improve the plan of action.
- Make regular maintenance and review of your plan.

If the company in consideration is small, we will probably able to develop a plan without any help as most of the hazard point are clearly easy to find, but in case of a bigger hotel an external expert of health and safety will carry out the duty.

Food hygiene

Hazard Analysis and Critical Control Point, Food safety is one of the most sensitive procedures and it should be grounded on HACCP principles.

In the same way I highlighted on health and safety, we need to proceed with action plan to identify the hazard point and develop a procedure to protect guest and employees.

It is significant to have food safety management procedures relative at our type of company.

A hazard is something that is dangerous. A food hazard is something that could make food unsafe or unfit to eat. It is important to identify those stages when hazards could be present so they can be removed or reduced.

There are three main types of food safety hazards:

- Microbiological: harmful bacteria
- Chemical: chemical contamination
- Physical: external objects getting into food

(Hazard Analysis and Critical Control Point, 2019)

Food hygiene is a wide amount of procedure that list would be difficult, also because the smallest is important as much as the others, so we must follow them to safeguard the hotel, colleagues and customers.

Licensing

Hospitality is a big industry includes several different offers, services and activities, which most of them require a specific license, some of very small relevant as can be a license to place furniture on the pavement just in case our company wants to adapt a terrace on the outside of the hotel on public pavement, but other are fundamental of many hospitality structure.

Given a medium to large hotel, just few examples of the most important:

- Licences to play background music (All UK)
- Notification to process personal data
- Public space surveillance (CCTV) licence
- Premises licence (England and Wales)
- Temporary Events Notice (England and Wales)
- Approval of premises for civil marriage and civil partnership (England and Wales)
- Massage and special treatments, therapist registration (England & Wales)
- Live music licence (All UK)
- Permission to place tables and chairs on the pavement
- Pavement or street display licence (England and Wales)
- A licence for putting advertising signs on the road or pavement.
- TV Licence (the same for homes and businesses).
- Massage and special treatments premises licence (England & Wales)
- Personal licence to sell alcohol (England and Wales)

As we can see some of them are fundamental, which without we wouldn't be able to open any kind of activity in this sector.

Hotel proprietors

The act 1956 hotel proprietors has been announced to replace previous legislation and to limit the obligation of hotels for loss or damage to the property belonging to customers, this legislation certainly help the company to limit any litigation with customers, but it is highly recommended a further insurance to avoid any given space to a possible claim that would cost a important loss for the hotel.

Data protection

Today it is no longer believable that a company can survive without data protection and security. Almost all important company data is saved and exchanged electronically. Employees and customers must be able to access the data at any time and in any place. The demands on IT security of each company therefore increase exponentially.

Customers, as well as collaborators, now assume that sensitive data is processed correctly. When the data is lost or ends up in the wrong hands, the resulting image damage can be very serious. For this reason, a Data Protection strategy designed specifically for the company is crucial to its success. Data Protection means all those technological measures able to increase data security for its IT applications and systems. Both inside and outside the hotel.

Few words need to be spent also on a new regulation approved in May of the last year, the General Data Protection Regulation (GDPR) is a community regulation that controls how companies and other organizations handle personal data. This is the most significant initiative in the field of data protection in the last 20 years, with significant implications for any organization in the world that is addressed to subjects of the European Union, the legislation establishes strict requirements regarding data management procedures, transparency, documentation and user consent.

Regarding at the imminent Brexit, the British government plans to implement equivalent legislation that will broadly follow the GDPR.

Conclusion

Summarising the report, I would see this gather of law, legislation and procedures as an investment for the company. An investment that requires effort, training and is expensive, but it gives the opportunity for outstanding and growth. According to the author, it makes really clear how important it is to train our staff for a better future of our company "If possible all employees should develop and drive entrepreneurial activities to overcome changes in the business environment. When implementing entrepreneurial activities a holistic view and cooperation is necessary" (Kanter, 1983) and he carries on with another interesting reflection "Organisations should cultivate innovators, who as team members adopt a key role in the ability of organisations to survive in a globally competitive world. The innovators enable operational efficiency and ongoing innovation and should be supported by the company culture and structure". (Kanter, 1989)

References

American Marketing Association 1960, Marketing Definitions: A Glossary of Marketing Terms, Chicago, American Marketing Association.

Brotherton B. 1999 Towards a definitive view of the nature of hospitality and hospitality managementInt, J Contemp Hospit Manag

Kanter, R.M., 1983. The Change Masters: Innovation for productivity in the american corporation. Simon and Schuster: New York.

Kanter, R.M., 1989. When Gíants Learn to dance: Mastering the Challenges of strategy, Management and careers in the 1990s. Simon and Schuster: New York.

Hazard Analysis and Critical Control Point (HACCP) 2019, available at <https://www.food.gov.uk/business-guidance/hazard-analysis-and-critical-control-point-haccp> [accessed 16/08/2019]

Meyer D. 2019, brany quote, available at https://www.brainyquote.com/quotes/danny_meyer_704161 [accessed 17/08/2019]