

Hospitality. The obligations that have to be written down.

A guide to planning software for enquiries, shift handovers and venue operations, around duties that are mostly duties to keep a record.



A guide to the administration, not the service.

Hospitality has acquired a set of obligations that are, in practice, obligations to keep a record. Tips have to be allocated and the allocation kept for three years. Allergen information has to be given and signposted. Fire risk has to be assessed in writing. None of that is about software, and all of it lands on software.

This guide is about designing around those duties. Every figure in it is traced back to the body that published it, and where a duty is not yet in force the guide says so rather than implying otherwise.

Written for operations managers, general managers and the people who choose and pay for their systems.

CONTENTS

What the law asks you to keep	3
Four numbers from one Act	4
An enquiry, across three shifts	5
What must be recorded, and for how long	6
How one score caps a rating	7
In force, consulted, and neither	8
Established, and not yet in force	9
Asserted, and sold	10
What a small pilot needs to show	11
Questions for a first project	12
Sources and scope	13

What this guide is not

It is not legal advice, and it is not a compliance checklist. It describes what the legislation and the published guidance say, with references, so that a reader can check them against their own premises and take advice on them.

It is not a case study. No operator is described, named or implied, and the photographs are illustrative. It makes no claim about guest outcomes.

It is not a product comparison. BespokeWorks builds software, and readers should weigh the guide accordingly. The questions on page 12 are as useful against our work as against anyone else's.

What the law asks you to keep.

Since 1 October 2024 an employer must pass on all qualifying tips in full, allocate them fairly, and do it by the end of the month following the month in which the customer paid. Card fees and bank charges cannot be taken out of them. That much is widely understood.

The part that reaches software is the rest of it. There must be a written policy where tips are paid on more than an occasional and exceptional basis. There must be a record of how every qualifying tip was dealt with, kept for three years from the date the customer paid it. A worker may ask to see the records covering any complete month in those three years, once in any three-month period, and the employer has four weeks to answer.

Two details are commonly got wrong. Where tips are genuinely occasional and exceptional there is no duty to have a policy, but there is a duty to tell workers that there is no policy and why. And the compensation cap that appears in almost every summary as five thousand pounds is uprated: it is £5,366 for events on or after 6 April 2026, having been £5,135 before that. The cap limits compensation for financial loss. It does not limit the tribunal's separate power to order the employer to pay the tips themselves.

The pattern repeats across the sector. The obligation is operational, the evidence of meeting it is administrative, and the administrative part is where it fails.



Four numbers from one Act.

The tipping legislation is the clearest example of a duty that becomes a records problem. These four numbers define what a system has to be able to produce, and none of them is about tips arriving.

EMPLOYMENT (ALLOCATION OF TIPS) ACT 2023

3 years

How long the record of every qualifying tip must be kept

4 weeks

To answer a worker who asks to see those records

1 month

After the month the customer paid, by which tips must be allocated and paid

£5,366

Compensation cap for events on or after 6 April 2026, up from £5,135

A worker may make that request once in any three-month period, and may ask for any complete month within the preceding three years. A system that cannot reconstruct a single month from two years ago cannot answer it.

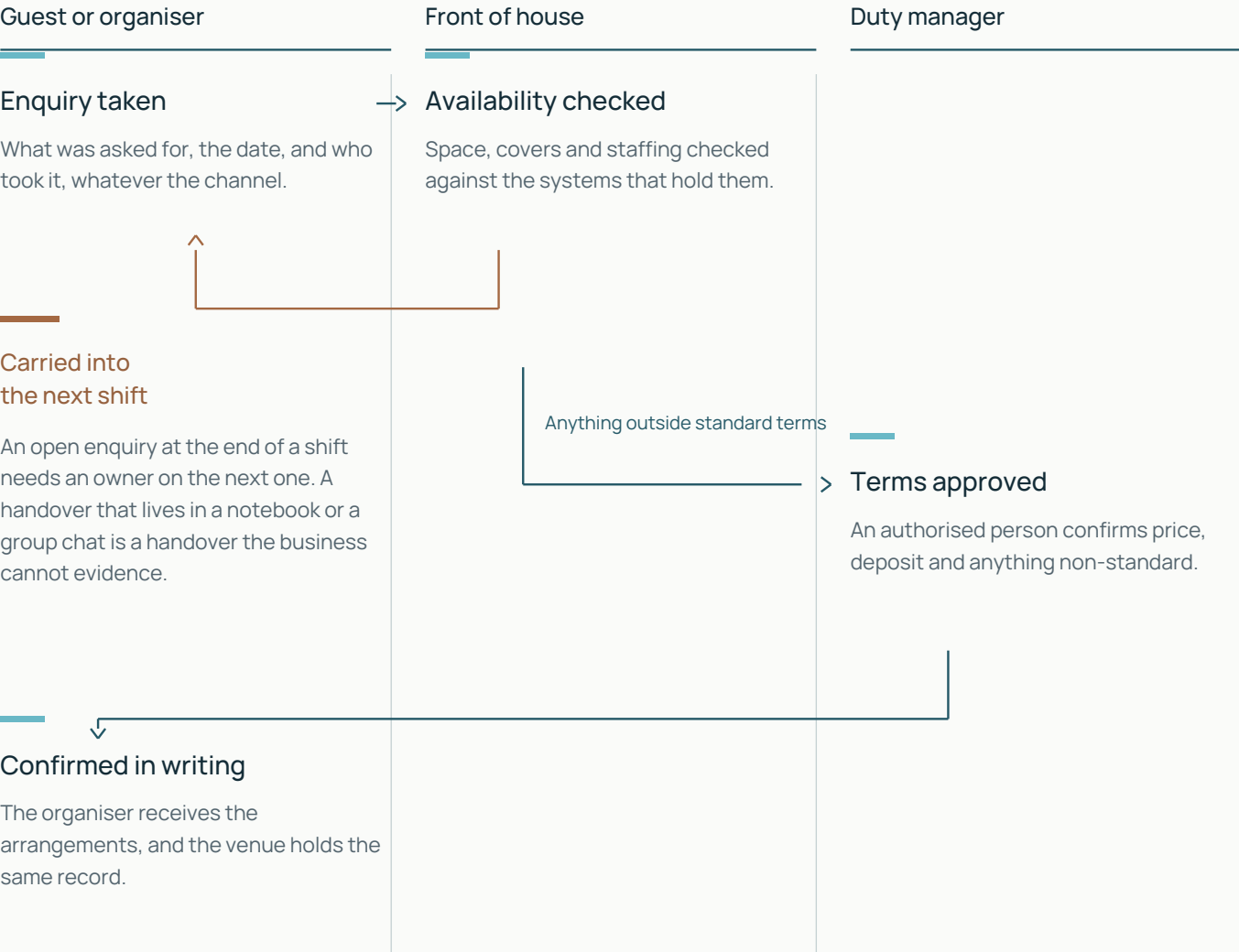
The statutory test is fair allocation of the total, not that each worker keeps what they were handed. Tronc arrangements and pooling are expressly permitted, which means the record has to show the method as well as the amounts.

The cap applies to compensation for financial loss. A tribunal can separately order the employer to pay the tips, and that order is not capped.

An enquiry, across three shifts.

A blueprint earns its place when it exposes a dependency. This fictional event enquiry outlives the shift that took it, which is the condition almost every hospitality workflow is actually operating under. The route in copper is the one that loses the booking.

ILLUSTRATIVE SERVICE BLUEPRINT



Design implication

Every hospitality workflow crosses a shift boundary. If the system cannot carry an open item across one, the paper will.

What must be recorded, and for how long.

Retention is where published requirements are least consistent. Two of these carry an exact period in legislation. Two carry none at all, and are governed by what a reasonable inspector would expect to see.

Record	What it has to show	How long it must be kept
Tips	How every qualifying tip was dealt with, including the allocation method, for each place of business.	Three years from the date the customer paid. A worker may request any complete month within that period.
Working time	Enough to show compliance with the weekly limit, night work limits and health assessments. Since January 2024 there is no need to record each worker's daily hours, but only if compliance can be demonstrated without doing so.	Two years. Minimum wage record-keeping is a separate duty and is unaffected.
Food safety management	The procedures themselves, kept up to date at all times, and the supporting records.	An appropriate period. No figure is set in the regulation. The published small business guidance says to keep diary pages until the next visit from an officer.
Allergen information	Accurate information for the fourteen allergens, available to a customer who asks, with a notice telling them it can be obtained.	No retention period is set. The duty is that the information given is correct at the point of sale.
Fire risk assessment	A written assessment, which became a duty for all responsible persons in October 2023.	No period is set. It has to be current, which in practice means reviewed when anything material changes.

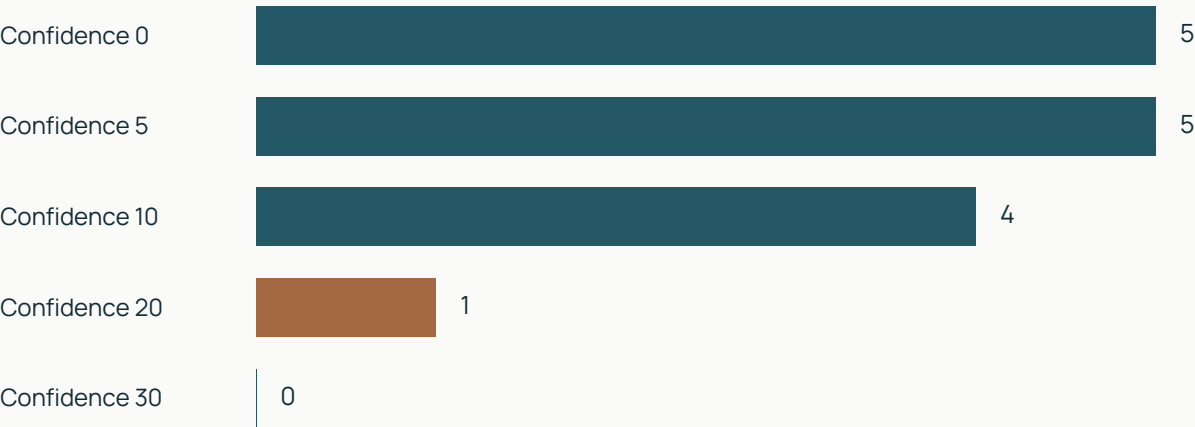
Two of these five have no statutory retention period at all. Systems that impose one anyway tend to delete the evidence someone later needs.

How one score caps a rating.

Food hygiene ratings are usually described as an average of three components. They are not. Confidence in management is scored on a different scale from the other two, with no 15 and no 25, and it works as a ceiling rather than a contribution.

A single confidence score sets the highest rating the business can reach, whatever the other two look like.

HIGHEST RATING REACHABLE, BY CONFIDENCE SCORE



Derived from the Food Hygiene Rating Scheme Brand Standard, Food Standards Agency: the confidence in management scale of 0, 5, 10, 20 and 30, read against the additional scoring factor for each rating. This is the ceiling only. A high total intervention score can still pull the rating below it.

A confidence score of 20 makes anything above a 1 arithmetically impossible, and a score of 30 makes 0 the only available outcome. Neither has anything to do with how clean the kitchen is on the day. They are about whether the operator can show the inspector a system.

That is the connection to software, and it is the only defensible one to draw. Documented procedures, traceable records and a demonstrable way of managing them are what the confidence component asks about. No published evidence says any particular system improves the score.

In force, consulted, and neither.

Several changes are being planned around at the moment as though they were settled. These are the ones most often quoted, with what has actually happened to each.

Change	Where it stands	What to plan around
Guaranteed hours, notice of shifts, payment for cancelled shifts	No commencement date. The consultation closed on 25 August 2026 and no response has been published. The published timetable places these in 2027 and says timings will be updated after the consultation.	Every operational parameter is still blank: the reference period, the hours threshold, what notice counts as reasonable and what the payment would be. Build for a rota that can be reconstructed, not for rules that do not exist.
Unfair dismissal qualifying period	Falling to six months for dismissals from 1 January 2027. The day-one right announced in the 2025 roadmap was dropped, though that roadmap is still published.	A date worth putting in the calendar, and nothing to build for.
Written allergen information	Not mandatory. The legal minimum still permits allergen information to be given orally, provided a notice tells the customer they can ask. The Food Standards Agency board agreed in December 2023 that it wants written information mandated and wrote to ministers.	This is a live change, not a settled position. A system that can produce written allergen information per dish is building ahead of the likely direction.
Competent fire risk assessors	Article 9A of the fire safety order, which would require the person appointed to assist with an assessment to be competent, has never been commenced. It is not in force as at September 2026.	The assessment duty itself is in force and has to be written down. Only the competence requirement is outstanding.

One boundary is widely misread and matters more than any of these. The Fire Safety (England) Regulations 2022 impose no duties on a pub, restaurant, bar, cafe or hotel that stands on its own, because every operative duty is scoped to buildings containing two or more sets of domestic premises, and most are narrower still. That is not the same as fire rules not applying. The Regulatory Reform (Fire Safety) Order 2005 applies in full to every one of those premises, including the duty to make and record a fire risk assessment. And a venue on the ground floor of a block of flats is not standing on its own for these purposes.

Established, and not yet in force.

Four kinds of claim circulate in this sector at once and they are not the same kind of thing. The two on this page are the ones an operator can plan around. The two overleaf are the ones to ask questions about.

Established

The tipping duties and their periods, which are in the Act and can be read there: allocation by the end of the following month, a written policy, records kept for three years, and four weeks to answer a worker who asks.

The fire risk assessment duty, which has applied to every responsible person, recorded in writing, since October 2023. The hygiene rating arithmetic, in which the confidence in management score sets a ceiling on the rating.

Not yet in force

Guaranteed hours, reasonable notice of shifts and payment for cancelled shifts have no commencement date at all. The consultation closed in August 2026 and no response has been published.

Written allergen information is not required, and the competence requirement for fire risk assessors has never been commenced. Both are live, and neither is a duty today.

Asserted, and sold.

The claims most often made in a sales conversation, and the ones least often accompanied by anything a buyer could check.

Not established

That any system improves a food hygiene rating. The confidence component asks whether the operator can evidence a system, which is a different claim from any particular system producing a better score.

That technology reduces administrative time in hospitality. No published evaluation of that could be found, from government, a regulator or an academic source.

Self-reported

The figure of 75 per cent staff turnover, quoted everywhere as though it were an official statistic, traces through a 2017 sector body publication to a 2015 report by a commercial employee engagement firm that could not be located. Research commissioned by the government in 2019 states plainly that there is no robust source for churn data, and the Office for National Statistics publishes no turnover rate by industry. A similar American figure exists and is a different country.

Unverified is not the same as false. It is a reason to ask for the workings, and to write the answer into the contract.

What a small pilot needs to show.

Agree the evidence before building anything. In hospitality a pilot has a second job: it has to survive a shift change, a busy service and a member of staff who has been there a week.

Question	What to observe	Accountable role	Release condition
The handover	Does an open item at the end of a shift arrive with the next one, with an owner?	Duty manager	Nothing open closes automatically at shift end.
The record	Can a single month of tip allocations be reconstructed two years later?	Operations manager	A worker request answered from the system, not a spreadsheet.
Under pressure	What the system asks of someone mid-service, measured during one.	General manager	Tested in a real service period, not a quiet afternoon.
The new starter	How long before someone who has been there a week can use it unaided.	Training lead	Measured, with the number written down.
Cost at rest	The second year, including licences, hardware replacement and turnover of trained staff.	Finance	Renewal price agreed in writing before launch.

Keep the first release narrow enough that every exception can be looked at individually, and test it during service rather than around it.

Questions for a first project.

These are the questions BespokeWorks would ask before proposing anything. They work as well against our work as against a supplier already in the building.

01 What has to be evidenced here, and for how long?

Three years for tips, two for working time, an appropriate period for food safety, and nothing stated for allergens or the fire risk assessment. Retention is the requirement systems most often get wrong in both directions, by deleting too early and by keeping personal data with no reason to.

02 What happens to an open item at the end of a shift?

Every workflow in a venue crosses a shift boundary, and most systems treat the shift as the unit of work. If an open enquiry or an unresolved issue cannot carry an owner across a handover, it will live in a notebook, and the business cannot evidence it.

03 Which systems already hold the booking, the till and the rota, and which of them should keep doing so?

Replacing a booking or point-of-sale system is rarely the useful move. Connecting them, so that one record is not re-keyed into three, usually is. The question is which system is the authoritative one for each fact.

04 What would have to be true in a year for this to have been worth it, and who is measuring it?

No published evaluation shows technology reducing administrative time in this sector. An operator can still measure it against their own baseline, and that is the only evidence that will exist for some time.

If a supplier cannot answer the first two without talking about their product, that is information as well.

Theo Coleman

Chief Technology Officer, BespokeWorks. September 2026

Sources and scope.

Every figure is traced to the body that published it rather than to coverage of it, and nothing about artificial intelligence predates 2025. Claims were checked a second time by a pass whose only purpose was to refute them, which corrected three of twelve and reworded several more. Retrieved 19 September 2026.

Employment (Allocation of Tips) Act 2023, and Part 2B of the Employment Rights Act 1996, sections 27C to 27Y. In force 1 October 2024 by SI 2024/829.

Code of Practice on Fair and Transparent Distribution of Tips. Published 29 July 2024, effective 1 October 2024.

The Employment Rights (Increase of Limits) Order 2026, SI 2026/310. The cap of £5,366 applies where the event giving rise to the entitlement occurred on or after 6 April 2026.

Make work pay: ending one-sided flexibility. Consultation opened 2 June 2026, closed 25 August 2026, no response published as at 19 September 2026.

Implementing the plan to make work pay: timeline update. Last updated 25 August 2026. Source of the 2027 placement and the six-month unfair dismissal qualifying period from 1 January 2027.

The Food Information Regulations 2014, SI 2014/1855, regulation 5, and the Food Standards Agency allergen guidance for food businesses.

Food Standards Agency board decision of 13 December 2023 on written allergen information for non-prepacked food, and the letter to ministers that followed.

Food Hygiene Rating Scheme Brand Standard. Food Standards Agency. Tables 1 to 3, the scoring scales and the additional scoring factor.

Assimilated Regulation (EC) No 852/2004, Article 5(4), and Safer Food Better Business, Food Standards Agency.

The Fire Safety (England) Regulations 2022, SI 2022/547, regulations 4 to 11, and the Regulatory Reform (Fire Safety) Order 2005, articles 2 and 9. Section 156 of the Building Safety Act 2022 commenced the recording duty on 1 October 2023; subsection (4), which would insert article 9A, has not been commenced.

The Working Time Regulations 1998, regulation 9, as amended by SI 2023/1426 with effect from 1 January 2024.

Vacancies and jobs in the UK, September 2026. Office for National Statistics, released 15 September 2026, on the change of vacancy measure in the VACS02 dataset.

The performance and talent management revolution. People 1st, June 2017, which is the origin of the 75 per cent turnover figure, citing a 2015 Best Companies publication.

Hospitality and tourism workforce landscape. Economic Insight for the Department for Digital, Culture, Media and Sport, June 2019, which states that no dependable source for churn data exists.

Photographs are illustrative and show no BespokeWorks client, member of staff or premises. Cover: photograph by Sara Abilova on Unsplash. Page 3: photograph by Huy Phan on Unsplash.

What could not be established

No published evaluation of technology reducing administrative time in UK hospitality could be found. No official source publishes a staff turnover rate for the sector, and the figure in general circulation traces to a commercial publication that is no longer available. The retention period for food safety records is not fixed anywhere in the regulation. Nothing here is legal advice, and the fire safety position in particular turns on the specific premises: a venue within a building containing dwellings is in a different position from one standing alone.