



Higher National Unit Specification

General information

Unit title: Legislative Requirements for Hospitality (SCQF level 7)

Unit code: J381 34

Superclass: EC

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Source: Scottish Qualifications Authority

Version: 01

Unit purpose

This unit is designed to develop learners' knowledge and understanding of the legislative requirements that hospitality businesses must comply with and the consequences of non-compliance.

Learners will investigate the how applicable legislation is enforced, including the role of enforcement officers, and the procedures that hospitality businesses implement to ensure compliance with legislative requirements.

This unit is suitable for learners who have achieved qualifications in Hospitality at SCQF level 5/6 and/or those with experience of working in the hospitality industry.

On completion of this unit, learners could progress to other units in Hospitality at SCQF levels 7/8 and/or seek employment in the hospitality industry.

Outcomes

On successful completion of the unit the learner will be able to:

- 1 Identify the key areas of legislation that hospitality businesses must comply with and outline the principles of each.
- 2 Explain how legislative requirements are enforced and identify the consequences of non-compliance.
- 3 Describe how hospitality businesses can ensure compliance with legislative requirements.

Higher National Unit Specification: General information (cont)

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Credit points and level

1 Higher National Unit credit at SCQF level 7: (8 SCQF credit points at SCQF level 7)

Recommended entry to the unit

Entry to this unit is at the discretion of the centre, however, learners would benefit from having achieved qualifications in Hospitality at SCQF level 5/6 and/or gained relevant experience of working in the hospitality industry.

Core Skills

Opportunities to develop aspects of Core Skills are highlighted in the support notes for this unit specification.

There is no automatic certification of Core Skills or Core Skill components in this unit.

Context for delivery

If this unit is delivered as part of a group award, it is recommended that it should be taught and assessed within the subject area of the group award to which it contributes.

The Assessment Support Pack (ASP) for this unit provides assessment and marking guidelines that exemplify the national standard for achievement. It is a valid, reliable and practicable assessment. Centres wishing to develop their own assessments should refer to the ASP to ensure a comparable standard. A list of existing ASPs is available to download from SQA's website (<http://www.sqa.org.uk/sqa/46233.2769.html>).

Equality and inclusion

This unit specification has been designed to ensure that there are no unnecessary barriers to learning or assessment. The individual needs of learners should be taken into account when planning learning experiences, selecting assessment methods or considering alternative evidence.

Further advice can be found on our website www.sqa.org.uk/assessmentarrangements.

Higher National Unit Specification: Statement of standards

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Acceptable performance in this unit will be the satisfactory achievement of the standards set out in this part of the unit specification. All sections of the statement of standards are mandatory and cannot be altered without reference to SQA.

Where evidence for outcomes is assessed on a sample basis, the whole of the content listed in the knowledge and/or skills section must be taught and available for assessment. Learners should not know in advance the items on which they will be assessed and different items should be sampled on each assessment occasion.

Outcome 1

Identify the key areas of legislation that hospitality businesses must comply with and outline the principles of each.

Knowledge and/or skills

- ◆ Current applicable legislation
- ◆ Principles of applicable legislation

Outcome 2

Explain how legislative requirements are enforced and identify the consequences for non-compliance.

Knowledge and/or skills

- ◆ The role of enforcement officers
- ◆ Employer responsibilities
- ◆ Employee responsibilities
- ◆ The consequences of non-compliance

Outcome 3

Describe how hospitality businesses can ensure compliance with legislative requirements.

Knowledge and/or skills

- ◆ Training
- ◆ Standard operating procedures
- ◆ Monitoring procedures
- ◆ Control procedures
- ◆ Recording and reporting procedures

Higher National Unit Specification: Statement of standards (cont)

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Evidence requirements for this unit

Learners will need to provide evidence to demonstrate their knowledge and/or skills across all outcomes. Written/oral evidence is required for all outcomes in this unit.

For Outcome 1, learners are required to identify the key areas of legislation that hospitality businesses must comply with and outline the principles of each. Evidence should include the following:

- ◆ Alcohol licencing
- ◆ Weights and measures
- ◆ Health and safety (excluding food hygiene)
- ◆ Fire safety
- ◆ Consumer protection
- ◆ Employment legislation (specifically working time regulations)
- ◆ Data protection
- ◆ Music licences

For Outcomes 2, learners are required to:

- ◆ Describe the role and powers of enforcement officers in relation to legislative requirements in hospitality
- ◆ Identify the responsibilities of hospitality employers and employees in relation to legislative requirements
- ◆ Identify three consequences of non-compliance with legislative requirements

For Outcomes 3, learners are required to:

- ◆ Identify at least four legislative requirements that a given hospitality business must comply with
- ◆ Describe procedures that the business can implement to ensure compliance with the legislative requirements. Should include:
 - Compliance training
 - Creation of standard operating procedures
 - Monitoring procedures
 - Control procedures
 - Recording and reporting procedures



Higher National Unit Support Notes

Unit title: Legislative Requirements for Hospitality (SCQF level 7)

Unit support notes are offered as guidance and are not mandatory.

While the exact time allocated to this unit is at the discretion of the centre, the notional design length is 40 hours.

Guidance on the content and context for this unit

The purpose of this unit is to develop learners' knowledge and understanding of the key areas of legislation that hospitality businesses must comply with and the consequences of non-compliance. It aims to provide an insight into how the key areas of legislation are implemented, monitored and recorded by different hospitality operators.

When introducing the unit, the following could be discussed:

- ◆ Types of hospitality premises, including the activities they are licensed for
- ◆ Current applicable legislation
- ◆ The purpose of legislation
- ◆ The need for legislation

The principles of the following legislation/regulations* should be investigated:

- ◆ Licensing (Scotland) Act 2005, Alcohol etc. (Scotland) Act 2010, Air Weapons and Licensing (Scotland) Act 2015
- ◆ Weights and Measures Act 1985
- ◆ Health at Work etc Act 1974
- ◆ Fire Safety (Scotland) Regulations 2006
- ◆ Trade Descriptions Act 1968, Consumer Rights Act 2015
- ◆ Employment legislation (specifically Working Time Regulations)
- ◆ General Data Protection Regulations 2018 (GDPR)
- ◆ TheMusicLicence (PPL PRS Ltd — *Phonographic Performance Ltd (PPL) Performing Rights Society (PRS) for Music*)

The role of enforcement officers could include:

- ◆ Providing advice and guidance
- ◆ Issuing notices
- ◆ Reporting non-compliance

* *Correct at time of publication — lecturers/teachers should ensure up-to-date/subsequent legislation is referred to.*

Higher National Unit Support Notes (cont)

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Employer responsibilities could include

- ◆ Ensuring all staff are trained and aware of their responsibilities
- ◆ Duty of care for employees:
 - Creating an appropriate working environment
 - Providing personal protective equipment (PPE)
- ◆ Managing and preparing for inspection by enforcement officers
- ◆ Cooperating with enforcement officers

Employee responsibilities could include:

- ◆ Cooperate with their employer
- ◆ Take reasonable care of the health and safety of themselves and others
- ◆ Do not misuse equipment

The impact of non-compliance could include:

- ◆ Fines
- ◆ Prosecution
- ◆ Loss of reputation
- ◆ Loss of business
- ◆ Closure of business

Throughout the unit, the duties and responsibilities of managers, supervisors and staff should be emphasised. Good practices adopted by industry in response to market demands and changes in legislation should be highlighted.

It should be noted that legislation is updated and amended regularly and these changes should be reflected in the delivery of this unit.

Guidance on approaches to delivery of this unit

Delivery of this unit should cover the following key areas of legislation*:

- ◆ Alcohol licencing
- ◆ Weights and measures
- ◆ Health and safety (excluding food hygiene)
- ◆ Fire safety
- ◆ Consumer protection
- ◆ Employment legislation (specifically working time regulations)
- ◆ Data protection
- ◆ Music licences

Higher National Unit Support Notes (cont)

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This list is not exhaustive and other relevant legislation* could be considered where appropriate. Other legislation that may be explored could include:

- ◆ Equality Act 2010/equalities regulations
- ◆ Employers' Liability (Compulsory Insurance) Act
- ◆ Occupiers Liability Act
- ◆ Waste regulations
- ◆ Television licensing

* *Correct at time of publication – lecturers/teachers should ensure up-to-date/subsequent legislation is referred to.*

Emphasis should be placed on the range of different hospitality businesses, with investigations focussing on how the legislation is implemented in each business.

For each key area of legislation, the responsibilities of the company, owner, manager, supervisor and staff members should be highlighted. The enforcement officers for each legislative area and the powers at their disposal should be identified. Sanctions and consequences of non-compliance should also be discussed.

Different situations can be developed into scenarios that learners can work through and discuss the responsibilities and actions required in each scenario.

Guest speakers should be encouraged to supplement knowledge and align theory with practical application. Suggestions for guest speakers include:

- ◆ Licencing Standards Officer
- ◆ Fire Authority Officers
- ◆ Environmental Health Officers
- ◆ Trading Standards Officers
- ◆ Health and Safety Executive representatives

Visits to hospitality establishments would enhance learners' experience and supplement the knowledge and learning. Industry visits are encouraged to enable learners to investigate practical application of legislation, for example; alcohol licencing and health and safety. Learners could be encouraged to carry out a risk assessment on a given hospitality business to assess and consider which legal requirements apply; how they are implemented and controlled. If industry visits are undertaken, risk assessments could be completed following the visits.

Guidance on approaches to assessment of this unit

Evidence can be generated using different types of assessment. The following are suggestions only. There may be other methods that would be more suitable to learners.

Centres are reminded that prior verification of centre-devised assessments would help to ensure that the national standard is being met. Where learners experience a range of assessment methods, this helps them to develop different skills that should be transferable to work or further and higher education.

Higher National Unit Support Notes (cont)

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Outcome 1 could be assessed using short answer questions sampling the knowledge of the key areas of legislation that hospitality businesses must comply with, completed under closed-book conditions.

Outcome 2 could be assessed using a report or presentation detailing:

- ◆ the role and powers of the different enforcement officers in ensuring that businesses comply with the key legislative areas
- ◆ the responsibilities of hospitality employers and employees in relation to legislative requirements
- ◆ the consequences of non-compliance with legislative requirements

Outcome 3 could be assessed using a report or presentation based on a case study of a hospitality business with learners being required to:

- ◆ Identify the legislative requirements that the business must comply with
- ◆ Describe procedures that the business can implement to ensure compliance with the legislative requirements. Should include:
 - Compliance training
 - Creation of standard operating procedures
 - Monitoring procedures
 - Control procedures
 - Recording and reporting procedures

Assessment of Outcomes 2 and 3 could be carried out in open-book, supervised conditions.

Opportunities for e-assessment

E-assessment may be appropriate for some assessments in this unit. By e-assessment we mean assessment which is supported by Information and Communication Technology (ICT), such as e-testing or the use of e-portfolios or social software. Centres which wish to use e-assessment must ensure that the national standard is applied to all learner evidence and that conditions of assessment as specified in the evidence requirements are met, regardless of the mode of gathering evidence. The most up-to-date guidance on the use of e-assessment to support SQA's qualifications is available at www.sqa.org.uk/e-assessment.

Opportunities for developing Core and other essential skills

Problem Solving: Critical Thinking at SCQF level 6

For all outcomes in this unit, learners will be demonstrating the Core Skill component of Critical Thinking at SCQF level 6 when they:

- ◆ they identify and outline the principles of key areas of legislation that apply to hospitality businesses
- ◆ describe the role and powers of enforcement officers and identify the responsibilities of employers/employees in relation to legislative requirements in hospitality
- ◆ identify the consequences of non-compliance with legislative requirements
- ◆ describe procedures that businesses can implement to monitor and control compliance with the legislative requirements

History of changes to unit

Version	Description of change	Date

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General information for learners

Unit title: Legislative Requirements for Hospitality (SCQF level 7)

This section will help you decide whether this is the unit for you by explaining what the unit is about, what you should know or be able to do before you start, what you will need to do during the unit and opportunities for further learning and employment.

This unit is designed to develop your knowledge and understanding of the legislative requirements that hospitality businesses must comply with and the consequences of non-compliance.

You will investigate the how applicable legislation is enforced, including the role of enforcement officers, and the procedures that hospitality businesses can implement to monitor and control compliance with the legislative requirements

Assessment of this unit will test your knowledge and understanding of the key areas of legislation that hospitality businesses must comply with and the application of your knowledge to a given situation.

It would be useful if you have achieved qualifications in hospitality at SCQF level 5/6 and/or have experience of working in the hospitality industry before undertaking this unit.

Completion of this unit will also enable you to develop the Core Skills component of Critical Thinking at SCQF level 6.

On completion of this unit, you could progress to other units in Hospitality at SCQF levels 7/8 and/or seek employment in the hospitality industry.