

Our Guides to Citizenship.

Impact. Growth. Change.

Contents

Adult Life

Healthcare

The NHS	1
Mental health & wellbeing	1
Mental health emergencies	2
Leaving hospital	2
Complaints	2
The right to die	2
Giving blood	2

Doctors

Confidentiality	3
General practitioners	3
Prescriptions	4
Records	4

Dentists

Opticians

Sex & Relationships

Are you ready?	7
Consent	7
Sex & the law	8
Sexting	8
Lesbian & gay relationships	8
Contraception	9
Emergency contraception	9

Pregnancy

You think you're pregnant?	10
Unplanned?	10
Adoption	10
Abortion	11
Consent	11
The law	11

Sexual Health

Sexually transmitted infections	12
---------------------------------	----

HIV & Aids

What is HIV?	13
HIV & work	13
How is HIV transmitted?	13
How don't you get HIV?	13

Drugs & the law

Controlled drugs	14
Police powers	14
Class A drugs	15 - 16
Class B drugs	17 - 18
Class C drugs	19
The risks	20
Possession	20
Supply	20
Production	20
Briefcase - Dennis	20
Solvent abuse	21
Tobacco & alcohol	21
Information	21
Briefcase - Alex	21

Other adult topics

Tattoos	22
Wills	22
Prostitution	22

Contacts

Sex, STIs, contraception, pregnancy and abortion	23
HIV & Aids	24
Drugs & addiction	24
Healthcare	25

Contents

Social Life

Going out

Pubs & off-licenses	27
Refusing to serve	27
Not in public	28
Proof of age	28
Raves & unlicensed parties	28
Gambling	29
Nightclubs	29
The door	29

Getting home safely

Black cabs & licensed taxis	30
Unlicensed taxis	30
Minicabs & private hire cars	30
Uber	30
No entry	30

Eating out

Quality	31
Service charge	31
Price	31
Safety	31
Complaints	31
Discount	31
Briefcase - Prosecuted	31

Staying in

Drink & drugs	32
Safety	32
Insurance	32
Gatecrashing	32
Noise	32

Sporting events

Safety	33
Risks & the duty of care	33
Banned	33
Briefcase - Football	33

Contacts

34

Contents

Crime & Safe Living

Victims of violent crime

Fighting back	36
Citizen's arrest - What you can and cannot do	36
Briefcase - Raj	36

Crimes against people

Assault & battery	37
Self defense	37
Knives	37
Voyeurism	37
Sexual assault	37
Stalking	38
Revenge porn	38
Sexting	38
Rape	38
Keeping safe	39
Accused of rape	39
If you are raped	39
Abusive behaviour	40
What if it happens to me?	40
Abusive telephone calls	40
Briefcase - Marcia	41

Hate crimes

41

Crimes against property

Robbery	41
Burglary	41
Theft	41

Contacts

Personal safety	42
Victims & compensation	43

Contents

Employment

Applying for work

Applications	45
Your CV	45
References	45
Interviews	45

Employment contract

Written statement of employment particulars	46
Hours	46
Time off	47
Terms & conditions of employment	47

Terminating employment

Notice	47
Losing your job	47
Reasons in writing	47
Redundancy	48
Briefcase - Redundant	48
Unfair dismissal	48

Pay & benefits

Minimum wage	49
Holidays	49

Maternity & adoption rights

Antenatal care	50
Maternity leave	50
Maternity pay	50
Correct procedures	50
Paternity leave	51
Shared parental leave	51

Health & safety

Accidents	52
Briefcase - Gary	52
Using a computer screen	52
Harassment at work	53
Volunteers	53

Internet & email

Rules & regulations	54
Social networks	54

Employment rights for all

Briefcase - Dismissed!	55
Modern slavery	55

Equal rights

Equal opportunities	56
Discrimination	56
Sex	56
Briefcase - Karen	56
Briefcase - Offensive & degrading	57
Briefcase - Overlooked	57
Race	58
Disability	58
Briefcase - Eugene	58
Religion & belief	58
Sexual orientation	58
Age	58
Gender reassignment	59
Marriage & civil partnership	59
Tribunals	59

Trade unions

Membership	60
Industrial action	60

Young workers & the law

Employment of young people below school leaving age	61
---	----

Contacts

62

Contents

Home & Away

Holidays

Package holidays	64
Before you go	64
Passports	65
Travel & medical insurance	65
If something goes wrong	65
Lost or stolen	66
In trouble	66
Delays	66
Taking a car or motorcycle	67
Coming home	67
Foreign travel advice	67

Getting about: buses & trains

Tickets	68
Briefcase - Emma	68

Getting about: cars & motorcycles

Getting started - the licence	69
Learning to drive a car	69
Learning to ride a motorcycle, moped or scooter	
Buying a car	70
Towing	71
Briefcase - Anna	71

Owning a car

Tax	72
MOT	72
Insurance	72
Briefcase - Sarah	72
At what age?	73
Traffic offences	73

Safety

Seat belts & crash helmets	74
Speeding	74
Driving badly	74
Stolen vehicles	74
Joyriding	74
Mobile phones	75
Drinking & driving	75
Briefcase - Peter	75
The limits	75
Breath tests	76
No escape	76
Penalty points	76
Briefcase - Paul	76
Accidents	77

Cycling

77

Contacts

78 - 79

Contents

Human Rights

European Convention on Human Rights

Briefcase - Jeffrey 81

The Human Rights Act

How does the Human Rights Act affect us? 82

The Convention Rights in UK Law 83-84
British values 85

Voting

Registering to vote 86
Who can vote? 86
Who can't vote? 86
Briefcase - A prisoner's right to vote 86

Elections

Who can you vote for? 87
Local elections 87
Local councillor, AM, MP or MEP? 87
Voting systems 88
General elections 88

Campaigning & protesting

Campaigning 89
Trespassing 89
Protest 89

Complaints

Complaining 90
Writing to your councillor, MP or MEP 90
Taking action 90
Freedom of information 91
Contacting an Ombudsman 91

Data protection

How can I check what they know about me? 92
The Data Protection Act 2018 92
Briefcase - Storing data 92
Applying for information 93
Judicial review 93

Contacts

Political parties 94
General 95
European Union 95



Contents

Finance

Personal finances - spending

It's a contract	97
Getting it right	97
Services	97
Making a complaint about goods or services you have received	98
What about your rights if the goods you have bought are faulty?	98
Put downs	99
Problems with a service	100
The small claims court	100
Buying over the phone or on the internet	100
Cancellation	100
Buying goods from outside the UK	100

Junk mail & phone calls

Junk mail	101
Spam	101

Banking

	102
Banks and building societies	102
Why have a bank account?	102
Choosing a bank or building society?	103
Current accounts	103
Saving accounts	103
What about tax on interest I earn?	103
Interest rates	104
Payment methods	105
Credit	105
Store cards	106
Borrowing	107
Getting into debt	108
Insurance	108
Buying insurance	109
Tax	109
Workplace pension	109
National insurance	

Contacts

110

Adult Life



The NHS

The NHS provide a 24 hour help and information service, giving confidential information on particular health conditions and what to do if you are feeling ill.

Telephone: 111 or go online at **www.nhs.uk**

NHS walk-in centres in England provide treatment for minor injuries and illnesses seven days a week. You don't need an appointment and will be seen by an experienced NHS nurse.

There are centres in many towns and cities; visit the National Health Service website, www.nhs.uk and search for 'walk-in centres'.

Mental health & wellbeing

Mental wellbeing is essential for us all and statistically one in four adults experience some form of mental health condition in the course of one year. The NHS provides advice and guidance on steps to managing our wellbeing on the NHS website. Those needing further support around their mental health should contact their GP.

Most people who receive hospital treatment for a mental illness are there either because they choose to be, or because they have taken the advice of a doctor or social worker. They are known in law as informal patients.

In a relatively small number of cases, a person who refuses to be examined or treated will be admitted to hospital compulsorily under the Mental Health Act 1983. This will be done either in the interests of their own safety or for the protection of others. This is often called sectioning. Not all people with a diagnosed mental illness will require hospital treatment. Many mental illnesses can be easily managed, with support, in the community.

An application for compulsory detention is normally made by an approved mental health professional, such as a social worker or community psychiatric worker, supported (except in an emergency) in writing by two doctors. One of the doctors must be known to the patient personally, and the other must have experience in the treatment of mental illness. The patient's nearest relative must also be consulted. An application for compulsory detention can also be made by the patient's nearest relative.

Mental health emergencies

In an emergency, a mentally ill person can be admitted to hospital for up to 72 hours on the application of the patient's nearest relative or an approved mental health professional, supported by a practitioner who has previous knowledge of the patient.

Emergency powers are also available to the police, who can remove someone from a public place who appears to be mentally ill and in need of care. This person would normally be taken to a place of safety, such as a hospital, for up to 72 hours.

Leaving hospital

Informal patients can leave hospital whenever they wish, unless the doctor feels that this would be a mistake and applies for a detention order. The procedure for the releasing of patients detained compulsorily is more complex.

More information available on:

NHS
www.nhs.uk

Mind
0300 123 3393
www.mind.org.uk

Complaints

If you wish to complain about the NHS or your treatment, it's important to do so as soon as possible. You should do this directly with the service provider.

Advice is available from the Parliamentary and Health Service Ombudsman—see Contacts.

The right to die

The law states that a doctor may give a patient a painkilling drug, which shortens their life, as long as the intention is to relieve pain and suffering and not to kill. If the drug is given with the intention of ending that person's life, the doctor can face a charge of murder.

It is possible to make what is called a living will (known in law as an advance directive) setting out how you would like to be treated if you ever lose the capacity to make or convey a decision. You must clearly understand what you are doing when you give the directive and, if it is done properly, it is legally binding on the doctor. An advance directive cannot authorise a doctor to do anything unlawful.

Giving blood

There's no legal minimum age to become a blood donor, but the National Blood Service allow people to give blood if they are in good health, aged between 17 and 66 and weigh over 50kg.

Doctors

Confidentiality

A person under 16 can give their own consent to medical treatment, as long as they fully understand what is involved.

Patients also have a right of confidentiality. Nothing they say to their doctor should be passed on to anyone else – not even the fact that they made an appointment. However, in special cases, information might be shared if the safety of the patient or someone else is judged to be at risk, or if there is a legal requirement to do so.

General practitioners

Everyone living in the UK, including visitors from overseas, is entitled to register with a GP.

A list of local doctors is available online or from your local Health authority, main post office, library, tourist information office, and Citizens Advice Bureau.

You have the right to change your GP at any time. You don't have to explain your reasons for doing so or tell the doctor concerned. However, a GP does not have to accept you as a patient as long as they have reasonable grounds for refusal, which must be given to you in writing. If you are refused in this way, your local Primary Care Trust or Health Board must give you details of local GPs. New patients are entitled to a health examination when they join a practice.

If you are staying for up to three months in another part of the UK, you can ask to be registered with another GP on a temporary basis. If you go to college or university, it's probably better to register with a new doctor in the town or city where you are staying, so you are guaranteed all the services of the practice that you might need. It's helpful to provide your medical card or National Health number when you register.

If you don't have these, you will need to know your place of birth, and the name and address of the doctor or practice with which you were previously registered.

Prescriptions

There are now no prescription charges in Wales and Scotland. Prescriptions in England are free if:

- You are under 16, 16-18 and in full-time education, or 60 or over
- You are pregnant or have had a baby in the last twelve months and have a valid exemption certificate
- You suffer from certain specified illnesses or conditions
- You or your partner receive Universal Credit, Income Support, income-based Jobseeker's Allowance, income-related Employment and Support Allowance or have an NHS Tax Credit Exemption Certificate
- Your name is on a current HC2 charges certificate

Apprentices are not automatically entitled to free prescriptions.

Further details are available from GPs, The Citizens Advice Bureau and from libraries.

Anyone in England claiming a free prescription may be asked to provide proof that they are entitled to do so. A person who cannot do this should not be refused the prescription, but a check on their entitlement may be made by the fraud team.

Records

Under the Data Protection Act/General Data Protection Regulation (GDPR), you have a legal right to apply for access to health information held about you. This includes your NHS or private health records held by a GP, optician or dentist, or by a hospital or community care provider.

A health record contains information about your physical and mental health recorded by a healthcare professional as part of your care. If you want to see your health records, under the Data Protection Act 2018, patients have the right to request access to their own medical records under a Subject Access Request without charge, including situations where they give consent for a third party such as a solicitor or insurer to access the data.

Your GP or the hospital may ask you to pay for this service. The maximum charge to see your records (either on paper or on screen) is £10. The maximum charge for a copy of a computer held record is £10 – and £50 if any records are held manually.

If you believe that the information on your records is not correct, you may ask for it to be changed. The doctor does not have to agree, but is required to note on your records what you have said.

Dentists

All British citizens are entitled to dental treatment provided by the National Health Service. However, unlike medical treatment from a GP, dental treatment is not always available free of charge.

Dental treatment is free if:

- You are under 18 (under 25 in Wales – dental examination only)
- You are under 19 and still in full-time education or
- You are pregnant or have had a baby in the twelve months before treatment starts
- Your name is on a current HC2 charges certificate
- You or your partner receive Universal Credit, Income Support, income-based Jobseeker's Allowance, income-related Employment and Support Allowance or have an NHS Tax Credit Exemption Certificate

Apprentices are not automatically entitled to free dental care.

An NHS dentist cannot charge a patient who fails to keep an appointment or makes a last minute cancellation, but the dentist can remove the patient from their list.

Not all dentists provide NHS treatment. To find a list of NHS dentists in your area, look on the NHS website, **www.nhs.uk**

You don't have to be registered with a dentist to get NHS treatment; you can contact any surgery providing NHS treatment and ask if they have any NHS appointments available. However, it is usually much easier to obtain treatment if you have regular appointments with the same dentist.

Before each course of treatment, you will receive a treatment plan, showing the work the dentist intends to carry out and what it will cost. The dentist may offer to treat you privately, but should not place pressure on you by implying that the treatment is not available on the NHS. You do not have to accept the treatment being offered.

If you need emergency treatment and are not registered with a dentist, contact a local NHS dentist to see if they can take you on an emergency basis, or get in touch with your local Primary Care Trust (PCT) in England, or Health Board in Wales. Many areas have dental access centres, providing NHS treatment and advice for emergency work and for those not registered for regular treatment. Details are available from your PCT.

Opticians

A free eye test is available if:

- You are under 16 or under 19 and in full-time education
- You are registered blind or partially sighted or need complex lenses
- You are diagnosed with diabetes, or glaucoma
- You or your partner receive Universal Credit, Income Support, income-based Jobseeker's Allowance
- You have an NHS Tax Credit Exemption Certificate
- Your name is on a current HC2 charges certificate

Apprentices are not automatically entitled to free eye tests.

If you need glasses, you may be entitled to help with buying them, particularly if you are unemployed or on a low income. Further information is available from opticians, the Citizens Advice Bureau and online, at www.nhs.uk



Sex & Relationships

Under the Sexual Offences Act 2003, the age of consent for both males and females is 16 years old.

Are you ready?

Although sex is discussed much more now than it was in the past, most people at some stage in their lives get confused about what they should and should not be doing. Probably the best advice is:

- Don't believe everything you hear
- Decide what feels right for you
- Talk to your partner and consider their point of view

Consent

You don't have to do anything that you are not comfortable with. Nor should you expect your partner to. There is no golden age by which you should have had sex. Some people will choose not to because they are not interested, or because there hasn't yet been the right opportunity, or because they want to wait until they are married or meet the right person. There's plenty of time and it's okay to opt out.

Pressurising someone into going further than they want, as well as being morally wrong, can reach a stage where it is also against the law. For example, kissing or touching someone without their agreement can be an assault.

In law, both people must agree to what they are doing (known as consent), and they must understand what is happening.

A person who gets someone drunk in order to go to bed with them, or takes advantage of their drunken state, risks being charged with rape or sexual assault.

Sex & the law

A person under 18 years who has sex with someone under 16 can be prosecuted and sent to prison for up to five years, even if consent has been given. These measures are designed to protect children and teenagers from abuse.

However, the law has not been drawn up with the intention of criminalising sexual activity where both partners agree, and no harm results. In these cases, prosecution is unlikely.

An adult, aged 18 or over, who takes part in sexual activity with someone aged 13-15 (even if they agree), commits an offence and can be imprisoned for up to 14 years; however such adults may be found not guilty if they can show that it was reasonable to believe that their partner was 16 or over.

An adult who has sex with a child of 12 or under can be imprisoned for life, and cannot say in their defence that they believed the child was 16 or over.

Sexting

Sexting can be seen as harmless, but creating or sharing explicit images of a child is illegal, even if the person doing it is a child.

A young person is breaking the law if they:

- Take an explicit photo or video of themselves or a friend
- Share an explicit image or video of a child, even if it's shared between children of the same age
- Possess, download or store an explicit image or video of a child, even if the child gave their permission for it to be created

As of January 2016 in England and Wales, if a young person is found creating or sharing images, the police can choose to record that a crime has been committed but that taking formal action isn't in the public interest. This is known as Outcome 21.

Lesbian & gay relationships

Since 2001, the age of consent has been the same for gay men and women as for heterosexuals. The law no longer criminalises any relationship where both people consent, and are aged 16 or over.

There are still difficulties for lesbian and gay people in a society where some people and faiths do not fully recognise a person's right to a gay relationship. If you need to talk to someone who understands, see Contacts for groups that may be able to help.

Contraception

Each person who has sex is responsible for guarding against the risks to both people. It is important to know how to use contraceptives properly and how they affect your body. Good advice is therefore vital. For this you can go to a family planning clinic or your GP.

If you're under 16, a doctor can prescribe contraceptives for you without telling your parents – as long as the doctor believes that you are mature enough to understand what is being proposed and that there is no risk to your health or safety.

There are a variety of contraceptives available, not all of which will protect against sexually transmitted infections (STI's).

Condoms, if used correctly and consistently, protect against STIs and pregnancy. They can easily and cheaply be bought from supermarkets, garages, chemists, from slot machines in toilets and online. Young people under 24 can often access condoms for free at college or through youth projects and GPs.

Hormonal contraceptives such as the pill or implant are accessed via GPs, GU clinics and sexual health clinics along with methods such as the coil.

Emergency contraception

If you have had sex without using contraception – or used a condom that split – emergency contraception is available to stop you becoming pregnant. This form of contraception is for emergencies only. It is not as reliable as the pill or a condom, and does not protect against STIs. Some people also believe it represents a form of early abortion.

The emergency contraceptive pill is available free from your GP, family planning clinic and some pharmacies without prescription. It should be taken within 72 hours of unprotected sex.

Pregnancy

You think you're pregnant?

Your period is late and you think you might be pregnant. What do you do? To find out if you are expecting a baby, you can:

- Buy a pregnancy testing kit from a chemist, supermarket pharmacy or discount store such as the Pound Shop. These are generally accurate and cost between £1 - £15
- See your doctor
- Visit a family planning clinic or a Brook Advisory Centre, who will give a free test with an immediate result

If you talk to a doctor or nurse, they must keep the conversation confidential, unless they think you have been, or are in danger of being, harmed or abused, and that telling someone else is essential to prevent further harm.

Unplanned?

You will have choices and it is vital that you do everything possible to make the right decision for you.

Seek support from your partner and friends, family, GP or support service listed in Contacts.

Adoption

Giving up a baby for adoption is not easy for the mother or father. It's best to talk to someone about this, such as your doctor or someone at the antenatal clinic as soon as possible.

The adoption will probably be handled by a social worker who will discuss the kind of family the birth parents want their child to grow up in, and will try to find out as much as possible about the birth family to pass on to the adopters. Adopters can be single or married, and the law also allows unmarried and same sex couples to apply for joint adoption.

When the child has settled down with the new family, the adoptive parents can apply to the adoption centre at the local county court for an adoption order, which will be granted if the court is satisfied that all is well.

Neither birth parent has the right to see their child after he or she has been adopted, although sometimes the court can give permission for contact. Once they are 18, a child may seek to get in touch with their birth parents, and birth parents may trace their child through an intermediary service.

You can add yourself to the Adoption Contact Register at the General Register Office to:

- Find a birth relative or an adopted person
- Say you don't want to be contacted

This is not a tracing service - for a connection to be made between people, you must both be on the Adoption Contact Register.

Abortion

A decision by a woman to have an abortion involves practical considerations about how having a child is likely to affect her future, her current relationships, and her responsibilities.

It may also involve questions of feelings and values. Some people have strong objections to abortion, based on their personal beliefs, family, culture, or religion.

For anyone thinking of having an abortion it is almost always helpful to talk to someone about it. This can be a doctor, staff at a family planning clinic, or someone from one of the other organisations listed in Contacts.

Consent

A young woman under 16 may be referred for an abortion without her parents' consent if doctors agree she is mature enough to understand the procedure involved. However, the doctor will advise and help the young woman to talk to her parents or carer, who should be able to provide valuable support once they have overcome any initial shock or concern.

The earlier an abortion takes place, the safer it is. It is also easier to arrange and more likely that it can be provided locally. Most areas can provide abortion up to twelve weeks; after this, it may be necessary to travel to a larger town or city. The father, whether he is married to the mother or not, has no right to force or prevent the mother from having an abortion.

A doctor does not have to carry out an abortion if it is against his or her conscience. If this happens, you can arrange to see another doctor.

The law

Abortion in the UK is controlled by the Abortion Act 1967. This states that an abortion may be legally carried out if two doctors agree that:

- Continuing the pregnancy would risk the life of, or cause serious permanent injury to the mother
- The mother is less than 24 weeks pregnant and that the risks of physical or mental injury to her or her existing children would be greater by continuing with the pregnancy
- There is a substantial risk that the child will be born severely handicapped

Concern over the mother's mental health is a common reason for doctors to allow an abortion – particularly if they feel she is likely to suffer excessive emotional strain.

Ninety per cent of abortions in Britain take place within the first 13 weeks of pregnancy, although abortion is legal up to 24 weeks and, after that, only in the exceptional circumstances listed above.

The procedure that the doctor will follow will be largely determined by the stage of the woman's pregnancy. What is known as medical abortion, involving two clinic visits and two doses of medication, is normally performed within the first nine weeks. An aspiration abortion, in which the contents of the uterus are drawn out, is undertaken using a local anaesthetic. In these circumstances doctors insist that a capable person accompanies the patient to and from the hospital or clinic.

Sexual health - Sexually transmitted infections

Sexually transmitted infections (STIs) are passed from one person to another through unprotected sex or genital contact. You can be tested for STIs at a sexual health clinic, genitourinary medicine (GUM) clinic or GP surgery.

For details of GUM clinics see: www.nhs.uk.

Chlamydia

Chlamydia is the most common STI in the UK and is easily passed on during sex. Most people don't experience any symptoms, so they are unaware they're infected. In women, chlamydia can cause pain or a burning sensation when urinating, vaginal discharge, pain in the lower abdomen during or after sex, and bleeding during or after sex or between periods. It can also cause heavy periods. In men, chlamydia can cause pain or a burning sensation when urinating, a white, cloudy or watery discharge from the tip of the penis, and pain or tenderness in the testicles. It's also possible to have a chlamydia infection in your rectum (bottom), throat or eyes.

Genital warts

Genital warts are small fleshy growths, bumps or skin changes that appear on or around your genital or anal area. They're caused by the human papilloma virus (HPV) and are the second most common STI in England after chlamydia. The warts are usually painless, but you may notice some itching or redness. Occasionally, they can cause bleeding.

Gonorrhoea

Gonorrhoea is a bacterial STI easily passed on during sex. About 50% of women and 10% of men don't experience any symptoms and are unaware they're infected.

In women, gonorrhoea can cause pain or a burning sensation when urinating, a vaginal discharge (often watery, yellow or green), pain in the lower abdomen during or after sex, and bleeding during or after sex or between periods, sometimes causing heavy periods.

In men, gonorrhoea can cause pain or a burning sensation when urinating, a white, yellow or green discharge from the tip of the penis, and pain or tenderness in the testicles.

Pubic lice

Pubic lice ("crabs") are easily passed to others through close genital contact. They're usually found in pubic hair, but can live in underarm hair, body hair, beards and occasionally eyebrows or eyelashes. The lice crawl from hair to hair but don't jump or fly from person to person. It may take several weeks for you to notice any symptoms.

Most people experience itching, and you may notice the lice or eggs on the hairs. Pubic lice can usually be successfully treated with special creams or shampoos available over the counter in most pharmacies or via your GP.

HIV & Aids

What is HIV?

To understand HIV (human immunodeficiency virus), you have to know something about the immune system that stops us from becoming ill. Blood plays an important part in our body's defence against illness. It contains millions of cells, about one per cent of which are white cells. A particularly important type of white cell is called the T-helper cell, and one of the jobs of these cells is to fight off infection. HIV is a virus that attacks the T-helper cells. If it grows inside these cells, and other germs get into our body, we have no way of fighting infection. We become ill and develop what is called acquired immune deficiency syndrome, known as AIDS. HIV is the cause of AIDS, although not everyone who is HIV positive goes on to suffer the effects associated with the syndrome.

HIV & work

It has been against the law since 2005 for an employer to discriminate against an employee with HIV/AIDS. It is also unlawful, under the Equality Act 2010, for employers to ask applicants health-related questions at their interview or to ask them to complete a health-related questionnaire until a role has been offered. Employers may, however, ask people applying for work about their access requirements and whether they can do all the things that are central or essential to the job.

A person with HIV or AIDS is under no legal obligation to tell their employer about their condition, but the government advises healthcare workers who believe themselves to be at risk from infection to seek medical advice immediately. An employer must keep information of this kind confidential and is, as a rule, not entitled to tell other workers that an employee is infected with HIV without his or her permission.

How is HIV transmitted?

The HIV virus is found in the blood, semen, or vaginal fluid of a person with HIV or AIDS. Infection takes place when these fluids pass from an infected person into the bloodstream of someone else. This can happen in several ways:

- By having unprotected sex with someone who already has the HIV virus. This means putting a penis into a vagina or anus without using a condom. The risk of contracting HIV infection through unprotected oral sex is thought to be much lower. You can help to protect yourself from HIV infection through sex by using a condom or dental dam
- By sharing or using a hypodermic needle, that has already been used by someone with HIV, leading to the exchange of a small amount of infected blood
- As a result of a mother with HIV passing it on to her baby whilst it is growing inside her

Blood transfusions in industrialised countries should be safe as the blood used is routinely screened. **Anyone who feels they may be at risk of HIV or AIDS should seek medical advice and help from their GP.**

How don't you get HIV?

The HIV virus dies quickly once outside the body. Because of this, you don't get HIV from hugging, kissing, including French kisses, sharing towels or cutlery, swimming, toilet seats, sharing musical instruments and giving blood.

If you are worried about HIV or AIDS, see Contacts for help.

Drugs and the law

Controlled drugs

All drugs produce some kind of change in the way a person's body or mind works, and the availability of most drugs – whether aspirins, alcohol or amphetamines – is controlled by law.

The main law covering the use of dangerous drugs in the UK is the Misuse of Drugs Act 1971. This Act controls the use of such drugs and it is an offence to possess, produce or supply anyone with them. Controlled drugs are divided into three categories in law – classes A, B and C. Class A are considered to be the most dangerous.

Police powers

If a police officer has reasonable grounds to suspect that someone is in possession of a controlled drug, the officer can search that person and their vehicle and seize anything that seems to be evidence of an offence.

Class A drugs

Cocaine

Cocaine is a white powder that is injected, rubbed onto gums, or snorted through a tube. Crack is cocaine treated with chemicals, to allow it to be smoked. Both give a high, followed by a rapid down. The only way to maintain the high is to keep taking the drug – but **regular use leads to sickness, sleeplessness, weight loss, and addiction.**

Crack

There are three types of cocaine: coke, crack and freebase.

- Coke looks like a fine white powder
- Crack looks like small lumps or rocks
- Freebase looks like a crystallised powder

Most people snort cocaine – they crush it into a fine powder, divide it into lines and snort it through the nose. This is the most common way to take cocaine. Crack or freebase can be smoked through a glass pipe, tube, plastic bottle or in foil, but this is less common.

Regular use of cocaine can make people feel:

- **Depressed**
- **Run-down**
- **Anxious**
- **Paranoid**

Ecstasy

Ecstasy, or E, is usually sold as tablets of different shapes and colour. It makes the user feel friendly and full of energy, and sound and colours can seem much more intense. However, the comedown can leave the user tired and low – often for days. Regular users can have problems sleeping, and some women find it makes their periods heavier. **Ecstasy affects the body's temperature control and it may cause the user to overheat and dehydrate.** There is no guarantee that tablets sold as ecstasy do not contain some other ingredients. This can make their use unpredictable and dangerous.

Heroin

Heroin is made from the opium poppy and can be smoked, sniffed or injected. It comes as a white powder when pure. Street heroin is usually brownish white. Heroin slows down the brain and, at first, gives a feeling of total relaxation. Repeated use creates dependency. **Overdosing causes unconsciousness and often death – particularly if used with other drugs, such as alcohol.**

LSD

LSD, also known as acid, is a man-made substance, sold impregnated on blotting paper (often printed with cartoon characters or in colourful patterns) and dissolved on the tongue. It usually takes about an hour to work, and lasts up to 12 hours. The effects depend on the strength of the dose and the user's mood. **It generally distorts feelings, vision and hearing, and bad trips lead to depression and panic, or worse, if the user is already anxious.**

Class A drugs (continued...)

Methadone

A synthetic opiate used as an alternative to heroin. Methadone prescribed to people trying to come off street heroin is usually a green liquid that is swallowed, but it can come in tablet or injectable form.

Taking methadone illegally does involve risks. Methadone that's prescribed by a doctor is subject to stringent controls, as with any other medicine, so you can be sure of its strength and that it has not been tampered with.

With high doses, users feel sleepy. Even higher, and the user can fall into a coma or stop breathing completely. **Overdoses can lead to coma (and even death from respiratory failure i.e. when breathing stops).**

Methamphetamine

Methamphetamine can come in several different forms – including tablets, powder, or crystals. The tablets are sometimes referred to as yaba and the smokeable crystals are often called crystal meth or ice. Depending on its form, methamphetamine can be swallowed, snorted or injected. **It can cause increased heart rate and blood pressure, raising the risk of heart attack – the higher the dose, the greater these effects.**

There's evidence that long-term methamphetamine use can cause brain damage, although this gradually gets better if the user stays off the drug for a long time.

Inhibitions are lowered and libido may be increased – this can lead to taking part in risky activities that you would not normally do. This includes having unsafe sex, which itself can lead to other risks, such as catching a sexually transmitted disease or an unplanned pregnancy.

Class B drugs

Amphetamines

Amphetamines, sold as pills or powder, were developed to treat depression. They give a feeling of energy and confidence, but increasing doses are needed to keep up the effect. **The downside is anxiety, insomnia, irritability and less resistance to disease** and, as with all illegal drugs, there is no guarantee that they do not contain other harmful substances.

Barbiturates

Barbiturates are used in medicine to help people who cannot sleep. They produce feelings of drowsiness and relief from anxiety. They are sold as a powder or coloured capsule. Regular use creates dependency. **They are extremely dangerous when taken with alcohol or other drugs.**

Legal highs

New psychoactive substances – often incorrectly called legal highs, contain one or more chemical substance which produce similar effects to illegal drugs.

Cannabis

Cannabis comes in a variety of forms. It is smoked or eaten. Possession carries a maximum penalty of five years' imprisonment and an unlimited fine. A sentence of up to 14 years and an unlimited fine may be given for dealing in and supplying cannabis.

People over 18 found possessing cannabis are likely to receive a warning and have the drug confiscated, but could be arrested if smoking in public. Repeat offenders face arrest and prosecution.

Someone under 18 caught with cannabis is likely to be arrested, taken to a police station, and given a final warning, reprimand or charge, depending on the seriousness of the offence and whether they have been in trouble before for a similar offence.

If they receive a final warning, they will be referred to the local youth offending team.

The effects of cannabis vary from one person to another. Some feel relaxed and happy, but the downside can be moodiness, anxiety, and difficulties with memory. Heavy users risk severe tiredness, mental health problems and cancer from the drug's chemical constituents.

The use of cannabis can result in psychosis.

Class B drugs

Codeine

A painkiller used to treat mild to moderate pain that's available as:

- Small white pills or tablets
- A syrup – like a cough syrup
- A liquid solution – for injecting

As with any prescribed medicine, codeine can cause side effects – and you should always read the list of common side effects included with a medication, and any warnings printed on the packaging. Most people who take codeine as a painkiller don't get any side effects, so long as they take the correct amount as prescribed by a doctor. People sometimes take codeine to help them manage with stress and depression. Using any drug to escape bad feelings can increase the risk of becoming dependent on the drug.

However, long-term abuse of any mood-altering chemical – like codeine – can also contribute to symptoms such as anxiety and depression, so you could be making your mental health worse by taking it.

Ketamine

Ketamine is a hallucinogenic dissociative normally sold on the street as a grainy white powder. Ketamine is used in medicine as an anesthetic for humans and animals. Most people who take powder ketamine will snort it. Users often talk of taking a 'bump', meaning they snort a small amount of ketamine. In the UK, snorting is the most common way to take ketamine.

Synthetic cannabinoids

Synthetic cannabinoids are chemicals that have been developed to act like the main psychoactive chemical in cannabis, tetrahydrocannabinol (THC) which acts on cannabis receptors in the brain.

Since synthetic cannabinoids act like cannabis, the effects - good and bad - are similar to cannabis. Some users will feel happy and relaxed, may get the giggles, feel hunger pangs and become very talkative. Others mainly feel ill or paranoid. Because synthetic cannabinoids react more strongly with the brain's cannabis receptors, they're more potent than natural cannabis. This means it's easier to use too much and experience unpleasant and harmful effects.

Synthetic cannabinoids are usually sold in 'herbal' smoking mixtures. Sometimes these smoking mixtures have been found not to contain any synthetic cannabinoids at all. There are lots of different types of synthetic cannabinoids. Some were previously illegal and some weren't, but since 26 May 2016 when the *Psychoactive Substances Act* came into effect, none of these drugs are legal to produce, supply or import for human consumption.

Ketamine is a very powerful anesthetic that can cause serious harm. **Taking ketamine can be fatal, particularly if it is mixed with other drugs. Ketamine can increase your heart rate and blood pressure. It can make you confused, agitated, delirious and disconnected from reality. It can make you feel sick, and it can cause damage to your short- and long-term memory.**

Class C drugs

Anabolic steroids

Anabolic steroids are tablets or injected liquid that some people take to build muscles or improve sports performance. Taking anabolic steroids does involve risks to your body and health. If you're young, anabolic steroids can mess up how your body develops, stopping you from growing properly.

If you're male, regular use can lead to erection problems, growing of breasts, becoming sterile, loss of hair and development of acne. It can also make your testicles shrink.

If you're female, you can develop more masculine characteristics - with extra facial hair, loss of hair on the head, a deeper voice, shrinking breasts, and an enlarged clitoris; as well as risking acne, an increased risk of menstrual problems and changes in sex drive.

A number of anabolic steroids are also on the list of controlled drugs after concern over their misuse in sport and bodybuilding.

Tranquilisers

Tranquilisers cause lower alertness, and affect people who drive or operate machinery.

GHB (Gammahydroxybutrate) & GBL (Gammabutyrolactone)

Closely related drugs with similar sedative and anesthetic effects. When consumed, GBL is converted into GHB in the body. It's very easy to overdose on GHB and GBL.

This is because there's only a very small difference between the dose causing the desired effects and the dose leading to severe overdose. **GHB and GBL can result in short term confusion and disorientation.**

We don't yet know what the effects are on the brain from taking these drugs repeatedly.

The risks

There is no way of knowing exactly what is in drugs made or obtained illegally. This makes them unpredictable and dangerous. All drugs have side effects that may be dangerous and even fatal – particularly if they are mixed or taken regularly.

Anyone using shared needles, filters or spoons, risks becoming infected with hepatitis or HIV, the virus that leads to AIDS. Hepatitis C is a virus that can cause severe long-term liver damage. It is caused by blood-to-blood contact, generally through sharing needles when injecting drugs. Illegal drug-taking places a person's job, school or college place at risk. Employers and head teachers have a legal duty to confiscate drugs found at work or school and hand them to the police as quickly as possible. Although drug use is not a criminal offence in the UK, it is an offence to possess or supply controlled drugs.

Possession

Possession of any quantity of a controlled drug is a criminal offence, even if it's only a tiny amount. First-time offenders in possession of Class C drugs are likely to receive a reprimand or warning.

Supply

It is an offence under the Misuse of Drugs Act 1971 to supply or to offer to supply someone with a controlled drug. Obviously this includes the sale of drugs – but it is still an offence even if money does not change hands. Giving a controlled drug to a friend, or sharing a drug at a party by passing it from one person to another, is still seen in law as supply.

It is also an offence if the substance sold is not actually a controlled drug, but the seller claimed or believed it to be one.

Production

It is an offence under the Misuse of Drugs Act 1971 to produce any controlled drug. This includes letting someone use your kitchen or a room for this purpose.

Growing cannabis comes under this heading, and is a criminal offence if it can be established that the accused knew what they were doing.

Briefcase - Dennis

Dennis bought 1,000s of tabs of what he thought was LSD, and was caught by the police trying to sell them. When the tablets were analysed they were found not to contain LSD, but a harmless vegetable product that was not at all illegal. Despite this, Dennis was accused and found guilty of supplying an illegal or controlled drug, because his intention was to supply an illegal drug.

Solvent abuse

The effect of solvent abuse is rather like getting drunk on alcohol. However, it takes effect more quickly as the substances enter the bloodstream through the lungs rather than the stomach.

People inhaling solvent fumes may experience hallucinations and, if plastic bags are used, risk falling unconscious or choking on their own vomit. Solvent abuse itself is not against the law, but it is an offence, under the Intoxicating Substances (Supply) Act 1985, to supply a solvent such as glue, lighter fuel or other substances to a young person under 18, if there is reasonable cause to believe that the fumes might be inhaled.

Tobacco & alcohol

Since October 2007, 18 has been the minimum legal age for buying tobacco in the UK. Shopkeepers who sell tobacco or cigarettes to anyone who seems to be under the age of 18 may face heavy fines.

Smoking is now banned in virtually all enclosed public places throughout the UK. These include shops, offices, factories, pubs and bars.

It is illegal to sell alcohol to anyone below the age of 18. For more details on the sale of alcohol, see Leisure.

Briefcase - Alex

Alex was one of a group who bought and sold drugs for themselves and other students at their university. One day, his friend Paul took an overdose of heroin and died. It was Alex who had supplied the drug. A court sentenced him to five years in prison.

Information

The National Drugs Helpline is open 24 hours a day, every day of the year.

Telephone (free) **0300 123 6600**
or email: **frank@talktofrank.com**

Other adult topics

Tattoos

Under the Tattooing of Minors Act 1969, it is illegal to tattoo a person who is under the age of 18. All businesses carrying out tattooing (and piercing) must be registered, and are regulated by the local authority.

Wills

Anyone aged 18 or over can make a will, provided they are capable of understanding what they are doing. There is no lower age limit for people in the armed forces on active service, or sailors at sea.

For a will to be legally binding it must be signed and witnessed by another adult.

Prostitution

Prostitution, the exchange of sexual services for money, is legal in the UK. However it is an offence for a prostitute to attract 'business' in public (called soliciting), and for someone to try to obtain the services of a prostitute from a motor vehicle that they are in, or have just got out of. It is also an automatic offence to pay for the services of a prostitute who has been forced into prostitution. It is no excuse for the person to say that they did not know that this was the case.

Brothels are illegal in the UK. A brothel is a premises used by more than one worker (male or female) for the purposes of prostitution.

Under the Sexual Offences Act 2003, it is an offence for a person to pay for sex with someone under 18.

If the police become aware that someone below the age of 18 is involved in prostitution, they will almost certainly inform social services who will decide whether to apply for an order to take that person into care for the purposes of their own protection.

Contacts - Sex, STIs, Contraception, Pregnancy & Abortion

British Association for Adoption & Fostering

Saffron House, 6-10 Kirby Street, London EC1N 8TS

Website: www.corambaaf.org.uk

Tel: 020 7421 2600

BAAF offers advice and information on adoption and fostering, in addition to working for children who may have become separated from their birth families.

British Pregnancy & Advisory Service has consultation centres and clinics throughout the UK providing pregnancy tests, consultation, emergency contraception and abortions.

Advice on sex, pregnancy and abortion is available for women and men at www.bpas.org.uk, and via the BPAS advice line, **Tel: 08457 30 40 30** (Open 24 hours a day, seven days a week)

Brook Advisory Centres offer free and confidential advice and counselling on sex and contraception. There are centres in England, Scotland and Northern Ireland.

For details see www.brook.org.uk

There is a free helpline for under 24s
Tel: 0808 802 1234
(Open 11am - 3pm, Monday - Friday)

Public Health England for sexual health advice.
Tel: 0300 123 7123 (Monday-Friday, 9am to 8pm)

Sexwise

For honest advice about contraception, pregnancy, STIs and pleasure.

Website: www.sexwise.org.uk

Marie Stopes International UK

1 Conway Street, Fitzroy Square, London W1T 6LP

Tel: 020 7636 6200

Offers information for women and men on contraception, abortion, sexual health and other services. For information, appointments, and details of UK centres, see their website:

www.mariestopes.org.uk

Proud2Serve provides information and support for gay, lesbian, bisexual and transgender people serving in the British armed forces, see their website: **www.proud2serve.net**

Stonewall

Tower Building, York Road, London SE1 7NX

Website: www.stonewall.org.uk

Tel: (free) 08000 50 20 20
(Monday - Friday, 9.30am-5.30pm)

Offers information and advice for lesbians, gay men and bisexuals.

HIV & Aids

Avert

4 Brighton Road, Horsham, West Sussex, RH13 5BA

Website: www.avert.org

An international HIV and AIDS charity based in the UK, providing a wide range of information on HIV and AIDS.

Positively UK

345 City Road, London E1V 1LR

Tel: 020 7713 0444

Website: www.positivelyuk.org

Able to provide practical and emotional support for people living with HIV and Aids.

Terrence Higgins Trust

314-320 Gray's Inn Road, London WC1X 8DP
Provides support and information for people affected by HIV and AIDS, and on more general matters of sexual health.

Tel: 0808 802 1221

(Monday - Friday, 10am-8pm)

Website: www.tht.org.uk —see website also for details of ways to arrange for an HIV test.

Drugs & addiction

Alcohol Concern

25 Corsham Street, London N1 6DE

Tel: 020 7566 9800

Website: www.alcoholconcern.org.uk

Information on alcohol issues.

Drinkaware

Samuel House, 6 St Albans Street, London SW17 4SQ

Tel: 020 7766 9900

Website: www.drinkaware.co.uk

Provides practical advice and information about all aspects of alcohol consumption.

Frank

Provides information on all types of drug taking.

Website: www.talktofrank.com

Tel: 0300 123 6600 (24 hour free confidential helpline for drug users, their family and friends).

Narcotics Anonymous (NA)

Provides information on addiction.

Website: www.ukna.org

Tel: 0300 999 12 12 (24 hour confidential helpline)

Release

388 Old Street, London EC1V 9LT

Provides information and legal advice on drug-related problems.

Website: www.release.org.uk

Tel: 020 7324 2989

(Open Monday - Friday, 11am-1pm and 2pm-4pm)

Healthcare

NHS

Tel: 111

Website: www.nhs.uk

Mind

15 Broadway, Stratford, London, E15 4BQ

Provide information on all aspects of mental health.

Two helplines are available, Monday - Friday, 9am-6pm

A legal advice service - Tel: 0300 466 6463

General information line - Tel: 0300 123 3393

Website: www.mind.org.uk

Samaritans to talk to when feeling desperate, lonely or suicidal. You can say what you like, you need not give your name; it's entirely confidential. They can be reached by phone at any time, every day of the year.

Website: www.samaritans.org

Tel: 08457 90 90 90

For your local branch, use the website or look under 'S' in your local phone book; many offer drop-in personal support.

Sane

1st Floor, Cityside House, 40 Adler Street, London E1 1EE

They are able to provide information and advice to anyone (including friends and family) suffering from mental health problems, including details of support available in your local area.

Tel: 0300 304 7000

(Open 4.30pm - 10.30pm daily)

Website: www.sane.org.uk



Shout

In a crisis?

Anxious? Worried? Stressed?

Get 24/7 help from our team of crisis volunteers.

Text 'KNOW' to 85258

for free, anonymous and confidential advice.

**** Disclaimer -** Whilst we work hard to ensure all information contained within this document is correct and current it should not act as the definitive source of information on the subject covered.



Social Life

Going out

Pubs & off-licences

The licensing laws controlling the sale of drinks were introduced in the First World War, and it's only in the last few years that they have begun to change.

Under the Licensing Act 2003, under 16s can go into pubs (if the management allows it) but they must be accompanied by someone over 18. At 16 or over, you can consume beer, wine or cider if it is bought for you by someone aged 18 or over, but only to drink with a meal in the dining or restaurant area of a pub when accompanied by someone aged 18 or over.

Only when you are **18** can you buy **alcohol or drink alcohol** in a bar.

Drinks with 0.5% or less of alcohol, such as canned shandy and low alcohol beers, are treated as non-alcoholic. It is an offence to sell alcohol to anyone under 18 – unless it can be shown that the landlord did their best to check the person was 18 or over. It's also an offence for you to buy, or try to buy, alcohol if you are under 18, or to buy or try to buy it for someone under 18. The maximum fine for this is £5,000.

The measures of alcohol that you can be sold are legally controlled. A reasonable head forms part of a pint of beer unless the glass has a line measure. The prices of drinks and food should be displayed by law, and should be clearly visible from where the drinks are served.

Refusing to serve

It is against the law for a pub or off-licence to refuse to serve someone because of their sex, religion, ethnic group, disability or sexual orientation.

However licensees may turn down customers who look as if they have had enough drink already, otherwise they risk being charged with 'permitting drunkenness', and fined. Pub or bar staff may also refuse admittance to someone who appears to be intoxicated, or ask them to leave.

Not in public

If a young person under 18 is in a public place (eg the street), or a place they have entered illegally, and have been drinking, or are about to drink, a police officer can, under the Confiscation of Alcohol (Young Persons) Act 1997, require them to stop drinking and can take away the alcohol.

Refusal may lead to arrest or a fine of up to £500. The police can also take alcohol from someone over 18 who is in a public place if they believe it will be passed to under-age drinkers.

The police can ask for the name and address of anyone from whom they have taken alcohol, and it is an offence for that person to refuse to give these details or to give a false name and address.

The Criminal Justice and Police Act 2001, allows for the consumption of alcohol to be banned in public places and gives the police powers to stop people from drinking and hand over the alcohol. Under the Violent Crime Reduction Act 2006, anyone aged 16 and over can be given a banning order preventing them from going to certain places if the police believe that disruptive behaviour may take place.

Proof of age

If you have trouble proving you are over 18, you can apply for a proof of age card, carrying your name, photograph, date of birth and signature. Cards are available from **Validate UK and CitizenCard**.

Raves & unlicensed parties

Anyone who organises a rave needs an entertainment licence. To get one the event must meet certain safety standards. Many raves are legal and are arranged in conjunction with the local licensing authorities. Unlicensed raves are illegal.

Under the Criminal Justice and Public Order Act 1994, the police have the power to break up an unlicensed open air rave of more than 20 people if the noise and disturbance are likely to cause distress to local people. Under the direction of a senior police officer, the police can order off the land anyone who is preparing, waiting for, or attending the rave. They can also seize and confiscate any sound equipment. Anyone who goes back onto the land within seven days can be fined or imprisoned for up to three months.

The police can also stop anyone within five miles of the rave, and order them not to proceed to the gathering. Anyone who refuses to turn back may be fined.

Although the police have the powers to close raves and unlicensed parties that break the law, some forces prefer not to get involved unless there is a danger to people's safety or a serious nuisance.

Gambling

It is illegal for anyone under 18 to enter or gamble in a betting shop or casino.

If you are under 18 you can go into a bingo club, but cannot take part. Nor can you take part in these activities over the internet. Anyone who invites or allows someone under 18 to gamble also commits an offence. Jackpot machines and higher pay-out cash machines are restricted to those aged 18 or over.

Pools, lottery tickets and scratch cards should not be sold to anyone under 16, and winnings cannot be collected by someone below this age.

Nightclubs

Nightclubs must have special licences for entertainment and the sale of alcohol. Like pubs, it's illegal to sell alcohol to someone under 18, and owners are within their rights to choose who they will or will not allow in, as long as they do not break the anti-discrimination laws. Clubs who charge lower entry fees for women than men are breaking the law.

The door

Under the Private Security Industry Act 2001, all door supervisors and security staff must now be licensed and display their licence badge clearly when working. It is an offence for a supervisor or security guard to operate without one.

Security staff have no special powers. The same laws apply to them as everyone else, which means that they can only use a reasonable amount of force to remove someone from a venue. In certain circumstances this means no force at all and a member of security who uses too much force without good reason commits an offence.

Getting home safely

Black cabs & licensed taxis

These are under tight licensing control. The vehicles must be checked regularly, the fares are set by law and the drivers may have had to sit an exam to get their licence.

Black cabs can be flagged down, as well as hired from a taxi rank. From a rank a taxi driver cannot unreasonably refuse to take a fare. It is a criminal offence for a driver of a cab to lengthen the journey in time or distance without a good reason.

Under the Equality Act 2010, newly licensed taxis (and private hire vehicles) must generally be fully accessible to disabled travellers. Black cab and licensed taxi drivers are also required to help disabled people into and out of taxis and to help them with their luggage – unless they have an injury or medical condition that prevents them from heavy lifting and notice of this is displayed on the taxi.

Unlicensed taxis

Unlike black cabs or licensed taxis, these vehicles will not have been specially examined and may not even have a current MOT. They will not be insured to carry fare paying passengers, so passengers have little protection if anything goes wrong.

Minicabs & private hire cars

All minicabs, private hire cars, and their drivers, must be licensed by the local authority. If you want a private hire car, you should either book it in advance or wait in the cab office. Even if there's a meter, it's a good idea to get an estimate of the fare before you set off. If there's not, always agree the fare in advance.

Uber

Uber is private driver hire accessible via an App with payment for the journey being made securely through a mobile phone. Not all locations allow Uber to operate.

No entry

The driver of a licensed taxi or hire car who refuses to take a passenger (including a disabled person) without good reason may be prosecuted and fined under the Town Police Clauses Act 1847.

Anyone who feels that they are a victim of this, and wishes to do something about it, should make a note of the plate or registration number of the taxi or hire vehicle and report it to their local licensing authority. (The main local council switchboard can provide the number). The licensing authority will investigate the case and then prosecute the driver if they feel there is sufficient evidence.

Eating out

Quality

Whether you're in an expensive restaurant or an ordinary takeaway you have the right to reject any food of a quality below the standard that you are reasonably entitled to expect. What is 'reasonable' depends on such things as the price charged, what the menu says, and basic standards. The laws applying to faulty goods or services also apply to food.

Service charge

A service charge may sometimes be added to the bill in a restaurant. It is usually around 10%. If it was made clear before you ordered that service will be included, then you have got to pay it. If the service was unsatisfactory, see the manager to ask for a discount. If there is no service charge included, it is up to you whether to leave a tip.

Price

All restaurants, pubs and cafes must, by law, clearly display the price of food and drink where it is served, so you can read it before you order or sit down at a table.

Safety

Under the Food Safety Act 1990, it is an offence for a restaurant to serve food that is unfit for human consumption. If you are concerned about the hygiene in a place where you have eaten, you can contact your local environmental health office, which has the power to investigate. Many eateries will display a food hygiene rating provided to them by the Local Authority.

Complaints

It's advisable to complain as soon as you know there's a problem and before eating food you believe is unsatisfactory, so that the restaurant can do something about the situation. The more you are paying, the higher the standards you're entitled to expect.

If the quality of your meal is poor, you are entitled to make a reasonable deduction from the bill, but don't leave without paying. Explain to the manager why you are not satisfied with the food, and leave your name and address. It is then up to the restaurant to take this up with you later on if they wish.

Discount

Some high-street restaurants, shops and cinemas provide discounts to students and apprentices with a valid NUS Apprentice card. NUS cards can be purchased by any apprentice on their website. See contacts for more details.

Briefcase - Prosecuted

The owner of two takeaways in Leeds was sentenced to two months in prison for failing to bring his restaurants up to the required standards, despite three warnings by local environmental health officers.

Problems found during a spot check included dirt and food debris on the floor, grease and mould around the taps, food in the fridge three months out of date, and a pan of cooked chicken left out at room temperature all day. Because of the court action, the owner was declared bankrupt and lost both premises.

Staying in

Drink & drugs

Although you can't buy alcohol from a shop or off-licence until you're 18, anyone over five can drink alcohol on private premises.

It is an offence to give alcohol to a child under five, unless given by a doctor or in an emergency. An offence is committed, under the Misuse of Drugs Act 1971, if you knowingly allow anyone into your flat or house to supply an illegal drug to someone else, or allow the smoking of cannabis or opium. The penalty for someone knowingly allowing their flat or house to be used for these purposes is up to 14 years in prison for a Class A, B or C drugs. Even if you are not taking the drug yourself you can still be charged as it is your place they are using.

Safety

The safety of your home for visiting guests is your responsibility; although you're not expected to guard against the unforeseeable. Consider the health and safety of your home before inviting in guests.

Insurance

If someone is injured in your home you could be required to pay them compensation – although this can be paid through an insurance policy, if you have one. Most householders' insurance policies cover owners for injuries to other people, called 'third parties', caused by the state of the building or its fittings. If you're in rented accommodation, your landlord could be liable – and again it is her or her insurance company that would pay damages.

Gatecrashing

Gatecrashing is trespass. The law says that you can use reasonable force to stop gatecrashers entering the property or to get them to leave, but don't start waving a broken bottle around. This is unreasonable and will leave you in more trouble than them. If they come in peacefully, they should be asked to leave before any force is used.

Noise

If there is a noisy party and the police are called, they can ask people to be quiet, but there's not much else they can do unless they fear there's going to be a breach of the peace – that is some kind of disorder – then arrests will almost certainly be made.

However, if you are being disturbed by noise from a neighbour between 11.00pm and 7.00am, you can ring the local environmental health department, which must investigate your complaint as soon as possible. Under the Noise Act 1996, they have the power to send an officer to the house to measure the noise and decide whether it is excessive. If it is, the person believed to be responsible will be given a warning notice, giving them at least 10 minutes to switch off or turn down the noise. An offence is committed if the noise continues; the officer can decide to prosecute or issue an on-the-spot fine of up to £100. If the fine is paid within 14 days, no further legal action can be taken for the offence; if it is not paid, a court can impose a higher fine.

If the warning notice is ignored, the officer can also obtain a warrant (often very quickly) to go into the building and remove the sound equipment that is being used.

Sporting events

Safety

Under the Sporting Events (Control of Alcohol etc) Act 1985, it is an offence to be drunk at a football match or to have alcoholic drinks in the ground within sight of the pitch, or on certain coaches and trains travelling to or from the event.

Risks & the duty of care

Anyone who plays sport must expect a certain element of risk. But intentional or reckless behaviour towards someone else is a different matter, and the person responsible can be sued for damages and prosecuted for a criminal offence. Organisers of sporting events also have a duty to see that visitors, spectators and passers-by are reasonably safe.

Banned

Under the Football (Disorder) Act 2000, a court can ban a person from attending domestic or international football matches if they have committed a public order or violent football-related offence.

Offenders can be required to report to a police station before a match, to surrender their passport if banned from an international game or to avoid specified areas during a match. The ban can last up to 10 years.

Briefcase - Football

A Stockport County player was awarded £250,000 after his career was ended through injuries suffered in a match against Swansea City. The court decided that he was brought down by a tackle aimed at the legs, rather than the ball, which did not reflect the reasonable care that players should show towards one another.

Contacts

CitizenCard

36 Bromells Road, London SW4 0BG

They can provide a photo-ID card and proof of age. Application forms are available from the address above, supermarkets, post offices, off-licences, your Personal Tutor or online. Paragon Skills is able to offer free Citizencards. Speak to your Personal Tutor for further details.

Website: www.citizencard.com

Drinkaware

Samuel House, 6 St Albans Street,
London SW17 4SQ

Provides practical advice and information about all aspects of alcohol consumption.

Website: www.drinkaware.co.uk

Tel: 020 7766 9900

Frank

Provides information on all types of drug taking.

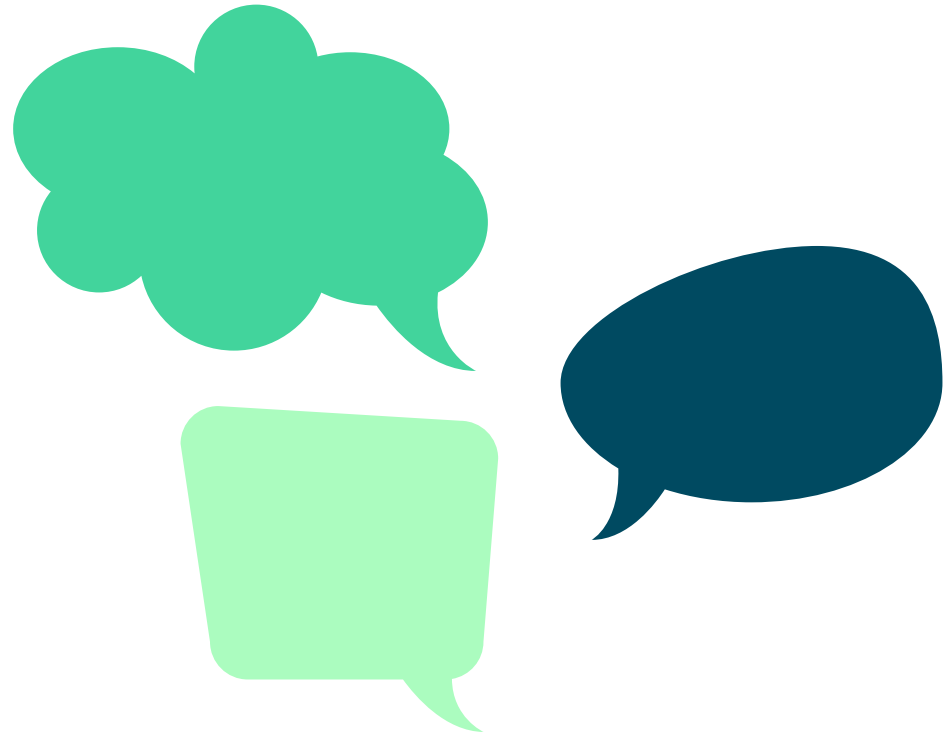
Website: www.talktofrank.com

Tel: 0800 776600 (24 hour free confidential helpline for drug users, their family and friends)

NUS

The union for students and apprentices where membership brings discount on shopping, films, meals and more.

Website: www.apprenticeextra.co.uk



** Disclaimer - Whilst we work hard to ensure all information contained within this document is correct and current it should not act as the definitive source of information on the subject covered.

Crime & safe living



Victims of violent crime

Victims of violent crime can apply to the Criminal Injuries Compensation Authority for compensation for their injuries - which must be serious enough to receive an award.

The crime must be reported to the police as soon as possible, and an application for compensation made within two years of the incident that caused the injury. However, all cases are treated individually and an exception can be made if the victim was under 18 or the delay in reporting was caused by the after effects of the crime.

Victim Support runs a helpline and **gives advice to victims of crime.**

If you are a victim of crime and are called as a witness, you can arrange to visit a courtroom before the case starts, reserve a seat for someone accompanying you, wait separately from other people, or talk to somebody from Victim Support.

Fighting back

If you're threatened or hit, it's usually better to try to avoid a fight by talking to your attacker or backing off calmly. If you can't do this, the law says that you can use reasonable force to defend yourself, someone else, or property. This means that you're entitled to fight back, but not to go over the top and beat up the other person. If you do, you will have also committed an offence.

There is no law which says that you must report a crime to the police, but if you want to claim compensation or seek justice for your injuries, the crime must first have been reported to the police.

Citizen's arrest - What you can & cannot do

If there isn't a police officer present and you see someone committing a serious offence, or have reasonable grounds for believing that they have committed one, you can make a citizen's arrest. But, take care. People have been hurt and even killed trying to do their civic duty. The best advice is to take in as much as you can about the incident, and then to ring the police. If you do get involved, remember that an ordinary person only has the power to make an arrest for a serious offence - such as theft, serious assault, or burglary. Don't arrest someone for parking on a double yellow line.

Neighbourhood patrols also come up against this problem. They can't arrest someone who they think is about to commit an offence (it must be in progress or have already been done), nor can they use excessive force - otherwise they can face charges of assault and wrongful arrest.

Briefcase - Raj

Raj ran an off-licence, and had twice been the victim of armed robbery. One night, a man carrying a long knife came into the shop demanding money from the till. As Raj was being held with a knife to his throat, his brother came through from the back and the robber ran off. Raj was so angry that he got into his van and chased the man down the street knocking him down and killing him. Raj was found guilty of manslaughter and sentenced to two and a half years' imprisonment. The court decided that he could not have been acting in self-defence because he was, by that time, not being attacked or threatened.

Crimes against people

Assault & battery

The word 'assault' is not used in law in quite the same way as in everyday speech. Strictly speaking, **an assault takes place when someone causes a person to fear that they are about to suffer immediate unlawful physical violence.** If this fear becomes reality and force is actually used against someone without their consent, the assault becomes a battery, however slight the force.

Normally assault and battery take place at the same time. But it is possible to be assaulted without battery (raising an arm and shouting threats without hitting anyone), and to be battered without assault (hitting someone from behind without warning).

Self defence

If you carry something to use for self-defence, you run the risk of actually breaking the law yourself. Under the Prevention of Crime Act 1953, it is an offence to carry something made, adapted, or intended to cause injury to someone. This includes things like a knife, bicycle chain, sharpened comb, or a pepper spray. The penalty is a prison sentence, or a fine, or both.

Knives

Under the Criminal Justice Act 1988 and the Offensive Weapons Act 1996, it is an offence to have anything with a blade or sharp point in a public place. Folded pocket knives are allowed as long as the blade is less than 3 inches long and not used in a threatening way.

Voyeurism

Sometimes referred to as 'Upskirting', voyeurism is the action of placing equipment such as a camera or mobile phone beneath a person's clothing to take a voyeuristic photograph without their permission.

It is not only confined to victims wearing skirts or dresses and equally applies when men or women are wearing kilts, cassocks, shorts or trousers. It is often performed in crowded public places, for example on public transport or at music festivals, which can make it difficult to notice offenders.

Sexual assault

Under the Sexual Offences Act 2003, it is an offence to touch someone intentionally in a sexual way when it is against their wishes and it is clear they have not consented. Sexual assault carries a punishment of up to 10 years' imprisonment.

Stalking

The Protection from Harassment Act 1997 became law after a number of cases involving men harassing and following women over a long period of time. **It is now an offence for someone to behave in a way that they know (or ought to know) amounts to harassment, or puts a person in fear of violence being used against them on at least two occasions.**

Punishments include imprisonment, a fine and a restraining order, prohibiting the offender from contacting the victim and going to the area where they live or work.

Revenge porn

Revenge porn is the sharing of private, sexual materials, either photos or videos, of another person, without their consent and with the purpose of causing embarrassment or distress.

The offence applies both online and offline, and to images which are shared electronically or in a more traditional way so it includes the uploading of images on the internet, sharing by text and email, or showing someone a physical or electronic image.

Sexting

It is an offence for anyone under the age of 18 to take or share an indecent photo of themselves or to look at or share someone else's. Such behaviour can lead to prosecution and being listed on the sex offenders register.

Rape

Under the Sexual Offences Act 2003, a male aged 10 or over who penetrates somebody's vagina, anus or mouth with his penis, and without their consent, commits the crime of rape. A jury can assume that there was no consent if the victim was asleep, unconscious, disabled or where violence was involved.

Rape can be committed against a man or woman. The maximum penalty is life imprisonment. It is also an offence under the same Act to threaten or force a person to take part in sexual activity against their will, or to give them drugs in the hope that they will give in. It is no defence for a person accused of rape to say that they were drunk and didn't realise what they were doing.

Other offences under the Sexual Offences Act include spiking someone's drink, flashing, and watching or photographing people without their consent when they are involved in a private act.

Keeping safe

There are simple steps that both men and women can take to make themselves safer:

- If you go out – especially at night – tell someone where you are going. If possible, stay away from known danger spots
- Keep your drink within your sights at all times
- If you're out late, get a lift back if you can with someone you trust, or book a taxi
- If you walk home, try to get someone to go with you
- Don't have valuable possessions like mobile phones on show
- Check your home is secure, ordinary bolts and chains are not expensive
- Knowing some self-defence can give you a feeling of greater confidence
- If you carry a screech alarm keep it ready in your hand, not in your pocket or handbag

Accused of rape

If you are accused of raping someone, immediately contact a solicitor. Rape is a serious crime, and the punishment can be severe.

If you are raped...

Although you may not want to tell anyone, most police stations now have officers who have been trained to deal with victims of sexual offences in a sensitive way. If you are a woman, you can ask to be examined by a female doctor and you can take along your parents or a friend.

The police will be able to gather evidence more easily if you report the rape or assault as soon as possible. Reporting the crime early also makes your evidence more believable in court.

Once a victim tells the police that they have been raped or sexually assaulted, or the suspect has been charged, the victim has the right in law to remain anonymous. The victim cannot be questioned in court by the accused, nor can their name and address or picture be reported in the media.

Attempted rape is dealt with in the same way. Help is available from Victim Support and the Rape and Sexual Abuse Support Centre, who will talk to anyone who has suffered sexual abuse or violence. Survivors UK offers an advice service for men.

Victims of rape can apply for compensation to the Criminal Injuries Compensation Authority, although they must have first reported the attack to the police. Male victims of rape are treated in law in the same way as female victims.

Abusive behaviour

Under the Criminal Justice and Public Order Act 1994, it is an offence to use threatening, abusive or insulting words or behaviour in public with the intention of causing someone harassment, alarm, or distress.

It's also an offence to put up threatening, abusive, or insulting signs, stickers or posters. The law is designed to protect anyone who is being treated like this because, for example, of their race, disability, religion or sexuality. Harassment of this kind is a crime – just like any other – and can be reported to the police, who have a duty to investigate and to try to find those responsible. Statements from witnesses will strengthen a case. Punishment for offences that can be shown to be racially or religiously aggravated now carries increased penalties under the Crime and Disorder Act 1998.

Local councils also have a number of powers they can use to help tenants or homeowners in their area who are being racially harassed, or attacked. They can prosecute residents for harassing or causing nuisance to other residents, they can get a court order stopping people committing certain types of anti-social behaviour, or if those responsible are council tenants, they can evict them from their home.

The police or local authority can also apply for an anti-social behaviour order, see Police and Courts.

What if it happens to me?

It all depends on the situation. If it's an isolated incident and the person is someone you don't know, then it may be best to try and ignore it. If you react and become abusive yourself, you run the risk of finding yourself in a far worse situation. However, if it's happened before, or you're being harassed where you live, then it's important to tell the police – for your own safety. If you are getting abuse at school, college or at work, try and sort it out with the people concerned, but if that's not possible, or successful, raise it with someone in authority, who will have a legal duty to help you. See also the section on Discrimination. Someone suffering serious abuse or harassment may be able to claim compensation from the Criminal Injuries Compensation Authority.

Abusive telephone calls

It is an offence under the Communications Act 2003 to make offensive, indecent or menacing phone calls, or to send such texts and emails.

If you get such a call, try not to react and don't start talking to the caller. Don't hang up, but put the receiver down and walk away for a few minutes. Try to do something else, and then put the handset back without checking if the caller is still there. If the phone rings again, pick up the receiver and don't say anything – a genuine caller will speak first.

Advice on dealing with calls of this kind is available from BT.

Tel: (free) 0800 661441

Briefcase - Marcia

Marcia and her 10 year old son were not the only black people on their estate, but for some reason faced almost continuous trouble from one particular group of boys.

Marcia first tried ignoring the problem and then spoke to the boys and tried to talk to their parents. Nothing worked. Eventually she complained to the council who investigated the case and obtained a court order requiring the parents of one of the boys to leave their house, which they rented from the council. The boy's parents appealed, saying it was not their offensive behaviour but that of their son. The appeal was dismissed. The judge said that Marcia and her son should not be deprived of their rights just because the parents could not control their son.

Hate crimes

The term 'hate crime' can be used to describe a range of criminal behaviour where the perpetrator is motivated by hostility or demonstrates hostility towards the victim's disability, race, religion, sexual orientation or transgender identity.

These aspects of a person's identity are known as 'protected characteristics'. A hate crime can include verbal abuse, intimidation, threats, harassment, assault and bullying, as well as damage to property. The perpetrator can also be a friend, carer or acquaintance who exploits their relationship with the victim for financial gain or some other criminal purpose.

Crimes against property

Robbery

Describes stealing something with the use of threat of force.

Burglary

Burglary takes place when a person enters a building without permission, intending to steal, cause unlawful damage, seriously harm, or rape someone. Even if nothing is taken or done, a crime has still been committed. It's enough in law to prove that the person intended to break the law in this way.

Theft

There are, in law, two parts to theft. A person is guilty of theft who:

- Dishonestly takes something, which belongs to someone else
- Intends to deprive that person of it permanently

Contacts - Personal safety

Equality & Human Rights

They work to make people aware of their human rights and to eliminate unfair discrimination. Information and guidance on discrimination and human rights are available from its publications section and the EHRC website.

Website: www.equalityhumanrights.com

The Equality Advisory Support Service

Tel: 0800 444 205 (open Monday-Friday, 9am-8pm and Saturday 10am-2pm)

Rape & Sexual Abuse Support Centre

Provides information and advice to female victims of rape and sexual abuse. Although based in South London, the Centre offers a national rape crisis helpline.

Tel: 0808 802 9999 (Open 12pm - 2.30pm and 7pm - 9.30pm every day of the year)

Rape Crisis (England & Wales)

Runs Rape Crisis Support Groups, throughout Britain, offering information and free and confidential advice to any woman or man who has been raped or sexually assaulted. Rape Crisis also operates a national helpline for women and men affected by rape.

Tel: 0808 802 9999 (Open 12pm - 2.30pm and 7pm - 9.30pm every day of the year)

Survivors UK

Ground Floor, 34 Great James Street, London WC1N 3HB

Gives advice and information to men who have suffered sexual violence or abuse.

Website: www.survivorsuk.org

Tel: 0845 122 1201

(open Monday and Tuesday, 7pm - 9.30pm and Thursday, 12pm - 2.30pm)

Tel: 020 7324 2989

(Open Monday - Friday, 11am-1pm and 2pm-4pm)

Suzy Lamplugh Trust

218 Strand, London, WC2R 1AT

Gives information, guidance, training and resources on personal safety (including an online personal safety shop).

Website: www.suzylamplugh.org

Tel: 020 7091 0014 (Open 9am-5pm, Monday - Friday)

** Disclaimer - Whilst we work hard to ensure all information contained within this document is correct and current it should not act as the definitive source of information on the subject covered.

Contacts - Victims & compensation

Criminal Injuries Compensation Authority

Tay House, 300 Bath Street, Glasgow, G2 4LN
Provides compensation for victims of crimes of violence. Information and application forms available by post.

Website: www.gov.uk/government/organisations/criminal-injuries-compensation-authority

Tel: 0800 358 3601 (Open Monday - Friday 8.30am-5pm, except Wednesday, 10am-5pm)

GOV.UK

Gives some outline information for victims and witnesses of crime, along with help that may be available to you if you have to attend court as a witness.

Website: www.gov.uk

Link to crime, justice and the law.

Victim Support

Hallam House, 50-60 Hallam Street, London W1W 6JL

Tel: 020 7268 0200 (provides information and support to people who have been victims of, or witnesses to a crime) The Victim Support helpline.

Tel: 0845 30 30 900 (Open Monday - Friday 9am-5pm; Saturday & Sunday, 9am - 7pm & 9am - 5pm bank holidays)

Website: www.victimsupport.org.uk



Employment



Applying for work

Applications

Read through the application form before starting to fill it in. Draft your longer answers in rough, until you are happy with what you have written. This will also give you a chance to proof read for spelling or grammatical errors. All the information you give should be factually correct. An employer is entitled to dismiss someone who is deliberately misleading on their application form or CV at interview.

Your CV

Some adverts for jobs tell you to send for an application form, others will ask for a letter with your curriculum vitae, usually known as a CV. This is something that outlines your personal details, qualifications, experience, and interests. These are best produced on a computer/word processed.

References

You will need the names of two people who are prepared to act as your referees, to write a short report or reference about you for an employer.

One referee is usually your last employer, or the head teacher or year tutor in your school. References must be factually accurate and should not create a misleading or unfair impression of the person concerned. Prospective employers will contact your referees to collect references at various times. Some will want these before they offer you a job, others after.

Interviews

If you don't know the place where your interview is being held, leave yourself extra time to find it; or go round and find out where it is beforehand. If you can't make the appointment, phone or write to explain and ask for a more convenient time. Have a few questions ready to ask – about what the course or job involves. If they offer you a place or job, before you accept try to think if there's anything else you need to know. If there is, ask. An interview should give you the chance to check that the job is going to be right for you.

Employment contract

Written statement of employment particulars

An employer must give employees and workers a document stating the main conditions of employment when they start work. This is known as a 'written statement of employment particulars'. It is not an employment contract.

The written statement is made up of:

- The main document (known as a 'principal statement')
- A wider written statement
- The employer must provide the principal statement on the first day of employment and the wider written statement within two months of the start of employment
- For full details of what you should receive see www.gov.uk/employment-contracts-and-conditions/written-statement-of-employment-particulars
- Keep safe all pay slips, letters and papers you are given by your employer.

**** Be aware - If you agree to do something on a regular basis that is not written into your contract - like working on a Saturday - you may be, in law, agreeing to a new term or condition of work. If you decide later that working every Saturday is not a good idea, your boss may be entitled to insist that you continue to do so. By turning up for work six days a week, you may have actually changed your contract by your conduct.**

Hours

Your hours of work will normally be agreed between you and your employer, although there are some jobs where these are limited by law for reasons of health and safety. The Working Time Regulations set a maximum working week of 48 hours, including overtime, calculated over 17 weeks for workers aged 18 and over. You can agree to do more than this, but your employer cannot pressurise you to do so. You are also entitled to:

- A rest break of 20 minutes when you work for more than six hours at a time (or 30 minutes when you work for more than 4 ½ hours if you are under 18) and;
- At least 11 consecutive hours off in any 24 hour period (12 hours off, if you are under 18)

The law states that workers who are over school leaving age but under 18 (young workers) may not work more than eight hours a day or 40 hours a week. Nor may they ordinarily work between 10pm and 6am. Some night work is allowed in certain jobs, such as the armed forces, farm work, catering, work in a pub, restaurant or hotel, work in a bakery, newspaper delivery and retail trading. However, an adult must supervise the work and rest periods must be given. If you believe that the hours you are expected to work do not follow the regulations, raise the issue with your employer. If this fails, you can then take your case to an employment tribunal.

Allocation of Tips

The Employment (Allocation of Tips) Act 2023 received Royal Assent in May 2023. When the Act substantively comes into force, it will bolster the rights of workers and employees in the hospitality sector, requiring employers to correctly pass on tips, have in place a policy on fair allocation of tips, and to keep appropriate records.

The main provisions of the Act are expected to come into force some time in 2024, prior to which we can expect a Code of Practice on how to allocate tips fairly.

Time off

Regardless of how long you have worked for your employer, you have the right to take unpaid time off for urgent family problems, such as an accident or the sudden illness of someone who depends on you for their care, but you must give your employer the reasons for your absence as soon as possible. You may only take a reasonable amount of time, and should let your employer know when you expect to return.

Terms & conditions of employment

Employees are entitled to receive written details of their terms and conditions of employment within two months of starting work. The following information should be included in one single document:

- Name of employer & employee
- Date employment & continuous employment started
- Job location
- Details of pay & whether it's weekly, monthly pay etc
- Working hours
- Holiday entitlement
- Job description/job title
- Details of any collective agreements that directly affect the employee's conditions of employment

Additional information can be provided in other documents such as staff handbooks or on intranet sites.

This should cover:

- Sick leave & pay entitlements
- Pensions & pension schemes
- Disciplinary & grievance procedures

Terminating employment

Notice

Unless you have done something very serious and committed what's known in law as gross misconduct – such as theft or fighting – your boss should not sack you on the spot. Unless your contract of employment specifies a longer period, after one month's employment either side should give at least one week's notice.

After two years' employment, your employer should give you two weeks' notice, three weeks' after three years, and so on, up to a maximum of 12 weeks' notice for employment which has lasted 12 years or more.

However, your notice period might be longer if this is stated in your contract, and your employer may decide to pay you instead of letting you work out your notice. Before dismissing you, your employer must follow certain procedures, designed to promote discussion about your position.

Losing your job

If you're dismissed or made redundant, your legal rights mainly depend on how long you have been working for your employer.

Reasons in writing

If you are fired by your employer, for whom you have worked for more than one year, you can ask for a written statement of the reasons for your dismissal, which must be provided within 14 days.

Redundancy

This happens when an employer no longer needs the job done for which you were employed. Your rights mainly depend on your age and how long you have worked for your employer. If you are made redundant, you have a right to statutory redundancy pay, if you:

- Have worked for your employer for a continuous period of at least two years
- Have not unreasonably turned down an offer of another job from your employer

If your employer has gone bust, you may be able to get any unpaid wages and a redundancy payment from the Insolvency Service, see Contacts. If you are made redundant and you feel that the process followed was unfair, you can seek advice from the CA or ACAS - see Contacts. If you feel that the way you were chosen for redundancy was unfair or unreasonable, or that your employer has failed to consult adequately with you, you may also be able to claim unfair dismissal.

Additional redundancy protection applies to pregnant women as well as new parents returning to work from a relevant form of leave. This will help shield new parents and expectant mothers from workplace discrimination, offering them greater job security at an important time in their lives.

Briefcase - Redundant

Business was bad and Dean was made redundant from his job at a petrol station. He was given £520 redundancy pay, but soon realised that his job was now being done by the boss's son. Dean's job hadn't been redundant at all. He won a claim for unfair dismissal.

Unfair dismissal

If you have been dismissed, and feel that your employer has acted unfairly or failed to follow a set procedure, you can make a complaint to an employment tribunal. **You normally need two years' service to bring a claim.**

You may also have a claim for unfair dismissal if you leave your job because of your employer's behaviour.

This is known in law as constructive dismissal, but will only be successful if you can show that your employer has committed a serious breach of your employment contract. If you are thinking of resigning because of this, keep a record of what is happening and, before you hand in your notice, write to your employer explaining your reasons for leaving.

You would normally also be expected to have exhausted the internal grievance procedures before claiming constructive dismissal. Take legal advice before you make a claim for unfair dismissal. Your trade union, local Citizens Advice Bureau, Legal Advice/Law Centre or a solicitor can help. If you are unhappy about your dismissal, don't delay in seeking assistance.

You normally only have three months in which to make a complaint. If the tribunal agrees that your dismissal was unfair, your employer will probably be ordered to pay you a sum in compensation. This is a basic award, which is calculated on the basis of your age, weekly pay and length of service, plus a figure for compensation. There are no limits to the damages you can receive if you lose your job as a result of discrimination or, for example for certain other reasons, such as health and safety or whistleblowing.

Pay & benefits

Minimum wage

Under the National Minimum Wage Act 1998, all employees must be paid a minimum wage, which varies according to their age. There are defined minimum wage rates for Apprentices. An employer can be fined for paying below the minimum wage and must not treat an employee unfairly for raising this with them. If your employer fails to grant your legal rights, you may take your case to an employment tribunal.

Further help is available from the **Pay & Work Rights Helpline**, Tel: **0800 917 268**

For the current National Minimum Wage information visit: **www.gov.uk/national-minimum-wage-rates**

Holidays

Since April 2009, the Working Time Regulations give most **people over 16, who are in full-time work, the right to a minimum of 28 days' paid holiday a year** (which can include eight bank holidays). If you work on a part time basis, your holiday entitlement will be reduced proportionately often referred to as 'pro-rata'. During the first year of employment, you have the right to take one twelfth of your annual holiday entitlement for each month worked. Some jobs are not covered by the Regulations, for example those in the transport and fishing industries, the police, and armed forces.



Maternity and adoption rights

Female employees who are expecting a baby or adopting a child have certain minimum legal rights (although some employers provide more than these).

Your contract or staff handbook should give you details. Employees in this situation should not be treated less favourably at work for any reason connected with their pregnancy or decision to adopt.

Antenatal care

Time off of work to attend antenatal care must be paid. This applies to full and part-time employees, and it makes no difference how long you have worked for your employer. Your employer cannot insist that you make up the time, or that you take the appointment in your free time.

Neonatal care

A baby who is born prematurely or sick will receive neonatal care in hospital or another agreed care setting – often for a prolonged period of time.

Parents are able to take up to 12 weeks of paid leave, in addition to other leave entitlements such as maternity and paternity leave, so that they can spend more time with their baby at what is a hugely stressful time.

Maternity leave

Pregnant women are entitled to 52 weeks of maternity leave; no matter how long they have worked for their employer, and whether they are full or part-time. They also have the right to return to the same, or similar job after their maternity leave is over. **All benefits listed in your contract, except pay, are likely to continue during your maternity leave – including, for example, medical insurance or a company car, if you have one.** You can agree to work for up to 10 days during your maternity leave to keep in touch with your workplace. Statutory Maternity Leave is 52 weeks. It's made up of:

- Ordinary Maternity Leave - first 26 weeks
- Additional Maternity Leave - last 26 weeks

You don't have to take 52 weeks, but you must take two weeks' leave after your baby is born (or four weeks if you work in a factory).

Maternity pay

You are entitled to statutory maternity pay for the first 39 weeks of your maternity leave including the time you take off before your baby is born, provided you have worked for your employer for a sufficient length of time and earn, on average at least **£116 per week**. Your maternity pay will probably be lower than your usual rate, unless it says otherwise in your contract. If you are on a low income, or have not worked for long enough to qualify for maternity pay, you may still be entitled to a maternity allowance from the government.

Correct procedures

If you don't follow the correct procedures in applying for maternity leave, you risk losing certain benefits such as the right to maternity pay. For example, you must give notice to your employer by the end of the 15th week before the baby is due. The HR department at work, your trade union, local Citizens Advice Bureau, or Legal Advice/Law Centre can explain what you need to do.

Paternity leave

When you take time off because your partner's having a baby, adopting a child or having a baby through a surrogacy arrangement you might be eligible for:

- One or two weeks paid Paternity Leave
- Shared Parental Leave

You may not get both leave and pay, and there are rules on how to claim and when your leave can start.

The gov.uk website will explain this in more detail.

Shared parental leave

Parents can both share the maternity leave during the first year of their child's life. Shared parental leave provides both parents with the opportunity to consider the best arrangements to care for their child during its first year.

The mother is allowed to take up to 52 weeks leave, but they can reduce this and allow their partner to take any remaining leave as shared parental leave.

Unlike maternity leave, eligible parents can stop and start their shared parental leave and return to work between periods of leave, with each eligible parent able to submit three notices booking periods of leave.

Shared parental leave can only be used after the mother has already returned to work or has given notice to her employer that reduces her maternity leave, confirming when this maternity leave will come to an end.



Health & Safety

Employers, have a legal duty to take care of the health and safety of their staff.

If they don't they are breaking the Health and Safety at Work Act 1974. This means that the equipment that you use must not be dangerous or defective, and that the people you work with must work safely and responsibly. Your duty is to follow safety regulations and instructions and to take care of your own and other people's safety.

If you work for a firm where there are five or more employees, your workplace must have a written health and safety policy. If you are worried about health and safety, raise the matter with your supervisor. Your employer may not dismiss you or treat you unfairly for raising genuine concerns, as long as you follow the right procedures. If you remain concerned, contact the local offices of the Health and Safety Executive. Your local Citizens Advice Bureau will be able to tell you how to do this.

Accidents

If you are injured at work, seek appropriate medical attention and report this as soon as possible to your supervisor. All workplace accidents and near misses must be recorded in the accident book. Reduce risk by ensuring that you follow the instructions that you are provided with.

Briefcase - Gary

Gary, aged 18, worked in a butcher's and was cutting meat when his hand slipped and he cut off the top of two fingers. His boss had often told him to use a special guard – but most people at work ignored this, so Gary didn't bother either. Gary was awarded damages in court because his employer did not make sure that he was working in the right way, but they were reduced by a third because he hadn't followed the safety instructions.

Using a computer screen

If you use a computer screen for a significant amount of time at work, your employer has a duty to arrange for you to have an eyesight test if you ask for one, and to do whatever they reasonably can at work to reduce further problems.

This is all part of a general requirement for employers to check on the health and safety risks to people using computer screens at work, contained in the Health and Safety (Display Screen Equipment) Regulations 1992.

Harassment at work

Harassment is being humiliated, offended or degraded.

Examples might include:

- Unwanted advances or physical contact
- Insulting remarks
- Comments about a person's looks

The law allows employees to make a claim against their employer if they face harassment at work because of a protected characteristic. It is an employer's duty to take steps to prevent these kinds of things from happening.

If you face difficulties of this kind it's usually better, if you can, to try to sort things out informally by talking with your employer about your concerns.

If the harassment continues, don't be afraid to complain using your employer's grievance procedure. It's not always easy to prove harassment, but judges are prepared to award damages when the victim can show that they have suffered some financial disadvantage and/or injury to their feelings from the harassment.

Volunteers

Volunteering is a great way to build skills and meet like minded people. Volunteers will only get certain limited benefits (for example reasonable travel or lunch expenses) if working for a:

- Charity
- Voluntary organisation or associated fundraising body
- Statutory body

Many employers offer volunteering leave - Check with your supervisor.

Internet & email

Rules & regulations

Under the Human Rights Act 1998 and the Regulation of Investigatory Powers Act 2000, employers are entitled to set reasonable rules for their workers who use email and the internet at work. They can forbid employees from writing or reading personal emails or browsing websites for personal interest during work time, and can monitor what they do.

However, employees should be informed that checks of this kind might be made. An employer who opens an employee's emails without a good business reason for doing so could well be infringing that person's right to privacy and respect for family life (see Human Rights). Email files may, however, be opened without an employee's consent in extreme circumstances, to check, for example, whether the law has been broken.

Social networks

Employers will have differing policies around how they expect their employees to behave on social media. Employers are free to set policies but these should be proportionate and balance with individuals' right to a private life, freedom of expression laws and the Human Rights Act. Policies are likely to also cover the use of social media during working hours and access to such sites through company networks.



Employment rights for all

The rights of those in part time jobs (even if it's only for a few hours per week) and apprenticeships are the same as those of people in full time employment.

All workers have the right to:

- Protection under anti-discrimination laws, regardless of how many hours you work or how long you have worked for your employer
- Be given notice, if asked to leave, once you have worked for your employer for at least a month
- Receive the terms and conditions of your work in writing, within eight weeks of starting work
- Redundancy pay, once you have worked for at least two years
- Claim for unfair dismissal if you have worked for your employer for at least two years and have not been fairly dismissed

The Part time Workers (Prevention of Less Favourable Treatment) Regulations 2000 give part timers, in general, the same treatment as full time workers in relation to their hourly rates of pay, training, holiday, and maternity rights, etc.

Briefcase - Dismissed!

Jeanette's son was ill in the night and Jeanette overslept the next morning. When she arrived late at the video rental company where she worked, she was dismissed. She explain what had happened, but her boss took no notice. Jeanette took her case to an employment tribunal, who decided that she had been unfairly dismissed, as she had not been given a warning or a second chance.

Modern slavery

According to legislation, businesses have a responsibility to ensure that workers are not being exploited, that they are safe and that relevant employment (including wages and work hours), health and safety and human rights laws and international standards are adhered to, including freedom of movement and communications.

If you are concerned about modern slavery you should call the Modern Slavery Helpline on:

0800 0121 700

Equal rights

Equal opportunities

Employees are covered by various provisions within the law including equality laws. This means that it is against the law for an employer to discriminate against a worker because of one of the nine protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage & civil partnership
- Pregnancy & maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Discrimination

Discrimination law applies to all aspects of work including applications for a new job, terms and conditions of work, conduct in the workplace and references given when someone is still at work, or after they have left.

The law applies to all employers, regardless of the number of people they employ. The *Equality Act 2010*, protects people from discrimination on grounds of sex, race, disability, religion belief or non-belief, sexual orientation, gender reassignment, marriage and civil partnership and age.

Sex

It is against the law to treat a person less favourably because of their sex. Women and men have the right to equal pay for equal (i.e. the same or similar) work.

However, there are certain times when sex discrimination at work may be permitted, for example when the job can only be done by someone of a particular sex. Models and actors come into this category as do, in some cases, certain roles in religious organisations.

Briefcase - Karen

Karen applied for an apprenticeship at a garage in Surrey. She was the best qualified applicant and had already worked in a garage as part of her work experience.

At her interview she was asked whether she minded spending all day in a pair of dirty overalls, covered in oil and grease. Karen said she wasn't bothered, but didn't get the job.

Karen believed she had been unfairly discriminated against on the grounds of her sex and took her case to an employment tribunal. The tribunal agreed and awarded just over £24,000 for loss of earnings and injury to her feelings.

Briefcase - Offensive & degrading

Janine worked with a group of men who regularly looked at pornographic sites on their computers at work. Their boss knew this was going on, but did nothing to stop it – even though Janine had told him that it made her feel very uncomfortable.

Eventually Janine made a complaint of sexual harassment to an employment tribunal. The tribunal decided that the men's behaviour was degrading and offensive to women and that the employer should have taken steps to stop it, and ordered the company to pay Janine compensation for the damage she had suffered.

Briefcase - Overlooked

Three Asian men, who worked at a paper mill in Burnley, were continually passed over for promotion in favour of white colleagues. When the men asked why, they were told they would not be effective in more senior positions. They took their case to an employment tribunal, which heard that the men frequently faced racist insults and banter, which supervisors did nothing to stop.

The tribunal agreed that the three workers had suffered race discrimination, and awarded them a total of £47,000 in compensation for loss of earnings and damage to their feelings. The company was also required to change its working practices so that no further discrimination can take place.

Race

It is against the law to discriminate against someone because of their colour, race, nationality, or ethnic origin.

Disability

Since 1995 it has been against the law for any employer to treat a person less favourably on grounds of their disability, or for a reason related to their disability, unless the treatment can be justified.

Employers are also required to make reasonable adjustments to the working environment or to a person's role in order to enable a person with disabilities to be employed. A disability is defined as a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.

Briefcase - Eugene

Eugene suffered constant racist taunts from other workers on the building site where he worked, and the management did little to stop it. They said that 'black bastard' and 'nigger' were words often used on sites. The tribunal decided that Eugene had suffered unlawful race discrimination. He was awarded £2,000 damages.

Religion & belief

An employer may not treat an employee less favourably than others because of their religion or beliefs. Nor should employers have rules and practices that put someone at a disadvantage because of their religion or belief.

For example, employers generally do not have the right to compel a person to dress in a particular way that is against their religion or belief, unless there is a justifiable reason to do so (for example, health and safety).

Sexual orientation

Since 2003, it has been against the law to discriminate against someone at work because of their sexuality or perceived sexuality. Employers may not treat gay, lesbian, heterosexual or bisexual employees less favourably than any other employee.

Age

It is against the law to discriminate against someone at work because of their age. Generally speaking, a person should not be turned down for a job because they are too old or too young, and employers should not advertise jobs for particular age groups or in a way that may discourage candidates in particular age groups from applying.

Gender reassignment

The Equality Act 2010 says that you must not be discriminated against because you are transsexual - that is your gender identity differs from the gender assigned to you at birth. For example a person who was born female decides to spend the rest of his life as a man.

In the Equality Act this is known as gender reassignment. All transsexual people share the common characteristic of gender reassignment.

Marriage & civil partnership

The Equality Act says you must not be discriminated against in employment because you are married or in a civil partnership. In the Equality Act, marriage and civil partnership means someone who is legally married or in a civil partnership. Marriage can either be between a man and a woman, or between partners of the same sex. Civil partnership is between partners of the same sex.

Tribunals

A tribunal can look into matters related to instances where someone believes that an employer or potential employer has treated them unlawfully. Examples of unlawful treatment claims include:

- Unfair dismissal
- Discrimination
- Unfair deductions from pay

Help & advice

If you feel you have been a victim of discrimination at work, you can get help from your local Citizens Advice Bureau, Legal Advice/Law Centre, trade union or from a solicitor. Advice and information on most matters of discrimination are available from the Equality and Human Rights Commission, see [Contacts](#).

If you can't sort things out directly with your employer, either informally or under its formal grievance procedure, you may be advised to take your complaint to an employment tribunal. This must normally be done within three months of the time at which the discrimination occurred.

Trade Unions

Membership

It is up to you whether you join a trade union. Trade unions don't only negotiate wages for their members, they also give advice, inform members of their rights and act on their behalf over difficulties with their employer.

An employer must not sack someone for either belonging or not belonging to a trade union. Not all employers want to work with unions. But, if there are more than 20 people working for an employer, the employer can be asked to recognise the union and to negotiate with it.

Industrial action

If you take industrial action - for example, by stopping work - you may be breaking your contract. However, if the strike has been lawfully organised and correctly balloted, and is no longer than 12 weeks, your employer is not entitled to dismiss you for taking part.

If this happens, it is automatically unfair and you may have a case for compensation. You cannot claim unfair dismissal if you are dismissed for taking part in an unofficial strike.

Young workers & the law

When employing someone who is under 18, an employer must do an assessment of possible risks to their health and safety, before they employ them. This is because they are considered to be young workers. Such assessments should consider their lack of experience, as well as other things that could be a risk to health and safety. Where someone is over 16 but under 18, there are special restrictions on doing certain types of work.

These are:

- Work which they are not physically or mentally capable of doing
- Work which brings them into contact with chemical agents, toxic material or radiation
- Work which involves health risks because of extreme cold, heat or vibration

Under 18s are only allowed to do the work above under the following circumstances:

- Where it is necessary for their training, and
- Where an experienced person is supervising them, and
- Where any risk is reduced to the lowest level that is reasonable

These rules do not apply for short term or occasional work in a family business or in a private household, and this is not considered to be harmful.

Employment of young people below school leaving age

Children can only be employed in light work and even then the hours that they work, and the patterns of work are restricted within the law. In some areas local authorities have their own by-laws which cover employment of under 16s.

It is advisable to check the rules with the relevant local authority before someone under 16 enters employment.

Briefcase

A boy of 14, working in a factory making beds, suffered severe injuries when his arm was trapped in an unguarded machine. A court fined his employer £1,000 for failing to fit a guard to the machine and £200 for employing a child. The employer also paid £438 towards the costs of the case.

Contacts

ACAS (the Advisory, Conciliation & Arbitration Service)

Provides a wide range of information on employment law and procedures on its website. It also runs a helpline for people seeking information on employment rights, rules and issues, including redundancy.

Website: www.acas.org.uk

Tel: 0300 123 1100 (Open Monday-Friday, 8am-6pm)

Equality & Human Rights

They work to make people aware of their human rights and to eliminate unfair discrimination. Information and guidance on discrimination and human rights are available from its publications section and the EHRC website.

Website: www.equalityhumanrights.com

The Equality Advisory Support Service

Tel: 0800 444 205 (open Monday-Friday, 9am-8pm and Saturday 10am-2pm)

Health & Safety Executive (HSE)

is responsible for checking and maintaining health and safety at work throughout the UK.

Website: www.hse.gov.uk

Contains a wide range of law-related information, together with details of who to contact if you have a health and safety problem at work.

Insolvency Services

Provides information on redundancy where an employer is insolvent.

Redundancy Payments Helpline Tel: 0330 331 0020, (Open Monday to Friday, 9am to 5pm)

Modern Slavery Helpline

Tel: 0800 0121 700

Website: www.modernslaveryhelpline.org

Citizens Advice

Provides advice on a wide range of issues but can specifically help you with employment rights, problems in the workplace, dismissals and redundancies.

Adviceline (England) Tel: 03444 111 444

(Open Monday to Friday, 9am to 5pm)

**** Disclaimer** - Whilst we work hard to ensure all information contained within this document is correct and current it should not act as the definitive source of information on the subject covered.

Home and Away



Holidays

Package holidays

When you book a holiday, you are making a contract with the tour organiser – that is the company responsible for arranging the package. This is usually the tour operator, but it can also be the travel agent, particularly if you have asked for extra arrangements to be made, not included in the brochure.

Although holiday brochures are designed to show the hotel or resort at its best, the Package Travel, Package Holidays and Package Tour Regulations 1992 state that they must be accurate and not misleading. If the room or the swimming pool that you were promised is not available, you may be able to claim compensation because of the failure of the company arranging the holiday to keep its side of the contract. It is also an offence, under the Trade Descriptions Act 1968, for a firm to make a statement that it knows to be false about the goods or services it provides. Prosecutions for this are usually made by local trading standards officers.

It's important to tell the travel agent or tour operator if you have any special needs at the time you make the booking.

Before you sign or hand over any money, read the small print to check what it says about changes to your schedule. Under certain circumstances, travel organisers can alter flight times or accommodation arrangements provided they make this clear in the brochure or contract. If you pay all or part of the cost of the holiday by credit card, you may be entitled to claim a full or partial refund from the credit card company if the firm organising the holiday fails to keep its side of the contract. If you go abroad, book through a travel

company registered with ABTA, IATA or ATOL. If the travel firm belongs to one of these organisations, you'll find their symbol in the brochure. They will cover the cost of getting you home, or compensate you for your losses if the company you've booked with goes bust while you're away, or before you've left.

Before you go...

Check whether you need to have any vaccinations, and arrange medical insurance.

You maybe able to apply for free health care cover when traveling abroad. For more information visit **<https://www.nhs.uk/using-the-nhs/healthcare-abroad/>**. This will not remove the requirement to take out travel insurance.

Check your passport is up to date and whether you need a visa for the country you are visiting. You should also ensure that the passport is valid for entire length of stay; some countries will require you to have six months remaining on your passport to enter their country.

British citizens do not need to take a passport to travel to the Republic of Ireland, although some airlines do insist on this when flying to Ireland.

If you're thinking of hitching, check before you go. In some countries it is illegal!

**** Please note - Regulations and procedures may change following Brexit. Check the Gov.uk website for up to date information.**

Passports

Everyone who travels abroad, including young children, must have their own passport. Passport interviews are now required for anybody aged 16 or over when applying for a passport for the first time.

You can apply for a passport online on the gov.uk website or you can complete a form available at your local post office. The post office provides a check and send service. This will add an additional fee onto your passport cost. You can take your own passport photo using a mobile device, assuming the photo meets the requirements set in the application guidance.

To find out the cost of a passport, go to: www.gov.uk/passport-fees

Travel & medical insurance

Dependant on the policy that you choose, travel insurance will protect you from losses while you're away and even illness before you go.

Take the policy documents with you on holiday, so that if anything goes wrong you can make sure you keep to the terms of the agreement.

If something goes wrong...

If there's a problem with the holiday, tell the travel company, or their representative, as soon as possible. Make a note of the fact (photographic evidence helps); and if the matter is not resolved, contact the travel firm as soon as you get home.

If you are still not satisfied, write to the Managing Director. If, after this, you feel that your complaint has still not been properly dealt with, take the matter to ABTA who offer an independent arbitration service. It is also a good idea to seek advice, as soon as possible, from the Citizens Advice Bureau or local advice centre. Taking action through the courts is usually a last resort.

If your luggage doesn't arrive, report the loss immediately and before you leave the airport. Try to obtain a copy of any reports that you complete. Under international law, the airline is responsible for lost or damaged luggage, but compensation is paid by weight rather than value, and the airline will not be responsible for fragile items. It may be better to claim through your holiday insurance if you are covered for lost luggage within the policy.

Lost or stolen

If you lose all your cash or cards, you can go to a bank and arrange for money to be transferred from home. There will probably be a charge, but it should arrive within 24 hours. Immediately report the loss of traveller's cheques or credit cards to the company offices.

If you lose anything valuable, tell the police and get a note from them confirming that you have done this. Contact the travel company if you lose your ticket home. They often let you reverse the charges for the call. It is very important to report losses to your insurance company within the time limit stated in the policy.

If your passport is lost or stolen, contact the British Consulate who have an office in most big cities and should be able to provide you with help or advice.

In trouble

Travellers overseas are automatically subject to the laws of the country they are visiting.

If you're arrested, insist on the British Consulate being informed. The Consulate will explain the local procedures, including access to a lawyer and the availability of legal aid. A European Union (EU) national can go to any EU Consulate to seek assistance.

Delays

If you are on a flight to or from an airport in the EU, which is delayed or cancelled, you may be entitled to free assistance, depending on the length of your flight and the period of delay.

If you are delayed for more than two hours, you are entitled to free meals and refreshments and to make up to two free telephone calls, emails or faxes.

Passengers delayed for more than five hours are entitled to a refund, if they decide not to travel, and to free hotel accommodation and transport, if delayed overnight. These rules apply to all flights from EU airports and to all incoming flights on EU airlines.

Taking a car or motorcycle

You'll normally need to get a Green Card from your insurance company, which extends your motor insurance to countries other than Great Britain. (This is not strictly necessary in EU countries and Iceland, Norway, Switzerland, Croatia or Liechtenstein, although it is advisable to take either a Green Card or your certificate of insurance).

It is also worth checking with a motoring organisation, who will advise you whether you need an International Driving Permit (AA, RAC and Green Flag will tell you if you need an IDP and can issue one, if required).

If you have an accident, tell the police and ask for a record or receipt. It will help with your insurance claim when you get home. For the same reason, it's also a good idea to take notes and photographs of the incident, including pictures of the number plates of the vehicles involved.

Don't sign anything in a language that you don't understand. If you're put under pressure, write 'I don't understand' immediately above your signature.

Check before you travel if you need to carry any special equipment in your car. Some countries require that you have warning triangles, high visibility vests and breathalysers in the vehicle. If you are caught without them you can be issued a fine.

Coming home

If you are returning from a country within the EU, you do not have to pay customs charges on any goods you bought in that country, and there is generally no limit on the amount you can bring in – as long as the goods are for a gift or your own use.

Limits are, however, placed on alcohol and tobacco and anyone who exceeds these must convince the customs that the goods were not bought for commercial purpose, that is to be sold on. Limits on tobacco brought from some EU states in Eastern Europe are lower than elsewhere. No one under 17 is entitled to a duty free tobacco or alcohol allowance.

Customs officials can check your baggage for prohibited goods or to see if you need to pay any tax or duty. Details of the powers and duties of customs officers are given in the Travellers' Charter, available from HM Revenue and Customs website.

Foreign travel advice

You should consult the Foreign Office website prior to any travel to check that no limitations have been placed on traveling to the country that you intend to visit. Ignoring the Foreign Office advice is likely to invalidate your travel insurance.

Getting about: Buses & trains

Tickets

By the time you're 16, you generally have to pay full fare on all buses and trains, trams and the Underground. In some areas full fare is charged on buses from the age of 14.

If you travel on public transport without a ticket, you may be charged an on-the-spot penalty, as well as the cost of your fare. Information about this is displayed in train stations, buses and trams where this system is in operation. If you are stranded at a train station without any money for a ticket, your ticket can be bought for you by someone else at another station, with the authorisation sent by telephone to where you are waiting. This is known as a 'silk arrangement'.

Some tickets are cheaper when travelling outside the rush hour, and travel cards give you further reductions.

- There are various types of railcard available, however some are only available digitally. All railcards provide access to rail tickets at discounted rates for the card holder. You must carry your railcard with you for the ticket to be valid.
- An InterRail Pass lets you travel by train at a reduced rate in one or more European countries, with discounts available on ferries. You must be a citizen of (or have lived in) a European country for at least six months and have a passport.
- The Young Person's Coach Card entitles young people aged 16 – 26 and full-time students to up to a third off the cost of the UK coach journeys.
- Localised arrangements are in place for reduced price bus tickets.

Briefcase - Emma

Emma bought a ticket for a day trip to London, saying that she wanted to travel on the next train, leaving in 15 minutes. When the inspector checked her ticket on the train, she asked Emma to pay a further £6, as she had been undercharged by the booking clerk. Although Emma claimed that it was the train operating company's mistake in selling her the wrong ticket, by law she had to pay the difference. When a contract is made, one side cannot gain by the other side's genuine mistake.

Getting about: Cars & motorcycles

Getting started - the licence

It is an offence to drive or ride a motor vehicle without the correct licence. You get a full driving licence when you have passed your test, and the licence will be valid until you are 70. Licences do have a period of validity and do require renewal. Licences for drivers over 70 are normally issued for three years at a time.

New licences are now the size of a credit card and contain the holder's photograph. Old paper licences will be changed to the new format when they are renewed or if the details need to be changed. You must tell the Driving & Vehicle Licensing Agency of any change of address immediately – or risk a fine.

If you want to learn to drive, you need a provisional driving licence. Application forms are available from post offices and online. When you get your licence, sign it immediately – don't drive until you have done so. Car drivers can hold the same provisional licence until they are 70. A motorcyclist's provisional licence is only valid for two years.

Learning to drive a car

When you are driving on a provisional licence you must display 'L' plates ('D' plates in Wales), which should be removed or covered up when the vehicle is not being driven by a learner. You must not drive on a motorway, and you must have someone with you in the front passenger seat of the car who is over 21 and has held a full EU driving licence in the relevant category for at least three years. This person must be fit to drive and must not have had more than the legal amount of alcohol and be insured as a named driver on the vehicle in which they are supervising you. You must also be insured to drive the vehicle.

The driving test is in three parts: a written theory exam, an online hazard perception test and a practical test. The theory paper, which must be passed before taking the practical test, lasts about an hour and is made up of 50 multiple-choice questions. More information is available from the 'Driving, transport and travel' section of the gov.uk website.

Learning to ride a motorcycle, moped or scooter

The starting point for all riders of mopeds and motorcycles is a Compulsory Basic Training course, which must be completed before a moped or motorcycle is taken on the road. (The only exception is for drivers who passed their car test before 1 February 2001, who can ride a moped without L-plates and without taking the CBT course).

Once you have completed the CBT you can go on to take the theory and practical tests to qualify for a full moped or motorcycle licence.

You can ride a moped on the road from the age of 16, but cannot take up a full moped licence until you are 17. This is also the minimum age for learning to ride a motorcycle, which must be on a machine with an engine size no larger than 125cc, and a maximum power output of 11kw. There are two types of motorcycle licences. One restricts the rider to less powerful machines; the other allows the rider after two years to ride any size of motorcycle.

Learner motorcyclists may not ride on a motorway, nor carry a pillion passenger, unless the passenger is also licensed to ride that type of machine. Mopeds, scooters, and motorised skateboards cannot be used on the public roads without a licence, road tax and insurance.



Buying a car

A small popular car is usually less of a risk. Spare parts are cheaper and easier to obtain, insurance costs are lower and it will probably be easier to sell when you want to change it.

A car bought privately is usually cheaper than one bought from a dealer, but you have fewer rights if things go wrong. The Sale of Goods Act 1979 gives greater protection if you buy from a dealer. A car bought privately need not be 'of satisfactory quality' but only be 'as described' (see Money). The legal expression 'caveat emptor' (meaning 'buyer beware'), particularly applies when buying a second-hand car. It is notoriously difficult to get problems sorted out once you have paid for the car.

Look at the car in daylight. Take someone along with you who knows about cars. Check the owner's purchase documents to see if any hire-purchase payments are still due. For between £100-£300 the RAC, AA or Green Flag will inspect and report on the mechanical state of the car, check on the HP payments, whether the car has been stolen or is an insurance write-off. HPI Auto data or AA Car Data provide a similar service at a slightly lower cost, without the mechanical inspection.

Look to see if the car's mileage tallies with the MOT certificate and the service history. You can also check with previous owners. Ask the dealer if they have tried to verify the mileage – they have to do this by law. Be wary if there is a sticker on the speedometer indicating that there is no guarantee that the mileage is accurate.

Ask to see the Vehicle Registration Document or Certificate (V5C). If it's a private sale, it should contain the seller's name and address. It also gives the Vehicle Identification Number (VIN), which should correspond with the number stamped on identification plates under the bonnet and on the floor. If you have any doubts, leave the car alone.

If you buy a car that turns out to be stolen, it generally remains the property of the true owner – meaning that you will almost certainly lose your money, unless you can get it back from the person from whom you bought the car.

Towing

Don't assume that you are able to tow a vehicle – check your licence first as it will depend on when you passed. **You may also be limited on weight. Further information can also be found on the Government website.**

Briefcase - Anna

Anna went to look at a Ford Escort, advertised privately in her local paper. She asked the seller if the car had been in an accident. He said no, but having bought the car, Anna later found evidence of major crash repairs. She went back to the seller, pointed out the car was not as described and eventually got her money back.

However, if the car had just been unreliable (even breaking down on her first drive), there is nothing in law that states that a car bought privately must be of satisfactory or reasonable quality.

Owning a car

Tax

When you buy a vehicle, the tax or SORN doesn't come with it. You need to tax a vehicle before driving it. That includes driving home from a dealer's forecourt or a private seller's home.

Even if the vehicle is exempt from tax you will need to apply. You will not however need to pay.

MOT

Most vehicles that are three or more years old must pass an MOT test if they are to be used or left on the road. Without an MOT insurance is invalid.

If your vehicle is being kept off the road and not taxed, you will need to make a Statutory off Road Notification (SORN). You can do this online at the gov.uk website, or call 0300 123 4321.

Insurance

It is an offence to drive, ride or even place a motor vehicle on the road without insurance. The penalties for this are very heavy, and it makes no difference for someone to say it was a genuine mistake and that they thought they were insured. Failure to have insurance means a fine and penalty points on a licence, and possible disqualification.

It is also an offence for someone to allow their car or motorcycle to be used by a person who is not insured to drive it.

There are three different kinds of motor insurance, offering different levels of cover:

- **Third party insurance** only pays for damage caused to other people or their property (and not to your own vehicle). This is the minimum level of insurance cover required by law
- **Third party fire & theft** gives you further protection by covering your vehicle against theft or fire damage
- **Fully comprehensive insurance** is usually the most expensive, but covers the cost of accident repair damage to your vehicle as well as compensating you and others for injuries or damage in the accident

When you apply for any insurance, make sure the information you give is accurate and complete. If it's not, your insurance will be invalid. It's an offence to knowingly make a false statement to obtain insurance.

At what age?

- **At 14** you can ride an electrically powered pedal cycle
- **At 16** you can ride a moped up to 50cc, a small tractor mowing machine or invalid car. If you receive a disability living allowance at the higher rate, you can also drive a car
- **At 17** you can drive a car with up to eight passenger seats, a motor tricycle, a motorcycle up to 125cc, a large tractor and a van or lorry up to 3.5 tons
- **At 18** you can drive a van or lorry up to 7.5 tons
- **At 21** you can drive all other vehicles defined on your licence. For hiring a car, most car hire companies have a minimum age of 21-23

Traffic offences

Every vehicle on the road must meet a whole set of regulations covering brakes, tyres, lights, mirrors, steering and even windscreen washer bottles (which must, by law, never be empty). A police officer may stop a vehicle at any time to check that it is in roadworthy condition, and it is no excuse for the driver to claim that they didn't realise a light wasn't working. These are absolute offences and apply even if the driver was completely unaware of the problem.

If the police believe a vehicle is not roadworthy, they can instruct the driver to get it checked and repaired by a garage (usually within 14 days), give the driver a fixed penalty or call up a specially trained vehicle examiner to inspect the car or bike there and then. A police officer who feels a vehicle is so dangerous that someone will probably not be insured if it is used any further, can immediately ban it from being driven.

Safety

Seat belts & crash helmets

Seat belts (front and rear), where fitted, must be worn by drivers and passengers in all vehicles, including minibuses and coaches. If a passenger in your car does not wear a belt, it is he or she who will be prosecuted, not you – unless the passenger is under 14, when it is your responsibility. Children must use a booster seat until they're 12 years old or 135 centimetres tall, whichever comes first.

Motorcyclists and pillion passengers must both wear an approved safety helmet on all journeys. This regulation does not apply to a follower of the Sikh religion while he is wearing a turban. Tinted visors may only be used during daylight hours.

Speeding

Speeding is an absolute offence, which means that it is no defence to say that it wasn't dangerous or that you didn't realise that you were breaking the speed limit. Nor is there much point in denying that you were travelling at the speed the police say you were, unless you can prove it. You will usually be given a fixed penalty and penalty points.

If you break the speed limit, or are seen by the police to be driving carelessly or dangerously, you must be warned of the possibility of prosecution at the time of the offence or served with a summons within 14 days of the offence. Otherwise you cannot be convicted, unless an accident occurred at the time or immediately after.

Driving badly

Careless driving is to drive in a way that is not how a careful and reasonable driver would behave. Pulling out from a side road without looking is an example of this. Dangerous driving is to drive in a way that is dangerous to people or property, such as driving very fast through a built-up area or overtaking on a sharp bend. Dangerous driving and causing death by dangerous driving are very serious offences, which courts will punish with fines, disqualification, and imprisonments. If you face such a charge, get in touch with a solicitor straight away.

Stolen vehicles

Stealing a vehicle to sell on to someone else is theft. Joyriding, or taking a car to ride around in and then dumping it, is a different offence, known as 'taking a vehicle without the owner's consent' or TWOC. Both are punishable by a fine or imprisonment.

Joyriding

The Aggravated Vehicle – Taking Act 1992 gives courts powers to deal with joyriders who drive dangerously and are involved in an accident causing injury and damage. A sentence of up to five years' imprisonment may be imposed, with a year's automatic disqualification from driving.

Mobile phones

It is an offence to use a hand-held mobile phone while driving – which includes waiting at traffic lights or in a traffic jam – except to call 999 or 112 in a genuine emergency. Motorists may be fined £200 (fixed penalty) and have six penalty points added to their licence, with punishments rising to £1,000 if convicted in court, and £2,500 for drivers of vans and lorries. You'll also lose your licence if you passed your driving test in the last two years.

Drinking & driving

Alcohol seriously affects a driver's judgement and reactions. There is no law that limits a driver to a certain number of drinks, such as two pints of beer or one glass of wine, but there is a maximum amount of alcohol that you may have in your body while driving or being in charge of a car. In law, being in charge of a car includes simply sitting in the driving seat of a parked car.

Briefcase - Peter

Peter was involved in a crash with a motorcycle. He feared that it was his fault and that he would lose his licence, as he already had a number of penalty points. He persuaded his wife Sophie, who was not in the car at the time, to tell the police that it was she who was driving. A week later they both admitted the deception, but were charged with perverting the course of justice. Peter and Sophie were sentenced to four and two months in prison.



The limits

The amount of alcohol in a person's body is measured in their breath, blood or urine.

Breath tests

The police will carry out a roadside breath test to check whether a driver has more than the permitted amount of alcohol in their body. Uniformed police can breathalyse anyone whom they reasonably suspect of driving with excess alcohol, who is involved in a traffic offence or road accident, however minor, even if there is no suspicion of alcohol. A uniformed police officer is also quite entitled to stop motorists at random in order to see whether there is a reasonable suspicion that there is; the officer can go on to ask the motorist to take a breath test.

If the test is positive, or the driver refuses a breath test, the driver will be arrested and taken to a police station for further tests.

No escape

A driver who fails to blow into the device properly, or refuses to take a test, will still end up with a heavy fine and have his or her licence endorsed with three to eleven penalty points. Courts rarely accept that there are special reasons for drivers being over the limit. Disqualification from driving is almost automatic. A drunken driver who causes someone's death may be sent to prison for up to 14 years, and will be disqualified from driving for at least two years.

Penalty points

The police and courts deal with most motoring offences through a system of penalty points that are entered on a driver's licence. Anyone receiving 12 or more points within a period of three years will almost always be disqualified from driving for at least six months. Details of the points carried for each offence are given in the Highway Code.

Drivers who have six or more penalty points on their licence within two years of their test go back to being a learner until they pass a further test. People disqualified for two years or more can, after a minimum period, apply to the court to have their disqualification reduced.

Briefcase - Paul

Paul had had a few drinks when he was phoned by a friend who had run out of petrol, miles from anywhere, with his old and sick mother. Paul got into his car to go and fetch them, but was stopped by the police and breathalysed positive. Although he told the court that it was an emergency, the magistrates still found Paul guilty of drinking and driving, saying that the police, RAC or AA could instead have been called to help.

Accidents

What to do

Accidents happen to the most careful of drivers, often through no fault of their own. If you are involved in an accident, there are certain things that you should do:

- Stop immediately. Try to stay calm, even if people are yelling and screaming at you
- Check that everyone involved in the accident is OK. If anyone is injured, call an ambulance before you do anything else
- You must give your name and address and details of your vehicle to anyone who has reasonable need to know them. This includes a police officer at the scene of the accident, anyone who is injured, anyone whose property is damaged and the owner of any animal injured or killed. (This applies to horses, cows, sheep, goats and dogs – but not cats). If someone is injured, you must also produce your insurance certificate to show that you are properly insured. If you can't do this at the time of the accident, then you must give this information to the police as soon as possible, and certainly within 24 hours. If you don't you will be committing an offence
- Make sure you get the name, address, vehicle registration number and insurance details of the other drivers involved
- Consider taking photographs of the damage before vehicles are moved; if it is safe to do so
- Contact your insurance company as soon as possible, and also make a detailed note of everything that happened. This should cover the time of day, weather, light, estimated speeds, position of vehicles before and after the accident, what people said and anything else that you think might be relevant.

- If you can, take photos before anything is moved, or draw a sketch plan as soon as you feel able to do so
- Don't drive away without stopping. It is a criminal offence
- Be cautious if the other driver suggests not calling the police and offers you cash to cover the damage. It might be an offence not to report the accident, and you may find that the damage to your vehicle costs a lot more than you are being offered. If someone is injured in the accident it is an offence not to report it to the police
- Be mindful of accepting responsibility; seek the advice of your insurers who will then act on your behalf

Cycling

Cyclists are expected to follow the same basic laws as other road users. They have a duty of care to pedestrians, other riders and road users. It is an offence, under the Highways Act 1835, to ride a bicycle (or tricycle) on the pavement – a law that applies to riders of all ages. Police officers now have the power to impose a £30 fixed penalty notice on cyclists over 16 who ride on the pavement. It is also against the law to wheel a bike past a red traffic light or to ride it across a zebra crossing.

If is an offence to ride under the influence of alcohol or drugs. There is no breath test for cyclists; a court would instead be guided by evidence from the officer who made the arrest.

Contacts

ABTA (The Association of British Travel Agents)

30 Park Street, London, SE1 9EQ

For information and advice over problems with package holidays.

Website: www.abta.com

Department for Transport

Operates an enquiry help desk.

Tel: 0300 330 3000 (Open Mon-Fri, 8.30am-5.30pm)

DVLA (Driver & Vehicle Licensing Agency)

Longview Road, Swansea, SA6 7JL

For enquiries about driving licences or the registration details of a particular vehicle go to

www.dft.gov.uk/dvla and **www.gov.uk** The DVLA also runs a telephone helpline, **Tel: 0300 790 6801** (Open Mon-Fri, 8am-7pm and Sat 8am-2pm)

Gov.uk

The official government website, provides information on the law relating to learning to drive, buying and licensing a vehicle, and road safety.

Tel: 0300 330 3000 (Open Mon-Fri, 8.30am-5.30pm)

HM Revenue & Customs

Provides some information for travellers.

Website: www.hmrc.gov.uk

Put goods to the UK into the HMRC search engine to bring up a menu from which details of banned or restricted goods and allowances etc, can be extracted.

Identity & Passport Service (IPS)

Issues passports and, through the General Register Office, certificates for births, marriages and deaths.

The IPS operates a passport enquiry line, (Mon-Fri, 8am-8pm, and weekends and Public holidays, 9am-5.30pm) **Tel: 0300 222 0000**

National Express Group plc

PO Box 9854, Birmingham, B16 8XN

For information on coach, rail and local bus travel, and cheap fares.

Website: www.nationalexpress.com

Tel: 08717 81 81 78 (Open 24 hours a day)

An Assisted Travel Helpline is available for disabled customers. Tel: 08717 818179.

Contacts

Royal Society for the Prevention of Accidents (RoSPA)

RoSPA House, 28 Calthorpe Road, Edgbaston, Birmingham, B15 1RP, UK

For information on all aspects of safety, and the prevention of accidents at work, in the home, on the roads, in schools

Website: www.rosipa.com

Tel: 0121 484 2000

UK Border Agency

Provides information on travelling to and from Britain, with guidance on travelling from Britain, with guidance on entry and customs controls.

Website: www.gov.uk/government/organisations/uk-visas-and-immigration

Railcard

Providing a one-third discount on many UK rail fares. Available online, from stations and rail-appointed travel agents. **Website:** www.railcard.co.uk

**** Disclaimer** - Whilst we work hard to ensure all information contained within this document is correct and current it should not act as the definitive source of information on the subject covered.



Human Rights



European Convention on Human Rights

This is an international agreement, drawn up by the Council of Europe to protect people's human rights in the aftermath of the horrors of the Second World War.

It took effect in 1953 and sets out fundamental rights and freedoms that everybody should have, along with the limited circumstances in which they may be restricted by the state.

The European Convention on Human Rights and the European Court of Human Rights exist separately from the European Union. The Supreme Court's relationship with the Strasbourg Court is not, therefore, changed by the UK's exit from the European Union.

Anyone in Britain who believes the law in this country has not dealt fairly with their rights can take their case to the European Court of Human Rights in Strasbourg.

Until the Human Rights Act 1998 came into force, UK courts had no direct powers to deal with human rights cases, meaning anyone wanting to bring a human rights case faced a long and costly process.

Briefcase: Jeffrey

In September 1976 Jeffrey, aged 16, took a short cut home from his school in Scotland through a nearby cemetery. This was against school rules and Jeffrey was reported to the head teacher, who decided that he should be punished with the strap. The boy refused. He was supported by his parents, who said that they thought corporal punishment was morally wrong. Jeffrey was suspended. Both the school and the local authority suggested various ways in which he might be allowed back – but could not promise that Jeffrey would never be beaten for misbehaviour.

Jeffrey's parents would not agree to this. They claimed that the local authority were breaking part of the European Convention on Human Rights, which says that no one shall be denied the right to education and that parents have the right to make sure that their children are taught in a way that respects their religious and philosophical beliefs. When the case eventually reached the European Court of Human Rights in 1982, the Court agreed with Jeffrey's mother, who had made the application. As a result the British government had to change the law on corporal punishment in schools. This took sometime to achieve, but corporal punishment was eventually abolished in most UK schools in 1987.

The Human Rights Act 1998

The Human Rights Act 1998 came into force on 2 October 2000, making the rights set out in the European Convention directly enforceable in the UK. In addition, under this Act, all our laws must, as far as possible, conform to the rights set out in the Convention, and public bodies – such as the armed forces, local authorities, schools, hospitals, the police, prisons and the courts – must carry out their work in a way that respects these basic human rights. If they don't, then the law or the actions of the public body can be challenged in the UK courts. A law that the courts say is 'incompatible' with the rights in the Convention is capable of being changed quickly.

How does the Human Rights Act affect us?

The Human Rights Act is a unique type of higher law, affecting all other laws. The rights and their limitations are a set of basic values. Respect for these rights and everything that goes with them may help change the way people think and behave. It is designed to create a society in which decisions and policies are better discussed and understood. But the freedoms protected by the Act are not a complete set of human values and do not, for example, include the right to work or freedom from poverty.

The Act cannot be used directly by one private individual against another. It is designed to indicate how judges in courts must interpret the law and how public bodies – such as the police, the prison service and local councils – must carry out their actions.

It protects fundamental freedoms – like liberty and free speech – but also allows limits to be placed on these rights in order to try to make sure that other people are also treated fairly.

For example, a person's right to liberty may be restricted if they are guilty of a serious crime. This is for other people's protection. Similarly there are limits placed on freedom of speech to prevent someone from expressing views that are likely to incite hatred or endanger national security.

The Convention Rights in UK Law

There are 16 fundamental rights in the Act. They go beyond matters of life and death, like freedom extending to people's rights in everyday life: what they can say and do, their beliefs, their right to a fair trial and many other similar basic entitlements.

Article 2 Right to Life

Everyone has the absolute right to have to have their life protected by law. There are only certain very limited circumstances where it is acceptable for the state to take away someone's life, eg if a police officer acts justifiably in self-defence. The Human Rights Act completely abolished the death penalty in the UK.

Article 3 Prohibition of Torture

Everyone has the absolute right not to be tortured or subjected to treatment or punishment that is inhuman or degrading. The UK cannot deport someone to a country where they are likely to suffer torture or face the death penalty.

Article 4 Prohibition of Slavery & Forced Labour

Everyone has the absolute right not to be treated as a slave or required to perform forced or compulsory labour.

Article 5 Right to Liberty & Security

Everyone has the right not to be deprived of their liberty – 'arrested or detained' – except in limited cases specified in the Article (eg where they are suspected or convicted of committing a crime) and where this is justified by a clear legal procedure.

Article 6 Right to a Fair Trial

Everyone has the right to a fair trial and public hearing within a reasonable period of time. This applies to both civil and criminal proceedings. Hearings must be by an independent and impartial tribunal established by law. It is possible to exclude the public from the hearing (though not the judgment) in order to protect national security or public order. Anyone facing a criminal charge is presumed innocent until proved guilty according to law and has certain minimum guaranteed rights to defend themselves.

Article 7 No Punishment without Law

Everyone has the right to be protected from being found guilty of an offence if it wasn't against the law at the time it was committed. There is also protection against changes in the law which increase the possible sentence or the type of punishment for an offence.

Articles 8-11

The rights to freedom in Articles 8-11 may be restricted where it is necessary to protect things like public health or safety, the rights of others, or to prevent crime. Interference with these rights that goes too far can be challenged in the courts who will try to strike a fair balance.

Article 8 Right to Respect for Private Life

Everyone has the right to respect for their private and family life, their home and their correspondence.

Article 9 Freedom of Thought, Conscience & Religion

Everyone is free to hold whatever views, beliefs and thoughts (including religious faith) they like.

Article 10 Freedom of Expression

Everyone has the right to express their personal views and opinions. This applies even if their views are unpopular or disturbing. This right can be restricted in specified circumstances.

Article 11 Freedom of Assembly & Association

Everyone has the right to get together with other people in a peaceful way. They also have the right to associate with other people, which can include the right to form a trade union. These rights may be restricted only in specified circumstances.

Article 12 Right to Marry

Men and women have the right to marry and start a family. Our national law still governs how and at what age this can take place.

Article 13

Article 13 which deals with legal remedies, is not incorporated into our law.

Article 14 Prohibition of Discrimination

Everyone has the right to benefit from these Convention Rights regardless of race, religion, sex, political views or any other status, unless a restriction can be reasonably justified.

Article 1 of Protocol* Protection of Property

Everyone has the right to the peaceful enjoyment of their possessions. Public authorities cannot usually interfere with things we own or the way we use them, except in specified limited circumstances.

Article 2 of Protocol* Right to Education

Everyone has the right to access to an effective

Article 3 of Protocol* Right to Free Elections

Elections must be free and fair, and take place by secret ballot. Some restrictions can be placed on those who are allowed to vote, eg by setting a minimum age.

Articles 1 & 2 of Protocol 13* Abolition of the Death Penalty

These provisions abolish the death penalty.

*(A 'Protocol' is a later addition to the Convention)

British values

Fundamental British values are defined by the DfE as democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs. These values were first set out by the Government in the 'Prevent' strategy in 2011.

- **Democracy** – we vote for the people who make the laws and decide how the country is run.
- **Rule of Law** – we live by an agreed set of values about how we should behave. These are maintained through a series of checks and balances.
- **Individual liberty** – we live as we choose and have our own opinions, as long as this is within the law.
- **Mutual respect & understanding & tolerance for those with differing faiths and beliefs** – we may not always agree but we have respect for others and expect respect in return.



Voting

Registering to vote

You can register to vote at any time by contacting your local council election registration office or downloading a form from:
www.aboutmyvote.co.uk

An electoral registration form is also delivered before an election to every household in the country. The form should be completed with details of everyone living there, aged 16 and over.

You're not automatically registered to vote, even if you pay Council Tax, so if you want to vote, you have to register. You can check if your name is on the register of electors at your local electoral registration office.

In any event, it is technically an offence to knowingly fail to put yourself on the electoral register.

Anyone can get a postal vote, provided that they are on the electoral register. There are also special arrangements for people who cannot get to the polling station on the day.

Methods are being considered to make the process of voting more up-to-date, including mobile polling stations and 'e-voting' through the internet, mobile phones and digital TV.

Who can vote?

You must be 18 or over on the day of the election and your name must be on the electoral register maintained by your local council. For Parliamentary elections, you must be a national of the United Kingdom, the Commonwealth or of the Irish Republic, and either live in this country, or be a British citizen abroad but registered in the UK as an overseas voter.

Who can't vote?

Those unable to vote in Parliamentary elections include most people compulsorily held for treatment for mental illness (although the rights of people in this category are not absolutely clear), anyone convicted of corrupt practices at an election during the previous five years, and members of the House of Lords.

Briefcase - Prisoner's right to vote

John Hirst served a total of 25 years in prison for a number of serious offences including burglary and manslaughter. In 2000, whilst still in prison, he decided to use the Human Rights Act to challenge the government to give serving prisoners the right to vote. Although his claim was initially rejected by the British courts, in 2006, the European Court of Human Rights ruled that Britain's blanket ban on prisoners' rights to vote was in breach of the European Convention on Human Rights. The UK government has yet to change the law to comply with this ruling. This does not apply to prisoners on remand.

Elections

Who can you vote for?

Most people standing in local, national or European elections represent a political party. All political parties have to be registered with the Electoral Commission. The party will then select its candidates for each election. Some people stand as an independent without belonging to any political party.

Local elections

The election of local councillors is held every four years, usually in the first week of May, although not all councils hold them in the same year. Between them, and sometimes together with national government, these councils are responsible for education, planning, refuse collection, environment and leisure services, passenger transport, libraries, social services, children's homes, council housing and car parks. As well as deciding how the services are to be run, local councillors also take up problems on behalf of those living in their area.

Local councillor, AM, MP or MEP?

Under the Electoral Administration Act 2006, you can now stand for political office from the age of 18. If you want to be a local councillor you must either:

- Have your name on the local electoral register, or
- Rent (over the last 12 months) or own land or property in the area, or
- Have worked or lived in the area for the last 12 months

These rules do not apply to Welsh Assembly members (AMs), Members of Parliament (MPs) or Members of European Parliament (MEPs). Candidates standing as an AM or MP must pay a deposit of £500, which they lose if they get less than 5% of the votes cast. The deposit for MEPs is £5,000. Deposits are not required in local council elections.

There are currently 650 MPs in Parliament. Almost all are members of a registered political party, and each represents all those living in a defined area, known as a constituency. The party with the greatest number of MPs forms the government, with the party leader becoming Prime Minister. If an MP dies or resigns, a by-election takes place to elect a new MP for the constituency.

Voting systems

Votes for UK general and by-elections are currently counted on a first-past-the-post system, with each voter casting one vote and the winning candidate being the one with the most votes.

In May 2011, a referendum was held over whether the country should switch to a different form of voting, known as AV (Alternative Voting). Under AV, voters rank candidates on the ballot paper in order of preference. If no candidate wins more than 50 per cent of the votes, the candidate with the least support is eliminated and their second preference votes shared out among the remaining candidates. This process continues until someone gets the majority of the votes. However, on this occasion the electorate rejected the introduction of AV.

Currently, other elections in Britain use a number of different voting systems. Elections to the European Parliament are based on a system of proportional representation (PR) in which the number of seats each party receives is roughly equivalent to their share of the votes. Elections for the Assemblies in Wales and London and for the Scottish Parliament use what is known as the Additional Member System, in which voters each have two votes – one for their favourite candidate, and one for their party of choice.

General elections

A general election is one in which MPs are chosen to represent every constituency in the country. Under the Fixed Term Parliaments Act 2011, a general election must take place every five years.

However, a general election may still take place before the five years are up if no party or coalition of parties can retain the confidence of the House of Commons, or if (under proposed legislation) two thirds of MPs back a vote for an election.

Campaigning & protesting

Campaigning

If you feel strongly about something and want to get involved yourself, a library, Citizens Advice Bureau, or one of the organisations or websites listed can probably give you some of the information you need to make a start.

Campaigning can range from individual action to something more coordinated, as a member of a group. Writing a letter or email is the usual starting point – do your research, send it to a named person (the most senior within the organisation), keep a copy, and try to get others involved as well. If you can get a letter published in a newspaper, many more will know about your views, but do give your name and address – although you can ask the paper not to publish them.

Trespassing

The Criminal Justice and Public Order Act 1994 introduced the offence of aggravated trespass. It was aimed at hunt saboteurs, but can affect anyone who causes disruption to people going about their lawful business. It is an offence to trespass on private land in order to intimidate, obstruct or disrupt people who are behaving lawfully.

Protest

The same laws apply to people taking part in political action as any other area of life. Criminal damage, assault etc remain crimes – no matter how good the cause.

Demonstrations and marches are controlled by the Public Order Act 1986 and the Criminal Justice and Public Order Act 1994. Organisers must inform the local police where and when the march will take place and how many people will be involved. If the police believe the demonstration is likely to seriously disrupt the life of the community, a senior police officer can issue a ban for a period of up to three months.

The Police Reform and Social Responsibility Act 2011 prohibits all protests around Parliament Square in London.

It is legal to protest in the UK, and the right to protest in England and Wales is protected under the European Convention of Human Rights. However, it is important to note that this legal right only applies to peaceful demonstrations, and does not extend to any acts of violence or damage caused during a protest. The Government's Police, Crime, Sentencing & Courts ("Policing") Act came into effect in April 2022.

The Policing Act makes wide-ranging changes across the criminal justice system in areas including police powers, judicial procedures and offender rehabilitation. It will also have a serious impact on human rights, particularly the right to protest.

Most of the public order provisions in the Act, which affect the right to protest, came into force on 28 June 2022. In 2023, the Government introduced the Public Order Act. More information on this Act is available [here](#).

Complaints

Complaining

If you have a complaint about something you have bought or a service you have received, it's important to act quickly. Some companies, and many public services, have special procedures for dealing with complaints. If it's a public service, such as a hospital or benefits agency, you can ask to see a copy of their charter which shows the level of service you are entitled to expect. If your complaint is not dealt with properly, think about contacting your local councillor or MP, particularly if your problem is over a public service.

Writing to your councillor, MP or MEP

If your problem is local, contact your local councillor through the council office. AMs, MPs or MEPs can best take up problems for which the Government or European Union are responsible. Most AMs, MPs and some MEPs have local 'surgeries' for which no appointment is necessary. They are often held on a Friday or a Saturday, and advertised in the local paper. You can also write to or email your AM or MEP locally and your MP at the House of Commons.

You can find out the name of the councillor, MP or MEP for your area at **www.writetothem.com**. Addresses are obtainable from the local library, and are listed under Member of Parliament in the business section of the phone book. Their email addresses are available via **www.parliament.uk**. Many MPs also have their own websites.

Taking action

Try to:

- Act as quickly as possible
- Think carefully about what you want to achieve
- Make sure you talk or write directly to a person, such as the manager or director of services who has the authority to deal with your complaint
- Always find out the name of the person you are talking to
- Keep a record of phone calls, letters or emails that you send
- Stick to the facts, and work out how the law can help you
- State clearly what you want to be done, set a reasonable time within which this should happen, and get back in touch if they haven't met the deadline
- In serious cases, consider seeking legal advice

Freedom of information

Under the Freedom of Information Act 2000, anybody, regardless of their age, nationality or where they live, can ask for information from a public body in England, Wales and Northern Ireland. (Scotland has its own law).

A public body is any part of local or national government, or any other body that carries out a public function, such as the NHS and the police.

You can ask a public body if they hold the information you are looking for, and if so, you are entitled to apply for that information.

If you are still unhappy with the way your problem has been handled, you may be able to take your case to an Ombudsman.

Contacting an Ombudsman

Your request must:

- Be in writing
- State clearly what information is required
- Include your full name and address

The public body must respond to your request as soon as possible, and within 20 working days (or 40, if the case is more complicated). There may be a charge for this service. You will be told about this when you have made your application. There are certain, specific reasons your request may be refused, for example for security reasons, or if the information is due to be published at a later date.



Data protection

How can I check what they know about me?

People collect personal information about you all the time. Your school, education provider, GP, the local council, shops, mobile phone company, bank, employer, the police and many others may keep records on you.

Sometimes it's facts like your age or how much you've spent on your mobile phone; sometimes it's opinions about say a health risk or whether you might commit an offence or have failed an exam.

The Data Protection Act 2018

The Data Protection Act 2018 controls how your personal information is used by organisations, businesses or the government.

The Data Protection Act 2018 is the UK's implementation of the General Data Protection Regulation (GDPR).

Everyone responsible for using personal data has to follow strict rules called 'data protection principles'. They must make sure the information is:

- Used fairly, lawfully and transparently
- Used for specified, explicit purposes
- Used in a way that is adequate, relevant and limited to only what is necessary
- Accurate and, where necessary, kept up to date
- Kept for no longer than is necessary
- Handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage

There is stronger legal protection for more sensitive information, such as:

- Race
- Ethnic background
- Political opinions
- Religious beliefs
- Trade union membership
- Genetics
- Biometrics (where used for identification)
- Health
- Sex life or orientation

There are separate safeguards for personal data relating to criminal convictions and offences.

Briefcase - Storing data

Requests for information under the Freedom of Information Act cover all kinds of topics, from the cost of the wine served at a reception for world leaders to items confiscated from prisoners in jail.

Recently, enquiries revealed that a number of police forces in England and Wales have retained details on their database of people who have reported a crime.

Critics claim that this is wrong and dangerous. Some senior officers have argued that the data could be useful in the fight against crime, but a spokesman for the Association of Chief Police Officers stated that it was important for information of this kind not to be misused.



Applying for information

You can write this in your own words, asking for all personal information held about you. Some organisations like the police have their own forms which you should use. You should identify yourself clearly and be as specific as possible about what you want to know. You can be asked to pay a fee. This is normally £10 but in some cases it can be as little as £2 (for credit information) or as much as £50 (for old handwritten medical records and some education records).

You should get a reply within 40 days (or 15 school days if the request is to a school) – and in some cases shorter times must be met. If you think the information is wrong you can require that it is changed and if necessary go to court for an order to correct inaccurate information. Full details of your rights to check information held about you are available from the Information Commissioner's website – see Contacts.

Judicial review

If a public body – like a government department, local authority, or hospital – makes a decision which actually seems to be fundamentally unfair, you can apply to have the decision reviewed in the High Court. Known as judicial review, it's a way of having illegal or unreasonable decisions changed. Examples of this have been when people have challenged a ruling by the Home Office to deport someone who is a British citizen, or when they have questioned a hospital's right to withhold an operation in a genuinely urgent case.

A judicial review can normally be started only when all other avenues of complaint have been exhausted. It's a very complicated and expensive process and so, before doing anything, it's important to get advice from a solicitor who understands this area of law.

Contacts - Political Parties

Conservative Party

30 Millbank, London, SW1P 4DP

Tel: 020 7222 9000

Website: www.conservatives.com

Green Party

8-10 Great George Street, London, SW1P 3AE

Website: www.greenparty.org.uk

Tel: 0845 4581026

Liberal Democrats

Development House, 56-64 Leonard Street,
London, EC2A 4LT

Website: www.libdems.org.uk

Tel: 020 7022 0988

(Between 9.30am and 5.30pm, Mon to Fri)

Labour Party

39 Victoria Street, London, SW1H 0HA

Website: www.labour.org.uk

Tel: 08705 900 200

Plaid Cymru, the Party of Wales

Ty Gwynfor, Marine Chambers,
Anson Court, Atlantic Wharf,
Cardiff, CF10 4AL

Website: www.plaidcymru.org

Tel: 029 2047 2272

UK Independence Party (UKIP)

PO Box 408, Newton Abbot, Devon, TQ12 9BG

Website: www.ukip.org

Tel: 0800 587 6587

General

Ministry of Justice

102 Petty France, London, SW1H 9AJ

Tel: 020 3334 3555

Website: www.justice.org.uk

Has responsibility, amongst other things, for the administration of the *Human Rights Act* and produces a number of downloadable guides to the Act.

House of Commons Information Office

House of Commons, Norman Shaw North, London, SW1A 2TT

Website: www.parliament.uk

Tel: 020 7219 4272

A similar information service is offered by the **House of Lords Information Office**, House of Lords, London, SW1A 0PW

Tel: 020 7219 3107

The Information Commissioner's Office

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Tel: 01625 54 57 45

Has responsibility for overseeing the workings of the *Data Protection and Freedom of Information Acts* and provides guidance on access to personal and official information.

Website: www.ico.org.uk

The ICO helpline is open Mon-Fri, 9am-5pm

Tel: 0303 123 1113.

**** Disclaimer - Whilst we work hard to ensure all information contained within this document is correct and current it should not act as the definitive source of information on the subject covered.**



Finance



Personal Finances - Spending

It's a contract

When you buy something from a shop or pay for a service (like a train fare or haircut) you are making an agreement, known in law as a contract. The contract means that in return for the money that you pay, the goods you buy should do everything you can reasonably expect and, in particular, all that the seller and manufacturer claim.

Once a contract has been agreed, neither side can change it on their own. Some shops allow customers to opt out of their contract by agreeing to exchange unwanted items or by providing a refund, as long as goods are returned in mint condition with the receipt. Shops don't have to do this by law, unless it was promised as part of the contract.

Getting it right

If you're buying something expensive, it is wise to do some research beforehand. There are various consumer magazines and websites which review/rate different products. You can also go to a shop and ask just to see an item, without buying it. If you decide to make a purchase, keep the receipt in case you have a complaint.

Services

Dry cleaners, shoe repairers, hairdressers, travel agents and many others provide a service – and you are protected by law if that service is inadequate. Under the Supply of Goods and Services Act 1982, a service must be provided:

- With reasonable care and skills
- Within a reasonable time, and
- For a reasonable charge, where it is not agreed beforehand

Making a complaint about goods or services you have received

Not satisfied

If you are not satisfied with something that you have bought:

- Stop using it straight away and take it back, with the receipt, to the shop where you bought it. It strengthens your case if you can do this as soon as possible. Your contract was with the shop, not the manufacturer, so it is the shop's responsibility to deal with your complaint. Even if you have lost the receipt, the contract still exists
- Think about your legal position. Don't be afraid to use the law when making your case
- Decide what you would like the shop to do and what you are going to say. Do you want your money back, or will you accept a repair or replacement item?
- If the shop assistant doesn't help, ask for someone more senior
- Keep copies of any letters of complaint that you write; if you talk on the phone, ask for the name of the person you are speaking to, and make a brief note of the conversation
- If you paid for the goods or service by credit card (and they cost more than £100), the credit card company, as well as the supplier, can be held liable for any fault. If the supplier does not deal with the problem properly, make your case in exactly the same way to the credit card company. You can also claim through the credit card company if the supplier has gone bust and is unable to deal with your claim

What about your rights if the goods you have bought are faulty?

The Sale of Goods Act

The law applying to most everyday purchases is the Sale of Goods Act 1979 – an important Act that has been extended over the last 30 years. It says that when you buy goods from a shop or trader, they must:

Be of satisfactory quality

This means that they must be free from faults and not scratched or damaged, and equally applies to goods bought in a sale. However, this rule does not apply if the fault was pointed out by the sales assistant, or if you inspected the item and had a good opportunity to discover the fault. Second-hand goods bought from a shop or trader must also be of satisfactory quality.

Be fit for all their intended purposes

This means that they must do what the seller, packaging or advertisements claim. A watch sold as waterproof should not stop if you forget to take it off in the shower. These protections do not apply if you bought the goods privately (eg through a 'small ad') – when the buyer is responsible for deciding the quality of what he or she wants to buy.

Match the description

The goods must be the same as the description on the packaging, or advertisement or given by the assistant at the time of sale eg a bracelet marked solid silver must be just that. This rule also applies to second-hand goods, and goods sold privately.

Put downs

Some businesses will do as much as they can to help you with a problem over something you have bought; others may claim that there is nothing they can do. Don't give up if the shop tries to get out of its legal obligations.

“We'll send it back to the workshop”

Only if you want to. If you act reasonably quickly, you can choose whether to ask for a full or partial refund, compensation or to have the goods repaired or replaced (if that is a practical option). If the goods have developed a fault in the first six months it is assumed they were faulty when you bought them, unless the shop can prove otherwise.

“We'll give you a credit note”

No. If the goods are faulty, you're entitled to your money back, providing you act quickly. You don't have to accept a credit note if you don't want to. If you do accept a credit note, check where and when you can use it – some credit notes must be used within a fixed time and only in exchange for certain goods or services.

“You'll have to take it up with the manufacturer”

Wrong. You bought the goods from the shop and your contract was with them, not with a manufacturer who may be located on the other side of the world. If the goods genuinely don't work, the shop has not kept its side of the contract and you have a right to your money back. Shops normally have to accept responsibility to you for the manufacturer's claims. If the shop refuses to help, you can also use the guarantee to bring a claim against the manufacturer of the product.

“Sorry it's out of guarantee”

This can be tricky. A major problem with a computer three months after the guarantee has run out can lead to a large repair bill. Raise the matter with the seller and ask to talk to the manager. Use any documentation you have, such as the manufacturer's literature or details from their website, stressing the reliability and quality of the product, to show that it is not reasonable to expect a failure after such a short period. There's no hard and fast law about what is reasonable in terms of product failure. It all depends on the circumstances.

“We'll give you a replacement”

Only if that's what you want. However, if by now the fault has led you to decide that you don't really want the product after all, you are entitled to your money back – not a replacement. It's up to you to choose what to do.

Problems with a service

Problems are less likely to occur if certain things are agreed before the work is started. How much will it cost? How long will it take? What happens if the work can't be finished or further work is needed?

Handle your complaint just as you would were it for faulty goods. Don't be afraid to seek advice. Help is available from your local Citizens Advice Bureau, trading standards or consumer advice centre.

Some trades, such as travel agents, garages, dry cleaners, shoe sellers etc, have their own associations laying down a code of practice or standards. These have no legal standing, but the associations can help you resolve your complaint against a trader. Contact addresses are available from your local library or online.

The small claims court

If you cannot get any satisfaction over a problem with faulty goods or poor service, you can write to the person concerned warning them that you will try to recover the money they owe you by taking your case to the small claims court (strictly known as the small claims track). This is a simplified way of settling disputes, in which a judge hears your case without you having to be represented by lawyers.

Cases involve claims of less than £5,000 and can be brought only by someone of 18 or over. You can get more details online from your local county court (under Courts in the phone book), the Citizens Advice Bureau or a consumer advice centre, see Contacts.

Buying over the phone or on the internet

If you buy goods online or over the phone, your basic legal rights are the same as buying something in a shop. However, you also have a number of additional rights. These include the right to:

- Be given clear information about the nature of the product, what it will cost you (including taxes and delivery), and the name and address of the seller
- Cancel your order up to seven days after you have received the goods
- Have the goods delivered within 30 days of your order, unless you agreed with the seller that it would take longer. If the goods do not arrive within this time, you are entitled to a full refund

Cancellation

The above rights to cancel do not apply to certain goods and services, including food and other perishable items, unsealed computer software, CDs and DVDs, magazines, newspapers and tickets for travel, accommodation or events.

For further details contact your local Citizens Advice Bureau or the gov.uk website.

Buying goods from outside the UK

If you buy goods from a country within the European Union (EU), your basic legal rights should generally be the same as they are here.

However, chasing up a supplier in another country may not be as straightforward as it is in the UK. If you buy something from outside the EU, be aware that the law may be different, and that it may be more difficult to pursue a complaint. Further protection is available if you pay for the items by credit card.

Junk mail & phone calls

Junk mail

If you want to cut down on the junk mail and calls you receive, you can register with the Mailing and Telephone Preference Services.

Spam

Most spam offers are a scam. If the message looks doubtful, delete it and don't click on the adverts. Under the Privacy and Electronic Communications Regulations 2003, UK businesses can send direct marketing messages by email only to existing customers or to those people who have agreed to let them do so.

However, a great deal of bulk spam is sent from outside the UK, and there is little that UK law can do to deal with this.



Banking

Don't open emails claiming to be from your bank or building society asking you to verify your account or log in details. Your bank would never ask you to do this. You can report the scam to your bank or your local trading standards office.

Banks and building societies

Although there is no minimum legal age for someone to have a bank account, most banks offer basic accounts to young people aged 11 and over. These provide a cash card, which you can use at a bank machine to withdraw cash, and possibly a debit card that will only work if there's enough money in your account. A regular current account is normally available only if you are 18 or over (or 16 or 17 with a steady income or an adult who will act as guarantor).

Why have a bank account?

- Many employers will only pay wages into an account
- An account is needed for a student loan
- The money can earn interest
- Helps you build up a banking history
- Provides an easy way to pay bills
- Cashing cheques can be difficult and expensive without a bank account

Choosing a bank or building society?

You will probably want to know:

- Whether it has a branch near you and offers telephone or online banking
- Whether there are convenient cash points
- About services offered and charges
- What interest is paid on the money in your account. There will be leaflets on this, or you can ask a member of staff
- About special offers for young people

Don't be persuaded by offers or gifts if the services and charges are not as good as other banks or building societies, and always read the small print.

There are two main types of account - current accounts and savings accounts:

Current accounts

A current account is for day-to-day

transactions. You pay in money, such as your wages or student loan, which you can draw out as you please. You'll receive a debit card to pay for goods in shops and online, and to take out cash. You may also be given a cheque book and (if you are 18 or over) a credit card. You'll also receive a regular bank statement showing what has been paid in and withdrawn from your account, and your overall balance.

Savings accounts

A savings account normally provides a higher rate of interest.

Most do not come with a cheque book or plastic card, and some have restrictions on when you can withdraw your money. You will still be able to take out your money if you really have to, but will probably lose some of the extra interest.

If you keep money in your savings account while you are overdrawn on your current account or have a loan, you may find the interest you are paying is higher than the interest that you earn on your savings account.

For help deciding which bank account is right for you see <https://www.moneyhelper.org.uk/en/everyday-money/banking/how-to-choose-the-right-bank-account>

What about tax on interest I earn?

Any interest you earn on a bank or building society account is normally taxed at 20% before you receive it.

However, if your level of income means that you don't pay tax, you can either get the tax back or arrange to have the interest paid without the tax being deducted. Ask your bank for a claim form or go online for Form R85.

Interest rates

At its simplest, interest is the cost of borrowing money. Generally, you'll pay interest to borrow money, and you can collect interest when you lend money. When you deposit money in a savings account, you are in essence lending a bank money and will earn interest on that money.

Payment methods

Cheques

Plans to phase out cheques by 2018 have been withdrawn. Banks have promised to keep cheques as long as customers need them. However, the cheque card guarantee system ended in 2011.

If you write or receive a cheque, make sure that it is correctly written – for the correct amount, signed and dated (not post dated, i.e. in the future).

If you receive a cheque pay this into your account as soon as possible, as banks don't usually accept cheques that are more than six months old. The ATM at your bank will usually allow you to pay in a cheque but it is advised to do this over the counter.

Strictly speaking, it is an offence to write a cheque if you know that there is not enough money in your account to cover it, unless you have permission from your bank to do so. You will almost certainly face a penalty charge if the bank refuses to honour your cheque.

Never keep your cheque book and debit card together. If you do, it makes it much easier for a thief to take money from your account.

Cash cards

Your cash card enables you to take money out of your current account from a cash machine, using a confidential personal identification number (PIN). Never keep this number with your card. If your PIN number or card is stolen, contact your bank immediately. Be aware that some cash machines will charge you to withdraw your cash.

Debit cards

Your debit card allows you to buy things without writing a cheque or using cash.

There is no legal age limit for obtaining a debit card, but as a rule banks tend to wait until their customers are 16 years old. You can also use it to pay for goods over the telephone or online.

Your account is automatically debited with the amount you have spent. However, it can take a while (sometimes a few days) for payments to show on your balance. You can only go overdrawn with a debit card if you have the bank's agreement, otherwise you will be charged a fee. Many debit cards double as a cash card.

Contactless payment

Most cards are now considered to be contactless. This means that you can make a payment without needing to enter your PIN number. Mobile phone and smart watch technology also allows for contactless payment to be made.

Credit

Credit is a way of buying goods by delaying the payment, or by paying in instalments. The different types of credit include credit cards and store cards. Credit is arranged often in return for a fee or interest payments.

Credit cards

- You normally need to be at least 18 before you can have a credit card. Like debit cards, credit cards allow you to buy goods and services from shops, over the phone, or online
- Payment by credit card enables the shop to be paid straight away (at a small cost to the retailer), and the customer to be billed sometime later. The person using the credit card is, in effect, being lent the money to buy the goods by the company issuing the card
- If you apply for a credit card, the credit card company will check your creditworthiness, a spending limit will be set on the account, and a fee charged if you go over this
- Each month you will receive a statement, showing how much you have spent, how much is owed, and the minimum amount that you may pay. If you pay the bill in full, you will not be charged interest; however interest will be added to your account, if you do not pay off all the money that you owe. If you make no payment at all, you will be charged a further penalty, your card may be cancelled, and your credit rating will suffer

- You can compare the costs of different cards by looking at the Annual Percentage Rate (APR) – the rate of interest charged by the firm issuing the credit card. The lower the APR, the lower the cost of borrowing
- Why not sign up to the App linked to your credit card to be able monitor your spending on the go

Store cards

- Store cards offer you credit when you buy goods at a particular store
- You receive a regular statement showing how much you have spent, and what you owe
- You are required to pay at least a fixed minimum amount each month, with the rest being carried forward and appearing on your next statement. Interest is charged on the amount you haven't paid off. These charges are often higher than other types of credit card.
- Details of the APR will be given on the store's website

Borrowing

Borrowing from a bank or building society

A bank or building society lends money either through allowing an overdraft or by making a loan.

Overdraft

A person becomes overdrawn when they spend more money than they have in their bank account. If you need to go overdrawn, you can usually arrange an authorised overdraft with your bank up to an agreed amount. Interest may be charged.

The most expensive overdraft is an unauthorised one – which is run up without the agreement of the bank. Interest is paid on the amount overdrawn, and charges are added on top of this. If you ever find yourself in this situation, it is important to get in touch with the bank as soon as you can.

Buying goods by instalments - Credit or hire purchase

You can often buy more expensive goods (cars, computers, TVs) by instalments – that is, by paying only part of the price at the time of purchase, and paying the rest later. Always ensure you have the means to pay before you take out an hire purchase agreement.

Sometimes credit is available interest-free, but credit is normally an expensive way of paying for things. It is always a good idea to check the charges (the APR) that are being made.

‘Hire purchase’ is a special form of buying on credit. Technically, the shop sells the goods to a finance company and you pay to ‘hire’ them over an agreed period. When you have paid off the hire instalments, you will make a final payment.

Loans

A loan is an arrangement with your bank – or other financial institution – under which you are lent a specific amount of money. You enter into a contract for the loan. This will be at an agreed rate of interest and for a set period of time, during which you repay the full loan. If you are under 18 it is very unlikely that you will be able to get a bank loan, as these kinds of contracts with ‘minors’ are not usually binding. All loans are different – always check the small print to see what you are signing up to.

Second thoughts

If you signed a credit deal at home (or away from the shop or business premises) you have a right to cancel if you act quickly. You will be sent a second copy of the agreement that will tell you how to cancel if you want to. You will usually have five days to do this.

Getting into debt

People get into debt for all sorts of reasons. They may find they owe money to several different people and are tempted to borrow more to pay off some of these debts.

This often becomes even more expensive. You know it's getting serious when you start getting badgered to make repayments by the people you owe money to – your 'creditors' – and you can't meet all the demands.

What to do

- Don't ignore the problem: it won't go away and will get worse the longer you leave it. You can get free help from a range of advice agencies
- Draw up a budget: list all the money you owe and the people to whom it is owed; what your income and reasonable living expenses are; and then see how much you can afford to pay back
- List your debts in their order of priority: at the top are those where non-payment can have really serious consequences – like losing your flat or home; having the electricity or gas cut off; or where non-payment is a criminal offence (like council tax and your TV licence). You should aim to pay these off first and then work out what's left over for the others, treating them equally
- Contact all your creditors: go and see them or write or phone; explain the position and show them your budget
- Discuss with them what you can reasonably pay. Usually they will be prepared to negotiate. You may be able to agree to pay by instalments or, for a period of time, just to pay off the interest on your loan. If you are worried about contacting them directly you can contact a free advice agency for help
- Don't borrow more without getting advice: some individuals or companies lend money at very high rates of interest, making it difficult to keep up with repayments and hard to get out of debt
- You can get help and advice from experts. Try the National Debt Line or a Citizens Advice Bureau

Insurance

Insurance is a way of protecting yourself and your property from an unexpected loss or mishap.

You can insure yourself against almost anything – losing your possessions in a fire, having them stolen or damaged, or having to face unexpected medical bills on a holiday abroad. If you drive a car or motorcycle, you must be insured by law. In return for a premium – an agreed amount of money you pay each month or year – an insurance company will, if the worst does happen, pay you compensation for the losses or damage that you are insured against (usually minus an excess that you have to pay yourself).

The keywords they use:

- **Broker** – An agent who can help you choose and apply for insurance
- **Cover** – Insurance against loss or damage
- **Cover note** – A temporary document showing that you have insurance cover, usually sent out while the official certificate is being prepared
- **Excess** – The amount you will have to pay towards the cost of your claim. You can sometimes pay an extra premium to reduce this – called a waiver
- **No claims bonus** – The discount you are given on your premium if you haven't made a claim
- **Policy** – The document setting out the terms and conditions of your insurance
- **Premium** – The amount you pay for your insurance
- **Quotation** – A statement of the amount you will have to pay for the insurance you asked for

Buying insurance

There are two ways of obtaining insurance. You can either deal directly with the company, by phone or online, or go to a broker. Insurance brokers are agents who can help you choose an insurer and arrange the policy for you. They don't usually charge you for this, but instead make their money from the insurance company that you have decided to use.

All the information you give should be accurate. Questions must be answered truthfully, and all other relevant information should also be given. If it's not, the insurance policy will be invalid and the insurer may refuse to pay your claim.

Keep a copy of any form that you complete, and when you renew your insurance (usually done each year) don't forget to tell the insurance company about anything that has changed that might affect your insurance position. If you don't, your policy may be invalid. Always check the small print to ensure that you get what you need included in your insurance.

Tax

Income tax

Money paid in income tax is used to pay for services provided by the state – such as health, education, defence etc. Everyone who earns or receives income over a certain amount in a year pays income tax and, generally speaking, the more you earn, the more you pay. Current tax rates on income range from 20% to 45% (from April 2013). As well as earnings from full and part-time work, tips and bonuses, tax is also paid on interest from savings with banks, building societies and some National Savings accounts. Income tax may also be paid on pensions, income from savings and rent, and certain state benefits. You will not be taxed on the first £12,500 of your income - this is known as your tax allowance.

PAYE (Pay As You Earn)

Your employer will usually take the tax from your earnings each time you are paid and pass the money on to the tax authorities, called HM Revenue and Customs. Everyone is entitled to receive a certain amount of money on which they pay no tax at all, this is called a personal allowance. There are other allowances which may be available, eg for the cost of tools or special clothing if they are not provided by your employer.

Workplace pension

A workplace pension is a way of saving for retirement that is arranged by your employer. It can sometimes be referred to as an occupational scheme or works pension. A percentage of your pay is put into the scheme. Your employer will contribute too. You are able to opt out if you wish.

National insurance

Almost everybody in Britain who is in paid work must pay National Insurance contributions. This money is used to help run the National Health Service and to provide benefits and pensions. It is generally taken from the money that you earn by your employer. Everyone has their own NI number, which they receive just before they reach 16. Your NI number is used to record all your NI contributions and must be given when claiming benefits.

You are able to check you NI records online on the HMRC website <https://www.gov.uk/check-national-insurance-record>. These maybe useful to help in your retirement planning.

Contacts

Advicenow

Provides detailed information and advice on how to resolve a wide range of consumer problems.

Website: www.advicenow.org.uk

Association of British Insurers

Consumer Information Dept, 51 Gresham Street, London, EC2V 7HQ

Website: www.abi.org.uk

Tel: 020 760 0333

HM Revenue & Customs

Provide information on tax, national insurance, and some benefits on their website.

Website: www.gov.uk

National Debtline

Tricorn House, 51-53 Hagley Road, Edgbaston, Birmingham, B16 8TP

For confidential help with debt problems and a downloadable advice pack.

Tel: 0808 808 4000

(Monday - Friday, 9am-9pm; Sat, 9.30am-1pm)

Website: www.nationaldebtline.org

National Insurance records

<https://www.gov.uk/check-national-insurance-record>

Phonepay Plus

Clove Buildings, 4 Maguire Street, London, SE1 2NQ
Regulates products and services that are charged to users' phone bills or pre-pay accounts. Their role is to respond to questions and complaints about premium rate phone services like helplines, news alerts, interactive games, etc.

Website: www.psauthority.org.uk

Tel: 0800 500 212 (Monday-Friday, 9am-5pm)

Telephone Preference Service

Enables you to opt out of receiving unsolicited sales and marketing calls.

Website: www.tpsonline.org.uk

Trading Standards

Officers are in almost every large town and city, and give free advice on a wide range of consumer problems. The address of your nearest office is available from the phone book, under 'T', your local council website, or from:

www.nationaltradingstandards.uk

Workplace Pensions

Pensions information for individuals on the scheme promoted by the Government, including how to opt out.

Website: www.workplacepensions.gov.uk/employee

****Disclaimer** - Whilst we work hard to ensure all information contained within this document is correct and current it should not act as the definitive source of information on the subject covered.