



# YMCA Awards

Level 3 Business acumen for  
personal trainers

2018

# Level 3 Business acumen for personal trainers

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## **Setting up a PT business**

## Learning outcomes

By the end of this session you will be able to:

- State the legal responsibilities of having `self-employed` status
- Identify legal and regulatory requirements of businesses within the health and fitness industry
- Describe the different ways of operating as self-employed including the advantages and disadvantages of each
- Explain the elements of a valid business contract and the matters contained within

## **Self-employment legal responsibilities**

- Register with HMRC (Her Majesty's Revenue and Customs) as 'self-employed'
- Keep accurate financial records of income and expenditure
- Submit annual taxation returns to HMRC

# Legal and regulatory requirements

- Health and Safety at Work Act 1974
- Data Protection Act 1998
- Consumer Protection Act 1987
- Equality Act 2010



# Health and safety requirements

## Employee

- To take care of your own health and safety and that of others who may be affected by your actions at work

## Self-employed PT

- Must assess the risks to your own health and safety and the people you work with

## **Duty of care**

You have an obligation to apply a reasonable level of care towards an individual to avoid injury to that individual or his/her property

A 'reasonable' level of care shows that you have, to the best of your knowledge and ability, taken all precautions to minimise risk



## The Data Protection Act (1998)

- Applies to ‘person-identifiable data’ (data from which you could reasonably identify an individual) held on a computer or in hard copy files
- Covers anything that is done to/with personal data and how it is:
  - Collected
  - Used
  - Stored
  - Disclosed (and who to)
  - Disposed of/destroyed (and when)



# Characteristics protected by Equality Act 2010

- Gender
- Marriage or civil partnership
- Pregnancy or maternity leave
- Sexual orientation
- Gender reassignment
- Disability
- Race
- Colour
- Ethnic background
- Nationality.
- Religion or belief
- Age



## **Consequences of not adhering to legal requirements**

- Discipline from professional organisations Legal action
- Loss of business
- Poor reflection on the industry
- Ruin personal and professional reputation

# Types of self-employment

## Freelance

Advantages	Disadvantages
<ul style="list-style-type: none"><li>• Self-managed</li><li>• Own boss</li><li>• Flexibility</li><li>• Increased work opportunities</li><li>• Independence</li><li>• Location</li><li>• Salary</li><li>• Job satisfaction</li></ul>	<ul style="list-style-type: none"><li>• Administration</li><li>• Taxation</li><li>• Accounts</li><li>• Isolation</li><li>• No company benefits</li><li>• Holiday pay</li><li>• Sick pay</li></ul>

# Types of self-employment

## Portfolio career

Advantages	Disadvantages
<ul style="list-style-type: none"><li>• Multiple jobs</li><li>• Work activities which align to strengths and interests</li><li>• Flexibility</li><li>• Increased job security</li><li>• A number of employers</li></ul>	<ul style="list-style-type: none"><li>• Short term contracts</li><li>• No set hours</li><li>• Risk of overworking</li></ul>

