

**Video Lecture 3** *(with slides)*

# Legal Influences & Laws Part 1

**Fitness in Business**

LECTURE

**3**

# Hello, and welcome to Video 3

## Legal Influences & Laws Part 1.

Hello, and welcome to Video Number Three, which is done in two parts where we're looking at legal influences and laws for the Fitness in Business unit. This has got some more hard-line concepts for you to look at and then input into your booklets.

We're going to look at legal influences and laws when it comes to business operations, some of which are not going to be relevant for you because of the size of your potential business. But it's good to have awareness of different ones and also good to have a true perception of what they entail, how they can impact you, and how you could go about being a little bit more aware to make sure you're abiding by any laws. So we'll try and make it a little bit more relevant to lots of different circumstances as we go through.

### Legal influences and laws

But thinking about legal influences and laws - legal influences are laws which have been passed by parliament to help protect employees and employers while at work.

We've got the legal influences.

- **Discrimination laws:** it is illegal for an employer to discriminate against a person based on any of their protected characteristics.
- **Equal opportunities:** employers must recruit and pay staff in accordance with their job specification. Staff must all be eligible for promotion and training.

I'll just give you a bit of a difference between the two. Legal influences - and your booklet will be asking you to identify some of these.

- **Race Relations Act:** it's unlawful to discriminate against a person on the grounds of race, color, nationality, citizenship, or ethnic origins.
- **Equal Pay -1984.** (see slide)
- **Sexual Discrimination Act -2000** (see slide)

So again, just some legal influences to be aware of and their definitions.

### Disability Discrimination Act 1995

If you have a look at legal access, it's usually the year that they were first published. But they might have different years if they've been updated since the year that they were first made into law.

You may be a little bit fearful of some of these aspects, because there's a difference between legal and ethical considerations and influences. We might not have an extensive understanding of the law. But generally, as people, we know what's right and wrong. However, in certain situations, our ethical awareness needs to be updated somewhat.

The Disability Discrimination Act is one of those interesting areas that you may want to look at a little bit further. There are some really interesting statistics from interest groups of the Discrimination Act and physical activity - along the lines of 70% of the physically disabled community want to take part in physical activity, but feel actually that they cannot, and there are barriers against them. -whereas less than 40% of the able-bodied community actually want to take part in physical activity. There straight away is an untapped market. If you've got good awareness and you can talk to people in certain interest groups and get an understanding, there's a potential market for you to explore.

We're not expecting us all to be solicitors. We have to sometimes talk to other groups to make sure we're abiding by systems that we know we should be. We might have the ethical understanding that it's wrong to discriminate. But practically, you might be a little bit unsure of how you can offer your systems and services to different groups and what the benefits of offering those services could be to you.

### Legal influences on a sports business

We've talked about sports businesses as a sort of a general overall term, but if you start up your own business, you must abide by the laws to protect you as the employer and your employees. You must abide by all other laws - legal influences to protect your customers and you from them. You must also abide by laws to allow the government any access to your company that they require. All companies must disclose with reasonable accuracy, the financial position of the company at any time.

## Companies Act 1989

If you run your own company, the Inland Revenue can require, at any time, a three-year history of the financial position of your company. So keeping income and expenditure up to date along with receipts to provide an audit trail is the law. Failure to provide information can lead to imprisonment.

## Partnership Act - 1890

Legal influences, again – we've got a partnership act. If you're going into partnership with somebody, it's really good to have that legal support and that legal understanding about what a partner can and cannot do regarding your business.

## Fair Trading Act - 1973

It's there to protect consumers against businesses that continue to trade at the expense of the customer – so, dishonest companies. Companies should offer refunds normally within 28 days for faulty goods. Businesses must give accurate descriptions of the products and services that they are providing.

A big one to consider, that we'll talk about throughout these booklets, is the **Health and Safety at Work Act**, which was originally established and passed through Parliament in 1974 and has been updated since. It's not something to be scared of. You've got the Health and Safety Executive, which you can Google. They're very open access, you can go and talk to them, have an understanding of your business and what it is that you offer, make sure you've got the right insurance cover. And they will give you free advice. They are part of the government. They are there to advise businesses how to operate safely in the workplace. If you're employing three or more employees full time in your business, you've got to cover certain aspects. You've got to display certain information. And the nature of the business is you cannot eliminate all risks to your business when it comes to sports, health, and training. We are pushing people out of their respective comfort zones and putting stress on the body systems. So we can reduce the likelihood of injury as much as we can. However, we must make sure we're abiding by good, safe measures and safe practice.

## Risk Assessments

You might write risk assessments and nobody will ever see them within the whole span of your career. And you'll never have to get them out ever. However, that one time that you might need it, it's good to have. So it's good to have a good, comprehensive understanding.

And actually, a business that has good health and safety policies and procedures will be a successful business. It doesn't matter if you're in retail or food consumption - or if you provide health care or training, having a really good understanding of health and safety at work could really support you.

There are consultants that are out there who charge fees for health and safety guidance at work, and they can be very expensive. But actually, if you have a good understanding, you know where you can get free advice from, that is a better channel to go down. Don't be afraid of the Health and Safety Executive. They are a very formal government department, but they are there and they will support you with free guidance and advice.

## More information

Again, on the slide, you've got a little bit more about information particular to the Health and Safety at Work Act. Mostly, it's around employees and visitors. Everybody's responsible for their own health and safety and we have a responsibility to each other for health and safety, but it could be aspects such as looking at the digital screen equipment. If you're going to be looking at a screen for long periods of time or you're expecting your staff to do so, what do you consider PPE to be, (**P**ersonal **P**rotective **E**quipment). The uniform that you wear, your trainers, your track suit. If you're intending on being outside for long periods of time in the winter, then you may need to wear particular clothing. And that will be regarded as PPE. A water-resistant jacket, a warm jacket, having appropriate breaks, means and access to a toilet, food, refreshment, water - things of this nature are really important.