



TOURISM REGULATORY AUTHORITY

STANDARDS AND QUALITY ASSURANCE DEPARTMENT

**CODES OF PRACTICE FOR HOTELS AND RESTAURANT
OPERATORS**

DRAFT AUGUST 2018

DEFINITION OF TERMS

The Authority – Tourism Regulatory Authority established under section 4 of the Tourism Act Cap 383 No. 28 of 2011.

Tourism sector – Tourism and Hospitality sector in Kenya.

Code of Practice - Mandatory set of guide which hotel and restaurant operators must fully comply to.

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Part I Preliminaries

1. Introduction

The code of practice is drawn in accordance with the provisions of the Tourism Act No. 28 of 2011 and Tourism Regulatory Authority, Regulations 2014.

2. Aim

This code of practice aims to promote responsible and sustainable tourism business operations in the country.

3. Scope

The code of practice is applicable to hotels and restaurants as listed under the 9th schedule of the Tourism Act of 2011 Laws of Kenya and is enforced by the Tourism Regulatory Authority.

4. Objectives

These codes of practice set to achieve the following goals:

- a) Promote sustainable development and globally competitive service in the hospitality sector;
- b) Promote efficient and effective communication on current and emerging trends in the hospitality sector;
- c) Promote best occupational health and safety, security and environmental practices in the hospitality sector;
- d) Make hospitality industry a competitive employer and safeguard local employment at all levels and
- e) Institutionalize productivity and performance based incentive schemes for better returns on investments, and higher benefits to the local community and staff.

Part II Code of Practice

In order to fulfilling all relevant statutory obligations pursuant to The Tourism Act Cap 383 of 2011, hospitality businesses shall observe the following Code of Practice: -

Guiding Principles		Code of Practice Statement
		All hotels and restaurants shall:
1	To promote responsible hospitality business	<ol style="list-style-type: none"> 1. Respect the social and cultural tradition and practices of all people (guests or staff) 2. Promote ethical values including discouragement of child sex exploitation 3. Adhere to the laid down environmental conservation regulations and guidelines 4. Encourage environmentally friendly practices by both the guests and staff 5. Encourage harmonious coexistence between the business, the guests and the host community, 6. Adopt best economic practices that benefit the host country; limiting repatriation of profits and employment of expatriates
2	Protect the rights of guests	<ol style="list-style-type: none"> 1. Provide to the visitor relevant, adequate and accurate information on the services offered by the establishment; 2. Ensure the guests receive the services as per their purchase agreement and account for the same through issuance of relevant accounting documents; 3. Ensure the marketing and advertisement of their services is conducted in an ethical and accurate manner. 4. Treat all guests courteously and without discrimination in relation to gender, sexual orientation, appearance, disability, race, religion or belief; 5. Allow visitors to view accommodation, if requested, before booking; 6. Have a complaint handling policy in place.

		<ol style="list-style-type: none"> 7. Have a system in place to ensure the business exercises and maintains the policy of treating guest information in strict confidence. 8. Deal promptly and courteously with all inquiries, requests, correspondences and complaints from guests 9. Have a feedback mechanism
3	Protect the rights of the business	<ol style="list-style-type: none"> 1. Have a unique identity, that is, a trading name and logo 2. Put a system in place to ensure service demanded is as per the purchase agreement 3. Have a compensation mechanism for destruction or loss of property or items caused by guests or staff 4. Put in place a bonding mechanism for engaged staff (ethical conduct eg poaching of staff)
4	Promote professionalism	<ol style="list-style-type: none"> 1. Ensure high standards of service appropriate to the type of establishment; 2. Ensure adequate number of trained staff are on duty at all time; 3. Continuously engage with employees and other industry stakeholders on current issues and trends of the hospitality industry 4. Ensure suitable workplace environment and implement internal assessment procedures 5. Have a policy to ensure continuous personal professional development for the staff 6. Partner and collaborate with relevant institutions in tourism on proactive strategies in training, certification and development of skills 7. Ensure compliance with all applicable statutory requirements

5	Rights of staff	<ol style="list-style-type: none"> 1. Ensure non discrimination of applicants and existing employees on account of age, religion, sex, and physical changes 2. Offer competitive terms of engagement in accordance with the prevailing labour laws 3. Provide relevant working tools and equipment as well as other incentives to promote health and safety 4. Commit to cushion employees during poor business
		<p>performance while offering incentives during good times</p> <ol style="list-style-type: none"> 5. Termination shall be fair and as per laid down procedures 6. Limit the sub-contracting of operations to encourage regular employment; 7. Allow and encourage membership to relevant associations, unions and lobby groups
6	Occupational safety and health	<ol style="list-style-type: none"> 1. Strongly promote policies and programs advocating for healthy lifestyles for our employees. 2. Encourage work place free of sexual harassment and intimidation 3. Implement policies and programs to ensure adequate trainings on occupational safety, security and health for the protection of all our employees, guests and subcontractors; 4. Promote proactive best practices in security and crime prevention, through security and emergency preparedness trainings and mitigation measures against disasters 5. Equip our workplaces with emergency management and response capacity, lockdown and evacuation procedures, crisis media and communications in the event of disasters and crisis. 6. Adopt the green workplace program.

7	Promote productivity	<ol style="list-style-type: none"> 1. Initiate productivity incentives such as recognition and award schemes 2. Have in place performance management systems for both management and employees such as target setting, appraisals, reward and correction 3. Actively participate and benchmark with other institutions on best practices for enhancing productivity and quality of service.
8	Conflict resolution and dispute settlement	<ol style="list-style-type: none"> 1. Foster dialogue between the parties involved to mitigate against conflict 2. Institutionalize dispute settlement and conflict resolution mechanisms 3. Take advantage of the continuing labour and management education program of the Department responsible for Labour and Employment in order to: <ul style="list-style-type: none"> ▪ Enhance labour- management relations ▪ Encourage active membership into the relevant sector associations and lobby groups which are effective avenues for self regulation, dispute resolution, social dialogue, policy review and awareness creation.

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