

UNIT 8 LEGISLATION AND ETHICS IN TRAVEL AND TOURISM SECTOR

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Introduction

Tourism legislation and law are enforced mainly in the hospitality sectors in order to enhance factors related to security as well as safety of all the passengers and the service users. Rights and equity contract are signed in between the travel sectors and their service users in order to reduce the chance of *breach of contract*. Through this assignment, all the facts and elements related to the regulatory and legislation framework are demonstrated. *Blake Morgan, UK* is the best consulting firm which has been selected for task 1. In task 2, *Topdeck, UK* is the company whose support has been taken in order to accentuate all the principles that are required to be followed related to the security, health and safety of the passengers. On other hand, *The Latin America Travel Company, UK* is the travel agency that has been selected for task 3 and at last *Thomas Cook, UK* has been selected to complete the entire task 4.

Task 1 (LO1, AC1.1, 1.2, M1, M2, M3, D1, D2, D3)

LO1 Understand the legal and regulatory framework in the travel and tourism sector

1.1 – Explain the legal and regulatory framework of the travel and tourism sector with reference to England and Wales

SRA (Strategic Rail Authority): The main objective and aim of SRA are accentuated in the *Transport Act 2000*. Blake Morgan, UK is the travel law consultant firm that follows all the objectives of SRA with respect to improve the transport facilities for the passengers (Blakemorgan.co.uk, 2019). The main focus of this authority is to enhance the service facility for the travellers so that they get the utmost satisfaction while travelling from one place to another.

HSE (Health and Safety Executive): It has been always observed that every business unit indulge in travel and tourism appoints executives who keeps checking all the issues related to health and safety in an organization (Sinelnikov *et al.*, 2015). Executive looks overall situations including defective tools, potential hazards and other broken equipments in order to reduce the chance of any kinds of accidents and thus confirming the travelling much safer.

HSC (Health and Safety Commission): The HSC focuses to improve factors related security and safety of the staffs and employees who are hired to work in travelling sector (Kim *et al.*, 2015). In the Act of 1974, it has been observed that several appropriate measures are taken into consideration to improve the security and hospitality environment for the passengers as well as the staffs.

Maritime Authorities: This is an authority that offers *Seafarer* certificate in order to advice the travelling sectors in order to follow specific protocol and commercial fining for hydrograph programme (Patroumpas *et al.*, 2015). The role and responsibility of the authority is to update the travelling sectors about mitigates and marine ecosystem changes.

ABTA (Association of British Travel Agents): All the crucial tourism procedures in Wales, Scotland and Britain are regulated and maintained by ABTA (Smith *et al.*, 2017). This agency is majorly responsible for the provision related to insurance booking with the departure facilities.

IATA (International Air Transport Association): This association is established in order to promote corporation in between the world's scheduled of airlines that will ensure safe, reliable and secure air services to the passengers (Vasigh, 2017). Blake Morgan, UK is the most effective

and efficient consultant firm that provides all the necessary information's to its clients including the schedule and tickets so that the passenger enjoy their journey without any barriers.

ATOL (Air Travel Operators): This is the commission that provides visa as well as transport to the potential passengers in order to make their holidays and vacations the utmost for them (Xia and Zhang, 2017).

CAA (Civil Aviation Authority): The major objective of this authority is to regulate the British Airways Industries and also consequences several aviations related to laws that will lead to improve the tourism sectors in UK (Gillen and Morrison, 2015). The two important parts of the travel and tourism sectors are the *code of conduct and arbitration services* that will serves as the guideline to managers to consider right business practices for their practical assistance.

Criminal Law: The major focus of this department is to protect the rights and duties of the tour operators (Kadish *et al.*, 2016). In case of any breach of conduct, the sector will be highly penalised. Blake Morgan, UK operates all its operations following the regulation and rules that are determined by the criminal laws framed by the government and the local body's policies of the concerned country (Blakemorgan.co.uk. 2019).

Contract industrial Tribunal: This is the tribunal that is constructed in between the employers and employees of the tourism sectors in order to eliminate the breach of contract.

ACAS (Conciliation and Arbitration service): This is the authority that focuses on providing training courses for the line manager, supervisors and HR managers that will lead to boost the effectiveness of the organization and will increase the productivity as well as profitability of the company.

Magistrates' court: This court is engaged in providing the summary to indictable offence, either way offence and any other specific offences enabling the judge to act right on either kinds of offences.

Crown Court: All the criminal cases are enacted and justified in this court and it is taken in 92 locations of England and Wales.

Constitutional Court: This court is termed as the Supreme Court for the crime related cases in England, North Ireland and Wales. Blake Morgan maintains all the past decisions records and ask the suggestive measures relevant to the protocol of the court in order to reduce the breach of conduct.

1.2 – Discuss surface, sea and air transport law in relation to the carriage of passengers within the legal and regulatory framework of United Kingdom.

All the facts related to cartilage of passengers irrespective to the various transportation modes that is land, sea and air are all accentuated below.

Airport transport protocols and conventions:

Hague (1955): This is one of the protocols that focuses on the rules and regulations related to International Carriages by Air. The second most important protocol is Warsaw (1929) of the Airline transportation (Daley, 2016). This determines the different codes that will reduce the chance of injuries and death of the passengers and the service providers of the tourism sector.

Carriage of passengers' by Road Act 1974: This act is applied on every contracts related to the carriage of the passengers as well as the luggage to reduce the breach of contract. This act is applied on the passengers travelling by the road. In this Act, the Load of Carriage is specified in order to decrease the chance of accidents. Executive member of the Blake Morgan provides all the carriage and travelling related suggestions to the passengers so that the trip ends in a systematic manner.

Geneva, London and Athens Conventions: The Athens conventions focuses on the matters related to the carriage the passengers travelling through sea. Geneva Convention is the one who has established the protocol for the treatment of humanitarian in war. On the other hand, London Convention deals with all the safety related factors of International events such as Olympia in London.

Denied boarding compensation schemes: This scheme is applied to protect the rights of the passengers. The scheme is active when the passengers are denied and forbidden to board in flight although the passengers are having their valid ticks of reservation (Paling *et al.*, 2016). Thus, Blake Morgan always tries to keep all the employees updated irrespective of the rules and regulations of the government protocol, which are based on tourism and travelling.

Explain the legal and regulatory framework of the travel and tourism sector with reference to England and Wales

- SRA (Strategic Rail Authority)
- HSE (Health and Safety Executive)
- HSC (Health and Safety Commission)
- Maritime Authorities
- ABTA (Association of British Travel Agents)
- IATA (International Air Transport Association)
- ATOL (Air Travel Operators)
- CAA (Civil Aviation Authority)
- Criminal Law
- Contract industrial Tribunal:
- Magistrates' court
- Crown Court
- Constitutional Court



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Discuss surface, sea and air transport law in relation to the carriage of passengers within the legal and regulatory framework of United Kingdom

- Airport transport protocols and conventions
- Hague (1955)
- Carriage of passengers' by Road Act 1974
- Geneva, London and Athens Conventions
- Denied boarding compensation schemes



Task 2 (LO2, AC2.1, 2.2, M1, M2, M3, D1, D2, D3)

LO2 Understand legislation and regulations relating to health, safety and security in the travel and tourism sector

In this task, all the crucial sections including Sex discrimination Act 1975, fair trading concept, Health and Safety at Work 1974, Human rights Act 1998 and Occupier Liability Act 1984 will be included. In order to maintain a proper and effective environment in the travel sector, an adequate training and development is provided to the employees and the service providers. Major impact of the equal opportunity has been discussed in this task that will raise the accuracy of the services.

2.1 Evaluate the impacts of the principles of health, safety and security legislation on the travel and tourism sector with reference to a UK tour operator and travel agency

Certain impacts of rules and regulation based on the safety and health factors are as follows:

- ***Fair-trading***

Fair trading concedes the travelling sectors to provide services in front of the passengers that leads to the fair services to the service users. Thus, it terms as the set fair regulation and rules between the service providers and the passengers that are analyze on the daily basis in order screen the standard of performance of the organization. Topdeck, UK investigate and analysis each issues of the stakeholders and enhance the overall performance of the service provider to reduce the errors in the performance.

- ***Employment law***

This employment law is highly followed by the company Topdeck, UK in order to provide equal opportunity to its employees and staffs to perform for the wellbeing of the company, thus the facts related to sex discrimination, beliefs and religions is not adopted and are avoided.

- ***Data protection***

This is the activities that are performed by the travel sectors in order to secure and maintain the confidentiality of the business activities in a safest manner from the outsiders.

- ***Diversity and equality legislation***

Diversity and equality legislation are related to the Equality Act 2010 from the passage of time when the consistency of the tourist sectors arises in the business. It has been observed that in order to function and operate the business unit smoothly, the company is required to maintain the fair environment that will lead to improve the communication factors among the employees. To perform in the most effective and efficient it is important maintain a friendly environment for both service provider and passengers.

- ***Safety and health factors***

Irrespective to reduce the chance of risk related to safety and health injuries the company Topdeck, UK is very much concern to the health and safety factors of the passengers (Brauer, 2016). The Topdeck, UK Company provides a proper and adequate training to its staff members in order to increase the safety measures of the passengers. The company pays high attention and adopt all the safety measures to secure the journey of the passengers.

2.2 Analyse legislation that relates to equality with reference to a UK tour operator and travel agency.

The Health and safety at work Act 1974 ensures that the company is must to protect all the issues related to the health, safety and welfare of the members working to improve the overall condition and the welfare of the company (Bibby, 2017). Reasonable practices with the safety based equipments are in the working environment are applied and issues to ensure and raise the safety factors of staffs and employees in a more precise manner.

According to the *Occupiers Liability Act 1984*, any injured trespasser can raise a claim irrespective of their personal death and injuries (Slapper, 2018). From this specific act of section 2(1) it has been evaluated that there are two major kinds of risk stated which includes injuries related to the natural traits of the rivers, landscapes and so on. On the other hand injuries that occurs due to the careless attitudes of the service providers. Henceforth, the claim of injuries from the passengers depends on the types of risk. Travelling sectors are very crucial related to providing safety to both the passengers as well as the employees of the company. Bothe the Acts that are mentioned above are followed by the company Topdeck, UK. In order to enhance the ability of the staffs the above acts are intrinsically crucial to follow. In addition all the above acts lead to improve the working environment of the company as well as increase the economic growth of the company.

Data protection, duty of care and vicarious liability:

Travel sectors are required to protect all the confidential information of its company as well as the entire related document from the outsiders to eliminate the chance of activities related to hacking. It is very intrinsic to install advanced ant viruses in the system and maintain the proper backups that will reduce the risk related to the breach. The travelling sectors include vicarious liability and responsibility where employees are time bound as well as performance related issues matters. In order to increase the overall ability of the employees training are provided with will lead to increase the performance level of the employee in an innovative manners. Companies of the travelling sectors use all the advanced and digital technologies to communicate. These advanced methods enable to maintain a proper working environment and guide the employees to keep the complete records of the activities of the passengers. Like for instance Topdeck, UK HR department provides all the intrinsic facts and information to its employees through that digital method of communication which leads to improve the overall working performance of the company in the market. In addition, to maintain the safety of the confidential documents of the company the executives shares the code and password only with the crucial members of the company.

Human Right Act 1998 is the act which ensures the right of equality, respect, fairness and dignity. Topdeck, UK contrivance this Human Right Act in order to improve the psychological, patience and tolerance between the shareholders and the employees of the company.

From the above task the intrinsic of the human equal rights are highly accentuated. In order to maintain the psychological understanding between the passengers, shareholders and employees in travelling sectors this act is crucial to be followed by the company. The legislation of environmental protections act protects the staffs of the company from the harassment in the workplace. Data protection rules enable to maintain the confidentiality of the information and data.

TASK 3 (LO3, AC3.1, 3.2, M1, M2, M3, D1, D2, D3)

LO3 Understand consumer protection legislation in relation to the travel and tourism sector

3.1 Explain contract legislation in relation to travel and tourism customers

In **Contracts for supply of goods**, the details are analyzed in brief manner to explain the payment methods to the passengers. It has been observed that The Latin American Travel Company, UK provides all the necessary details that can reduce the passenger's queries about the services provided (Topdeck.travel. 2019).

Contracts for the provision of services:

In order to explain all the terms and provisions to the employees in a vivid manner The Latin America Travel Company, UK mentions in its contract all the crucial factors including job information, employment period, confidential policies, service provisions and leave policies.

Contracts related to holiday package:

In the contract of package the travel company prepares travel insurance and visa for its customers so that their security and safety factors can be improved. In additions The Latin America Travel Company provides all the necessary details related to the travelling along with the breach of contract to the potential passengers to reduce the risk.

Valid contracts:

All the intrinsic statutory requirements are mentioned in a valid contract to ensure that the passengers are acknowledged will all the facilities and services that will be provided to them by the travelling sector. The company follows all the protocols of the Consumer protection Act, which clearly states that the foremost and crucial objective of the company is to provide satisfaction to the customer accentuating their security and safety. On the breach of this act the company will be highly penalized by the legislative government of the country.

Unfair contracts:

As per the mentioned scenario, due to the wrong information that is provided by the travel assistance of The Latin America Travel Company has reduced the level of satisfaction of the potential passenger. It has been noted that the unfair contract practice will lead to maximize the chance of penalties by the government and may also lead to increase the chance of service

cancellations from the UK. Therefore, it is mandatory to keep the assistance of the travelling sectors in order to reduce the chaotic attitude from the side of business.

Hotel Proprietors Act 1956:

The act ensures that for all the damages and loss of the passengers, the proprietor will be responsible ultimately. Therefore, it is mandatory for the proprietors to provide the effective training to all its staffs and employee which will lead to improve the efficiency of the employee in a precise manner. The staffs of the hotel should calculate all the luggage of the guest during the time of check in to reduce the chance of losing property. By following the above act The Latin America Travel Company sign a contract with their customers to maintain the security and safety of the potential customers. In this act the Principle of foods hygiene regulations Foods Act 1984 is merged that controls the hygiene and sale of food in a systematic manner. The foundation of the food industries that includes hospitality and hotels need to maintain a high level of hygiene while serving the food in front of the customers.

3.2 Explain consumer protection legislation in relation to travel and tourism customers.

Trade Description Act 1968:

The primary objective of this act is to focus on the offenses related to the criminal issues that are applied by the business units of travelling in order to attract more of the potential customers. It has been observed that the false and misleading information will hamper the trip of the travellers and will reduce the rate of satisfaction of the passengers. The Trading Standard Officers are specially appointed to check all the description and pricing of the travelling sectors to reduce the criminal offences in the business of tourism. The Latin America Travel Company applies this act in their business unit that provides all the true and fair information to their passengers in order to gain the customer loyalties (Hall *et al.*, 2015). However, *Torts of negligence and nuisance* are some of the common issues faced by The Latin America Travel Company in which the assistance of this company has provided wrong information to the traveller in its Spain tour. Thus, this shows the lack of effectiveness and efficiency of training procedure leading to provide the wrong and unfair information to the traveller. Thus, this is required to be improved by organizing better programs for the training and development of the employees.

Consumer Protection Act 1987

The consumer protection act is established to maintain the rights of the consumers to get protected by the products and services that are offered to them (Cumper., 2017). However, The Latin America Travel Company follows this act in order to improve the standard of the services provided to their potential customers. This act enables the traveller to understand their present status in an accurate manner. Following this act the company provides all the correct information to its potential passenger. The duties of the company are to enhance the security and safety and to avoid the risks. It is also to be noted that the safety measures are to be improved in an innovative manner. In this task all the common acts are accentuated and all the key elements of the acts, duties and responsibilities are demonstrated. The company will be highly penalised if it conduct any kinds of breach in the acts.

Explain contract legislation in relation to travel and tourism customers

In **Contracts for supply of goods**, the details are analyzed in brief manner to explain the payment methods to the passengers.

- *Contracts for the provision of services*
- *Contracts related to holiday package*
- *Valid contracts*
- *Unfair contracts*
- *Hotel Proprietors Act 1956*



Leaflet



Explain consumer protection legislation in relation to travel and tourism customers

- **Trade Description Act 1968**

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- **Consumer Protection Act 1987**

The consumer protection act is established to maintain the rights of the consumers to get protected by the products and services that are offered to them. However, The Latin America Travel Company follows this act in order to improve the standard of the services provided to their potential customers.

TASK 4 (LO4, AC4.1, 4.2, M1, M2, M3, D1, D2, D3)

LO4 Understand the role of business ethics in the travel and tourism sector

4.1 Analyse ethical dilemmas faced by the travel and tourism sector.

In this task the understanding of the business ethics is demonstrated through the company Thomas Cook, UK (Thomascook.in. 2019). However, ethics is the term that enables an individual to judge the scenario and state at point what is right and what is wrong. Thus, the concept of ethics in the travel and tourism sectors includes the prior attention to the security and safety of the passengers so that the service user experiences fuller satisfaction in the venture. At the same time ethics also include the level of performance that are required to be maintained by the employees in an appropriate manner so that they can provide the utmost satisfaction to their customers. In case of employees the main ethics that are mandatory is to behave in a kind and polite manner with the passengers and resolve all the queries that may arise while travelling. The theory of *utilitarianism* states that the accommodation facilities as well as foods should be enacted by maintains adequate hygiene. The level of the service should be retained by the company in order to gain the loyalty of the customers (Jackson *et al.*, 2015).

During the time of screening if it has been found that the company is not following the basic ethical values in serving its customer, the company will be penalised and hence will be rated negatively. According to the observation of the Thomas Cook, UK, if the company did not follow the green solution program in their respective hotel, the company will have a negative impact on the market. As per the *Environment Protection Act 1990*, it is mandatory to every business unit to provide an eco friendly services that will not affect the nature. However, Thomas Cook has faced this dilemma and has introduced certain activities like rainwater harvesting. Thomas Cook, UK has also faced certain ethical dilemmas in the competition market in the travel sector business unit.

4.2 Analyse the Corporate Social Responsibility (CSR) policy of a specified travel and tourism business

The role of CSR policies is to enhance the sustainability of the business unit. However, the CSR policies state all the key elements and factors that are mandatory to be followed by the company in order to expand the company reputation in the market (Claire, 2017). In the context of Thomas Cook, UK it has been observed that as the company is engaged in providing resorts and hotel facility to its customers it tries to maintain the policies in an auspicious manner.

In addition the Thomas Cook, UK has established green solution program by introducing the rainwater harvesting method irrespective to secure the environment. In the current condition people are very much bother to protect the nature and its environment and only prefer such services that will secure the nature without causing any kinds of damages to it. Thus, the Thomas Cook, UK community are engaged to maintain the sustainability environment condition and attract the customer.

The market condition of Thomas Cook, UK has been increased killing the records by earning around 7 billion of profit by adopting the CSR policies. The popularity of the company is based on the loyalties of the customer that is gained. This position of the company is due to the human rights act and the consumer protection act that are followed by the company in order to provide the utmost satisfaction to the customer leading to expand the business in the market.

Therefore, it can be stated that the CSR policies enable to get the positive position in the market by improving the financial statement of the company in the field of tourism sector. Therefore, in order to survive in the market the company is mandatory to follow all the ethics including customer satisfaction, earning maximum profits and expanding of the business.

Conclusion

From the above assignment, it can be concluded that in order to operate and smooth functioning of the travelling sectors what are the intrinsic factors. All the key elements as well as the acts mentioned above are demonstrated. In order to maximize the profit margin in the field of travel and tourism the company are required to maintain adequate level of standard. The security and safety of the customers should be the priority of the company. Thus, all the different departments that are enacted to run a travel and tourism company are discussed above. Therefore, all the legislative rules and regulations are designed to protect the rights of the potential customer and the stakeholders of the company.

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