Personal Fitness Trainer

Business Opportunity Profile
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Introduction

Personal fitness trainers (also referred to as personal trainers) provide personalised exercise training programmes to help people achieve their health and fitness goals. This usually involves trainers working with their clients to establish health and fitness targets, assessing their current level of fitness, planning a fitness training programme and providing instruction during a series of one-to-one or small group training sessions.

Personal trainers typically carry out training sessions at clients' homes, in gyms or leisure centres and in public spaces such as parks. Some personal trainers also run organised fitness classes and 'bootcamps', often under contract for a gym, health club or leisure centre, or provide personal training in the workplace for employees of their corporate clients. In certain circumstances, personal fitness training can be subsidised by the NHS through formal exercise referral programmes under which medical professionals refer their patients to personal fitness trainers, for example to help improve a health condition.

The fitness and exercise industry is not statutorily regulated in the UK (other than for adventure activity providers). However, personal trainers and other fitness professionals can demonstrate to their clients that they meet recognised fitness industry standards covering training and qualifications, health and safety, and customer service by joining the Register of Exercise Professionals (REPs) or another voluntary register or trade association.

This profile provides information about starting up and running a personal training service. It describes the skills required, the training available, the current market trends and some of the key trading issues. It also explains the main legislation that must be complied with and provides sources of further information and support.

Qualifications and skills

There are no qualifications legally required to start up and trade as a personal trainer. However, in practice anyone intending to set up in business as a personal trainer will require training, qualifications and experience in fitness instruction, basic training in first aid and CPR, and an understanding of health and safety issues relating to the fitness industry.

Personal trainers are required to hold approved qualifications, including those in first aid, in order to register with the Register of Exercise Professionals (REPs) or the National Register of Personal Trainers (NRPT). Registration with either of these organisations demonstrates that a trainer meets recognised minimum professional standards.

The following personal training and exercise courses are suitable for an aspiring personal trainer:

- The Level 3 Certificate in Personal Training, which is accredited by various awarding bodies, including City & Guilds and Active IQ. The Certificate involves 245 guided learning hours and includes the following mandatory units: 'Anatomy and physiology for exercise and

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health'; 'Programming personal training with clients'; 'Delivering personal training sessions' and 'Applying the principles of nutrition to a physical activity programme'. Course fees vary according to provider. For example, Premier Training International charges from £2,600 and fees vary according to location (www.premierglobal.co.uk/courses/premierdiploma/certificate-in-personal-training). Course participants must have completed a Level 2 qualification in fitness instruction before enrolling on the Level 3 course.

- The Diploma in Personal Training and Instruction, which involves 340 guided learning hours and includes a variety of compulsory units covering motivating clients, designing and evaluating exercise programmes and applying nutritional principles to support clients' fitness goals. Personal trainers must have completed a Level 2 qualification in fitness instruction before enrolling on the course. Course fees vary according to provider. Go to www.ymcaawards.co.uk/qualifications/level-3-qcf/diploma-in-personal-training-and-instruction for an example of a training provider running this course.

- The Active IQ Level 3 Diploma in Fitness Instructing and Personal Training run by Focus Training, which involves 295 guided learning hours and includes various units covering the delivery of fitness programmes, anatomy, physiology and nutrition. Go to https://focus-training.com/personal-trainer-courses/ for details.

- Equipment- and technique-specific courses, such as those delivered by Premier Training International, which include a variety of courses at different levels in instructing clients to work out using kettlebells. Courses cost from £69 to £229 (www.premierglobal.co.uk/?s=kettlebell).

- The Level 3 Diploma in Exercise Referral accredited by various awarding bodies, including City & Guilds and Edexcel, which enables personal trainers to receive referrals via the NHS Exercise Referral scheme. Before enrolling on the course, a trainer must have completed the Level 2 Certificate in Fitness Instructing (Gym-Based Exercise), a Level 3 Yoga or Pilates qualification, or a Level 3 Certificate in Personal Training. Course fees vary according to provider, for example YMCAfit charges £549 and delivers the course in London and Manchester (www.ymcafit.org.uk/courses/diploma-exercise-referral).

Specialist health-related exercise qualifications are also available, which may benefit personal trainers intending to specialise in providing training for clients with health conditions. Relevant qualifications include the Level 4 Certificate in Physical Activity and Weight Management for Obese and Diabetic Clients (www.premierglobal.co.uk/courses/certificate-in-physical-activity-and-weight-management) and the Level 4 Certificate in Physical Activities and Lifestyle Strategies for Managing Lower Back Pain (www.premierglobal.co.uk/courses/certificate-physical-activity-lifestyle-strategies-managing-low-back-pain). The cost of each course starts from £469 and fees vary according to location.

Suitable sports first-aid courses for personal trainers include:

- React First's one-day Fitness First Aid course, which costs £99 (excluding VAT) and covers topics such as best practice and current regulations, a systematic approach to incident management, recognition of concussion, soft tissue injuries, strains and sprains, and CPR resuscitation procedures. Go to www.reactfirst.co.uk/First-Aid-Sport.asp for details.

- The Basic Sports First Aid course, which is held regularly at locations across England by St John Ambulance and costs £105 (excluding VAT). Go to www.sja.org.uk/sja/training-courses/courses-for-the-general-public/sports-first-aid.aspx for more information.

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Anyone starting up as a personal trainer will benefit from training in general business and enterprise skills. Suitable courses include:

- Free webinars provided by HM Revenue & Customs (HMRC), covering topics including business expenses, self-assessment online, VAT, self-employment and becoming an employer. Go to www.gov.uk/government/collections/hmrc-webinars-email-alerts-and-videos for further information.
- Regular one-day courses in completing pre-qualification questionnaires and bid writing run by Millstream Training and Consultancy, which may benefit personal trainers who tender for public sector contracts (such as Exercise Referral programmes) or larger commercial contracts with employers. The courses cost around £400 (www.millstreamlearning.eu/Training/SupplierTraining).
- The Fundamentals of Social Media Marketing, which is a collection of six free online courses run by Hootsuite Podium. Topics covered include optimising social media profiles (on Twitter, Facebook, LinkedIn, Instagram and YouTube), developing a social media strategy, building an online community of clients and creating online content that will engage followers' attention. Go to https://education.hootsuite.com/collections for more information.

Industry awareness and continuing professional development

Register of Exercise Professionals (REPs) registrants are required to achieve 24 continuing professional development (CPD) points every two years as a condition of their registration. Go to www.exerciseregister.org/cpd-training/continued-professional-development for more information about REPs' requirements. To search for CPD courses that are recognised by REPs, go to http://qualitytraining.skillsactive.com.

Suitable CPD courses include:

- YMCAfit courses, covering topics such as kettlebells, core stability, indoor cycling, STOTT Pilates and supple strength. Courses take between one and eleven days to complete and cost £129 each or £300 for three. Go to www.ymcafit.org.uk/CPD for a full list of YMCAfit CPD courses.
- Future Fit Training courses, covering topics such as childhood nutrition and obesity, circuit training, client psychology and motivation, and building your fitness business. Go to www.futurefit.co.uk/future-fit-training/courses for a full list of courses.

Personal trainers can keep up to date with news and developments in their sector and improve their awareness of trends by attending events and reading trade journals and resources, including:

- 'Fitpro' magazine, which is a quarterly online and print-based journal available exclusively for FitPro members. FitPro is a professional fitness development company which provides information and training resources to around 150,000 members worldwide. 'Fitpro' magazine features articles on a range of topics such as the latest exercise trends, sports injuries, resistance training, and sales and marketing. Go to www.fitpro.com/fitpro_live/magazines.cfm for details.
- 'body LIFE UK' (www.bodylifemagazine.co.uk), which is an online and print-based journal published every other month. It features sector news and information, fitness equipment reviews and details of forthcoming industry events.

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- Leisure Industry Week (LIW, www.liw.co.uk), which is an annual two-day event for the health and fitness, pool and spa, leisure facilities, sport, eat and drink, and play sectors. LIW is held each September at the NEC, Birmingham and provides opportunities to network with a wide range of potential suppliers.
- PTontheNet (www.ptonthenet.com), which is an online resource for personal trainers that features details of training providers and fitness equipment reviews, advertises jobs and contract opportunities, publishes a wide range of articles about current health and fitness issues, and provides access to a discussion forum.

Key market issues and trends

Current market issues affecting personal trainers include the following:

- The UK fitness market grew in value by 3.2% during the 12 months to March 2016, to reach £4.4 billion, according to the '2016 State of the UK Fitness Industry Report'. The number of people joining gyms increased by 5.3% during the same period, to reach 9.2 million. Go to www.leisuredb.com/blog/2016/5/11/press-release-2016-state-of-the-uk-fitness-industry-report for details.
- Research by Barclays published in January 2016 revealed that the number of small and medium-sized firms providing health and fitness facilities had increased by 37% since 2012. One in five business owners surveyed by Barclays had been operational for at least ten years. The number of female-owned health and fitness firms increased by 28% between 2012 and 2015, with 52% of small and medium-sized firms in the market partly or wholly owned by women, and the number of business owners aged 65 or over in the health and fitness market increased by 25% over the same period. Go to www.newsroom.barclays.com/r/3289/pensioners_power_boom_in_gym_start-ups for details.
- According to 'Health and Fitness Clubs UK July 2016' published by Mintel, the number of Britons who use health and fitness clubs will rise by 20% over the next five years, to reach 6.5 million by 2020. This could also lead to increasing opportunities for personal trainers as the research also revealed that 44% of people who use private health clubs said they had joined to lose weight (www.mintel.com/press-centre/social-and-lifestyle/health-and-fitness-club-going-brits-forecast-to-grow-20-by-2020).
- According to 'Physical Activity Statistics 2015' published by the British Heart Foundation, in the UK, 44% of adults never do any moderate physical activity, and the cost to the NHS of physical inactivity was more than £900 million in 2009/10 (the most recent figures available). Go to www.bhf.org.uk/publications/statistics/physical-activity-statistics-2015 to read the report in full.
- The UK has one of the highest levels of obese and overweight people in Europe. In March 2016, medical journal 'The Lancet' published a major study into global obesity, based on body mass index (BMI) figures from four decades. According to the study, in 2014, 28% of women and 26% of men in the UK were obese, and this is expected to rise to 38% for both genders by 2025. Go to www.nhs.uk/news/2016/04April/Pages/Global-obesity-rates-expected-to-soar-in-next-decade.aspx for details.
- Established national health and fitness chains provide both opportunities and competition for personal trainers. According to the '2016 State of the UK Fitness Industry Report', Pure Gym opened 60 new clubs in 2015/16, making it the UK's largest fitness facility provider.

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According to the report, this is the first time a 'low-cost' operator has been the market leader. Low-cost providers accounted for 12% of the total number of private providers in March 2016, 13% of the private market value and 32% of memberships with private providers. Key features of the low-cost fitness market include enabling people to join online, 24/7 opening hours, low prices and monthly rolling fitness club contracts (www.leisuredb.com/blog/2016/5/11/press-release-2016-state-of-the-uk-fitness-industry-report).

- A leading orthopaedic surgeon has warned of the dangers of high-impact fitness regimes and over-zealous personal trainers which have led to a significant rise in knee, hip and back injuries in people aged under 30. Personal trainers should be careful to ensure that clients do not over-train as otherwise they could be at increased risk of being sued for providing negligent advice in relation to fitness training programmes (www.uhs.nhs.uk/AboutTheTrust/Newsandpublications/Latestnews/2016/Top-hip-and-knee-surgeon-highlights-dangers-of-cult-fitness-regimes.aspx).

- According to the results of a BBC investigation published in 2016, many local authorities in the UK charge personal trainers and fitness organisations a fee to train clients or run in their parks and public spaces. Charging policies vary across the country and a previous BBC investigation reported in 2012 that almost 75% of local authorities in the north east of England, but only around 30% of those in the East Midlands, charge fees. In London, personal trainers intending to use the Royal Parks to train their clients must apply for a licence, with fees starting from £280. In April 2016, it was reported that around 90 personal trainers had applied for Royal Parks' licences (www.bbc.co.uk/news/magazine-36039580).

- Personal trainer franchises provide both competition and opportunities for anyone intending to start up as an independent personal trainer. Examples include Pro-Fit Personal Training (www.pro-fitfranchise.co.uk), which requires franchisees to have a Level 3 or higher qualification, with initial franchise fees starting from around £5,000, and At Home Fitness (www.athomefitness.co.uk/careers), which also requires franchisees to hold a Level 3 or higher qualification, and provides details of franchise fees on request.

- Alternatively, a personal trainer can become a licensee of an established personal training provider. Examples of personal training providers offering licensing opportunities include One Lifestyle (www.onelifestyle.co.uk/Careers/license.htm), which provides licence fees on request, and Workout at Home (www.personaltrainingjobs.co.uk/cost), which charges a licence fee of £59 per month (excluding VAT).

- The UK gym sector includes major chains of gyms and health and fitness clubs offering personal training services, either by employing personal trainers or hiring trainers on a freelance contract basis. National fitness chains include David Lloyd (www.davidlloyd.co.uk), which has 81 UK clubs; Virgin Active (www.virginactive.co.uk), which had 61 in clubs in October 2016 compared to 110 in September 2014; Bannatyne Health Clubs (www.bannatyne.co.uk/healthandfitness), which has more than 60 clubs across the UK; and Fitness First (www.fitnessfirst.co.uk), which has 45 clubs in London and 16 clubs in the rest of the UK.

- In December 2016, there were almost 7,700 personal training providers listed in the UK on Yell.com, indicating the highly competitive nature of the sector. In contrast, the National Register of Personal Trainers (NRPT), which requires registrants to have a Level 3 qualification or above and to hold public liability and professional indemnity insurance, had over 800 members.

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Trading, commercial and legal issues

Established and start-up personal trainers face the following trading, commercial and legal issues:

Licensing requirements

Personal trainers who carry out their business or trade such as holding fitness or exercise sessions in a park, garden or other public space in London listed in Schedule 1 of the Royal Parks and Other Open Spaces Regulations 1997, must hold a licence issued by the Royal Parks Agency (RPA). The parks and gardens listed in Schedule 1 include the eight Royal Parks: Bushy Park; Green Park; Greenwich Park; Hyde Park; Kensington Gardens; Regent's Park (and Primrose Hill); Richmond Park; and St James's Park. It is a criminal offence to hold training sessions without a licence where one is required.

Applicants for a licence must hold public liability insurance providing a minimum of £2 million cover, have a recognised fitness qualification and be a Level 3 REPs registrant. Applications for a licence must be submitted at least four weeks in advance, together with evidence of the applicant's qualifications and insurance, a current health and safety risk assessment and method statement, and evidence of measures they have in place to provide first aid to clients if required and a process for accident reporting. Go to www.royalparks.org.uk/park-management/licences-and-permits/fitness-training-licences for more information about licensing and www.royalparks.org.uk/park-management/licences-and-permits/fitness-training-licences/apply-for-a-licence to apply.

Personal trainers who hold fitness and exercise sessions for three or more clients at a time must hold a Group Fitness Licence, while personal trainers delivering sessions to no more than two clients must hold a Personal Fitness Licence. Licence fees depend on location and number of clients. For example, licence fees for Hyde Park, Regent's Park or Green Park are:

- £50 per park for a one-day Group Licence to deliver sessions for up to ten clients.
- £350 per park for an annual Personal Fitness Licence where no more than six sessions are delivered each week.
- £600 per park for an annual Personal Fitness Licence where seven or more sessions are delivered each week.
- £850 for an annual Group Fitness Licence, where no more than six sessions are delivered each week and each session has no more than ten clients.
- £1,200 for an annual Group Fitness Licence, where seven or more sessions are delivered each week and each session has between 11 and 20 clients.

Go to www.royalparks.org.uk/park-management/licences-and-permits/fitness-training-licences/fees-and-charges-for-fitness-licences for a full fee schedule.

Licensed personal trainers must adhere to the Royal Parks' terms and conditions (Ts and Cs) and Code of Conduct for outdoor fitness training, which require trainers to, for example:

- Wear a Licensed Operator Identification armband provided by the Parks Authority.
- Avoid conflict between clients and other park users.
- Ensure that access to and use of public open space is preserved for all park users.

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The Code is available in full at www.royalparks.org.uk/park-management/licences-and-permits/fitness-training-licences/code-of-conduct-for-outdoor-fitness-training.

Personal trainers holding fitness sessions on other local authority-owned land around the UK may be required to obtain a licence and/or pay a fee, depending on local bylaws and procedures. Examples of local authorities with charging policies covering the use of public land by personal trainers include:

- Brighton & Hove City Council (www.brighton-hove.gov.uk/content/leisure-and-libraries/parks-and-green-spaces/fitness-groups, voluntary scheme only).
- Lambeth Council (www.lambeth.gov.uk/business-services-rates-and-licensing/licence-applications/apply-for-a-licence-to-conduct-personal).

Professional association membership

Membership of a professional body can provide personal trainers with a wide range of individual and business benefits. Relevant professional bodies include:

- The Register of Exercise Professionals (REPs, www.exerciseregister.org), which is a voluntary register of health and fitness professionals working in the UK. Personal trainers can join if they hold a Level 2/3 industry-recognised qualification. Although registration is voluntary, it demonstrates to potential clients that the registrant has been independently verified as being competent, is committed to ongoing professional development and holds the appropriate type of insurance cover. The annual registration fee is £40. REPs requires registrants to hold a minimum of £10 million public liability insurance cover, which, if purchased through REPs, costs £56.
- The National Register of Personal Trainers (NRPT, www.nrpt.co.uk), which is a voluntary register of personal trainers working in the UK. Registration is open to personal trainers who are Level 3 REPs registrants. Registration costs around £110 and demonstrates that a registrant has minimum qualifications, appropriate insurance cover and adheres to the NRPT Code of Ethics.
- FitPro (www.fitpro.com), which is an international membership network representing health and fitness professionals. Membership benefits include a subscription to 'Fitpro' magazine, access to e-learning via PTontheNet (www.ptonthenet.com) and a 10% discount at FitProShop. The annual membership fee is £75 (£45 without access to PTontheNet).
- ukactive (www.ukactive.com), which is a trade body representing the UK's active lifestyle sector. Personal trainers are eligible for supplier membership, which entitles them to use the ukactive logo and provides discounts on first-aid training and music licensing, access to a helpline run by the Royal Society for the Prevention of Accidents (RoSPA), and start-up and marketing information. Details of annual membership fees are available on request from ukactive.

Codes of ethics and practice

REPs registrants must adhere to its Code of Ethical Conduct. The Code, which is based on five principles covering client rights, trainer relationships, personal responsibilities, professional standards and safe working practices, requires personal trainers to:

- Respect clients' individuality and diversity and deal with confidential client disclosures discretely.

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- Behave with integrity and recognise their position of trust as an exercise professional.
- Promote their services honestly and accurately.
- Only provide the services for which they have been trained and are competent to provide in accordance with the level of their REPs registration.
- Actively update their professional skills.
- Ensure that they make client safety a prime consideration when delivering personal training instruction.

The full REPs Code can be viewed at www.exerciseregister.org/images/PDF/92280-REP-Code-of-Ethics-and-Conduct.pdf.

The NRPT also requires its members to adhere to a Code of Ethics that requires them, for example, to:

- Provide fitness training only in relation to activities for which they hold relevant qualifications, and update their professional skills regularly.
- Ensure that personal information disclosed by clients is kept confidential.
- Discuss and agree achievable goals with clients before the commencement of training.
- Ensure that clear details about their Ts and Cs of business, including fees and cancellation policies, are clearly stated and provided to clients in writing before beginning a programme of training.

The NRPT Code of Ethics is available in full at www.nrpt.co.uk/find/nrpt/code-of-ethics.htm.

Members of ukactive must ensure that every new client, including both occasional clients and those who will be attending regular training sessions, are offered an exercise induction in order to comply with the ukactive Code of Practice. New clients should also be asked to complete a medical pre-screening document as best practice. For a working example of a pre-screening medical questionnaire, go to www.cheshammoorfitness.org.uk/uploads/Exercise%20Readiness%20Questionnaire.pdf.

Sourcing fitness equipment

Personal trainers will need to budget for and source a range of fitness equipment. A typical budget for fitness equipment will include:

- Exercise mats (£15 to £150 each).
- Swiss balls (exercise or balance balls - £5 to £30 each).
- Aerobic steps (£15 to £60 each).
- Kettlebells (£6 to £35 each).
- Resistance bands (around £6 each or from £12 for a set).
- Punch bags (from around £20 to £300 each).
- Skipping ropes (around £10 each).
- Wobble boards (around £20 to £100 each).

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- Dumb-bells (from £50 per pair to around £500 for a set).
- Barbells (from £30 for a 10kg bar to £500 for a set).
- Heart-rate monitors (from around £20 to £400 each).

A directory of specialist equipment suppliers is included in ukactive membership (www.ukactive.com/membership/membership-benefits/supplier-directory). Examples include GymRatz (www.gymratz.co.uk), Powerhouse Fitness (www.powerhouse-fitness.co.uk) and Gymwarehouse (www.gymwarehouse.co.uk).

Typically, for the first few months' trading, trade suppliers will only deal with new trade customers using pro forma invoices. Payments must be made at the time of purchase and before delivery of equipment. Suppliers usually carry out credit checks on new customers applying for trade accounts. This includes taking up references, reviewing published accounts (if available) and checking public registers such as County Court Judgments.

Second-hand and reconditioned equipment can be sourced from suppliers such as Gymkit UK (www.gymkituk.com) and In & Out Fitness (www.inandoutfitness.co.uk).

Sport England has published best practice guidance about the design of exercise and fitness spaces, which includes information about selecting gym equipment and the applicable British Standards. Go to www.sportengland.org/media/4203/fitness-and-exercise-spaces.pdf for more information.

Running the business from home

Some personal fitness trainers have a home-based gym where they hold training sessions for clients.

Personal trainers intending to trade from a home base should inform their mortgage company or landlord and check that they are allowed to do this under the terms of their mortgage or tenancy agreement. Landlords may be unwilling to grant permission if, for example, there will be an increased nuisance or parking problems caused by clients regularly visiting the personal trainer at their property.

The Small Business, Enterprise and Employment Act 2015 amended the Landlord and Tenant Act 1954 to allow tenants to run a home-based business from a rented residential property under a specific 'home business tenancy' granted by their landlord, as long as it is the kind of business that someone could reasonably be expected to run from their home. Go to www.landlordsguild.com/consenting-to-carrying-on-a-home-business for more information.

Personal trainers intending to operate from a home-based gym should also contact their local authority to find out whether they will need planning permission to run a business from home. This is particularly important in certain circumstances, for example if an outbuilding is to be converted and used as a gym where personal training sessions will be held. Go to www.planningportal.co.uk/info/200130/common_projects/9/change_of_use for more information.

Anyone running a business based at home will need to find out whether they will become liable for business rates. The Valuation Office Agency has information about rates for a home-based business in England and Wales at www.gov.uk/introduction-to-business-rates/working-at-home. Guidance for Scotland is available at www.mygov.scot/business-rates-guidance/do-

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i-need-to-pay-rates-if-i-work-from-home and guidance for Northern Ireland can be found at www.nibusinessinfo.co.uk/content/rates-and-your-business-premises.

It is also essential to have adequate insurance cover both for the home and for business purposes.

Hiring training venues

Freelance personal trainers often rent space in gyms, leisure centres or similar health and fitness premises. Personal trainers can find details of local gyms via specialist directories, including:

- GymUser.co.uk (www.gymuser.co.uk).
- Gyms Near Me (www.gymsnearme.org.uk).
- AboutHealthClubs.co.uk (www.abouthealthclubs.co.uk).

Personal trainers renting space to hold fitness training sessions will be required to sign a rental agreement with the premises owner or main occupier. This should be in writing and include, for example:

- Terms covering the duration of the agreement.
- The rental fee.
- Equipment and services provided by the venue.
- Insurance cover required to be held by the trainer or held by the premises owner, occupier or landlord.
- Liability for loss or damage to the fixtures and fittings on the premises.
- Responsibilities for tidying and cleaning of the premises after the training sessions.
- Cancellation terms.

Trainers renting space from local authorities or large chains of gyms may be required to adhere to their rental terms, which are often non-negotiable.

Rental space is typically made available for a fixed hourly or daily rental fee, a fixed fee depending on the number of clients who will attend sessions, or a fee based on a percentage of the trainer's hourly or daily rate. Rental fees vary according to factors such as location and the facilities available at the premises, but in London are typically between £20 and £30 per hour, while hire charges are typically around £75 per day for premises outside London. Some gyms and leisure centres rent rooms to personal trainers on an advance block-booking basis covering a specified number of sessions, typically starting from around £200 for 10x 60-minute sessions.

For examples of gym and fitness centre rental fees, go to www.clubtwentytwo.info/pt-gym-hire.php and https://privategymhire.co.uk.

Contracts with gyms and commercial clients

Many personal trainers are hired under contract by commercial clients such as independent gyms, local authority leisure centres or larger employers seeking fitness training for their employees.

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Agreements or contracts to provide fitness training should be in writing and be signed by the personal trainer and the commercial client before the trainer commences the contract. It is also good practice (and a requirement of the NRPT Code of Ethics) for personal trainers to provide each client with their standard Ts and Cs of business, along with details of their pricing structure to deliver the training.

Formal agreements or contracts with commercial clients should typically include:

- Full details of the fitness training sessions and packages that will be delivered, including, for example, any initial fitness analyses or consultations with participants.
- The responsibilities of both the personal trainer and the client, for example relating to the recruitment of participants and the provision of equipment.
- A schedule that includes the timetable for delivery of the training sessions and packages.
- Details of the personal trainer's fee structure and what is included in the fees, such as all fitness sessions, use of equipment, development of personal fitness training programmes and goals, performance assessments and evaluations.
- The procedure for resolving any disputes.
- A warranty that the personal trainer will take all reasonable steps that the client considers necessary to comply with the client's obligations under the Data Protection Act 1998.

It is worthwhile for the personal trainer to have a solicitor review any contractual agreements with commercial clients to ensure they do not disadvantage or place unreasonable liability on the trainer.

Consumer contracts and terms and conditions of business

Under the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 (CCRs), personal trainers must provide private clients who are consumers (meaning anyone acting for purposes unconnected with their business or profession) with specific pre-contractual information, including, for example, details of their pricing, payment and cancellation terms.

As best practice, this pre-contractual information can also be included in the personal trainer's standard Ts and Cs of business.

To comply with the CCRs and the NRPT's Code of Ethics, personal trainers' standard Ts and Cs should typically include:

- Details of the personal trainer's trading name, address and telephone number, and if applicable, their company registration number and VAT registration number.
- Details of the business name that will appear on any credit or debit card statements, which is often different to the trading name.
- Clear descriptions of the personal training services or training packages available, including the number and duration of sessions, the type of equipment used during training, the location where sessions will take place, and the purpose of the type of training provided (for example, to enable the client to build muscle or lose weight).
- The total price of the personal training services, for example the session or package rates charged, including VAT if appropriate, and payment terms and methods of payment accepted.

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- The policy for session cancellations and consumers' cancellation rights.
- Details of any age policies, for example that clients must be at least 18 years old.
- The trainer's obligation to design a safe and effective programme of training to meet the client's needs, and the client's obligation to commit to the programme in order to achieve the desired results.
- A clause requiring the client to acknowledge that they understand that the results of any fitness programme cannot be guaranteed.
- A requirement that the client completes a health questionnaire before their first training session and acknowledges that the personal trainer may require the client's GP to provide a letter giving 'medical clearance' for the training programme to be undertaken by the client.
- A clause requiring clients to wear appropriate clothing and footwear, such as non-restrictive trousers or leggings.
- The trainer's right to refuse to carry out a session if a client is wearing inappropriate clothing or footwear, or is under the influence of alcohol or drugs.
- Details of the personal trainer's policy if clients are late for sessions, for example that sessions will still end at the appointed time and will not be extended.
- Details about the amount and type of insurance cover (such as public liability and professional indemnity insurance) held by the trainer.
- A warranty that the personal trainer will keep private client information (for example details about health conditions) confidential.
- A clause stating that by agreeing to participate in training sessions, clients will also be deemed to have given their consent to being photographed or filmed during sessions for promotional purposes.

It can be worthwhile having a solicitor draft or review Ts and Cs to ensure they comply with consumers' statutory rights.

Personal trainers who enable clients who are consumers to book training sessions or bootcamps online, including via a mobile app, must ensure that their booking process meets the requirements of the Electronic Commerce (EC Directive) Regulations 2002. This includes providing clear information about the technical steps to follow to conclude the contract, and how the consumer can identify any input errors before confirming their booking.

The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015 require personal fitness trainers who are unable to resolve a dispute with a consumer through their own complaints-handling procedure to inform that consumer about a certified alternative dispute resolution (ADR) scheme relevant to their sector. If they enable consumers to book and pay for classes online, they must also provide a link to the European Online Dispute Resolution platform on their website.

Consumer and business protection legislation

Under the Consumer Rights Act 2015, personal trainers must provide fitness training and instruction to consumers with reasonable care and skill. Fitness equipment must also be fit for purpose, of satisfactory quality and as described. If a proprietor fails to meet their statutory

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obligations under the Act, they must make reasonable redress to the consumer, for example by providing a full refund.

The Consumer Protection from Unfair Trading Regulations 2008 and the Consumer Protection (Amendment) Regulations 2014 protect consumers by prohibiting unfair commercial practices, including misleading advertising. For example, if the personal trainer misleads a consumer about their membership of an accreditation scheme or their qualifications, they will have committed a criminal offence.

The Business Protection from Misleading Marketing Regulations 2008 also make it a criminal offence for a personal trainer to promote their services in ways that are unfair to other traders, for example by making unfair comparisons between their own services and those of other personal trainers or sports and leisure providers.

Consumer protection legislation is enforced by local authority trading standards officers who can be contacted for advice and guidance about complying with consumer rights.

Advertising standards

When advertising their services, personal trainers must ensure that any promotional material, including websites and blogs, or claims associated with personal training, comply with the CAP Code (www.cap.org.uk/Advertising-Codes.aspx).The CAP Code is administered by the Advertising Standards Authority (ASA, www.asa.org.uk) to protect the public from misleading marketing communications.

Under the CAP Code, trainers must be able to provide objective evidence to prove any claims about the benefits of personal training that they make in their advertising or promotions. They must also make sure that paid-for marketing communications such as 'advertorials' are clearly identifiable as adverts.

The ASA has published a range of specific guidance that may be useful for personal trainers. This includes:

- Guidance about the use of 'before' and 'after' photos (www.cap.org.uk/Advice-Training-on-the-rules/Advice-Online-Database/Before-and-After-Photos.aspx).
- Guidance about the promotion of exercise as a form of weight control (www.cap.org.uk/Advice-Training-on-the-rules/Advice-Online-Database/Weight-control-Exercise.aspx).
- Guidance about general promotion relating to weight control (www.cap.org.uk/Advice-Training-on-the-rules/Advice-Online-Database/Weight-control-General.aspx).

Pricing

Fees charged by personal trainers vary depending on the trainer's experience and qualifications, the level of and frequency of training sessions, location and level of local competition.

Typical fees include:

- From £30 to £90 for a 60-minute session for a single client.
- From £280 to £820 for 10x60-minute sessions for a single client.
- Around £50 for a 60-minute session for two clients.

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- Around £15 per person for a 60-minute group session, typically for between four and six clients.
- Around £150 for a six-day bootcamp (a high-intensity group exercise session that mixes traditional body weight exercises with interval training and is run over a specified period of time).
- From £150 for a 12-week fitness plan.
- Around £1,000 or £1,500 for a two- or three-month 'wedding' package for brides, including three personal training sessions each week and fortnightly fitness assessments and diet guides.

Some personal trainers provide training on a subscription basis, starting from around £450 for six sessions per month to £840 for a 12-session per month package. For examples, go to www.mattroberts.co.uk/prices and www.jordanpersonaltraining.com/packages.html.

Fees charged for corporate personal training services are usually provided by the trainer on request from the corporate client, and usually depend on the group size per training session. For examples of charging structures for corporate personal training services, go to www.core-personaltraining.com/corporate-services.

The services provided by a personal trainer are standard-rated for VAT and trainers must register for VAT once their turnover reaches the mandatory threshold. Go to www.gov.uk/guidance/rates-of-vat-on-different-goods-and-services for more information about VAT rates.

Taking payment

Many personal trainers take payment in cash or by cheque on a 'pay-as-you-go' basis on the day of the training session. However, some personal trainers also accept payment by debit or credit card over the phone, in which case a Chip and PIN machine will be required to process credit and debit card payments. Examples of providers include Lloyds Bank (www.lloydsbankcardnet.com), Worldpay (www.streamline.com/card-machines) and Chip & PIN Solutions (www.chipandpinsolutions.co.uk). Equipment rental costs between £15 and £35 a month, plus per-transaction charges starting from 3%.

Many personal trainers also take payment via smartphone apps and keypads. Examples of providers include:

- iZettle (www.izettle.com/gb), which requires a contactless reader that can be purchased for around £60 and charges variable rates on a percentage basis depending on sales figures. iZettle also includes bookkeeping tools and sales reports to record transactions.
- WorldPay Zinc (www.worldpayzinc.com), which charges around £40 for a Chip and PIN keypad and 2.75% per payment with no monthly fees.
- PayPal Here (www.paypal.com/uk/webapps/mpp/credit-card-reader), which requires a card reader costing £75. The fee per transaction is based on total monthly sales volume.

It will be necessary to apply for a merchant account to process online payments. Examples include PayPal (www.paypal.com/uk/webapps/mpp/home), Worldpay (www.worldpay.com/uk) and Nochex (www.nochex.com).

In order to accept direct debit payments for personal training services, a trainer must be registered as a Direct Debit Originator (DDO) with the Direct Debit Scheme. However, most

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small traders choose to collect direct debit payments via a third-party provider as this is usually a simple and cost-effective process.

Examples of providers include GoCardless (www.gocardless.com), Eazy Collect (www.eazycollect.co.uk) and SmartDebit (www.smartdebit.co.uk).

The service fees charged by direct debit providers vary, although most charge on a per-transaction basis. For example, SmartDebit charges a set-up fee of £199, along with a monthly fee of £30 and a fee per transaction starting from 8p.

Specialist booking and client management software

Most personal trainers use specialist software designed for health and fitness providers, which typically includes functionality to manage client records, organise the trainer's schedule, enable clients to book sessions online and accept secure online payments.

Suppliers of specialist software include:

- BookingBug, which provides software that enables trainers to accept secure online payments and also includes direct debit processing. Go to www.bookingbug.co.uk for more information.
- EZFacility, which provides software that includes direct debit processing and a mobile app for clients. A monthly licence fee applies, with details available on request. Go to www.ezfacility.co.uk/industries/personal-trainer-software for more information.

Privacy and data protection

The NRPT Code of Ethics requires personal trainers to keep information provided by clients private and confidential, and, on their request, return any personal information to clients when they stop receiving personal training instruction.

To comply with the Data Protection Act 1998, any personal details or information that the personal trainer holds (such as names and addresses of clients and details of their health conditions) should be stored securely, either manually or electronically, and used only for their clearly intended purpose.

Personal trainers may need to notify (register with) the Information Commissioner's Office (ICO) as a data controller. The ICO can be notified online for a fee of £35 and notification must be renewed yearly. Go to https://ico.org.uk/for-organisations/register/.

The ICO provides a guide to complying with the Act at https://ico.org.uk/for-organisations/guide-to-data-protection.

Personal trainers providing services under contract, for example to commercial clients such as gyms or local authorities, will need to warrant that they will take all reasonable steps that the client considers necessary to comply with their own obligations under the Act.

Music licences

Personal trainers who play music during training sessions may need to hold licences from PRS for Music and PPL.

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In most cases, the proprietor or tenant occupying the premises, for example, a leisure centre or gym, is responsible for applying for and holding music licences. However, personal trainers should ensure that the appropriate licences have been granted and are held by the venue before renting space to run training sessions.

Personal trainers holding sessions in premises that are not covered by a PRS for Music licence, such as in a community centre, may need to apply for a PRS for Music licence for mobile businesses. A mobile businesses licence covering a personal trainer costs from around £37 per year. Go to www.prsformusic.com/users/businessesandliveevents/musicforbusinesses/Mobilebusinessesandlimiteduses/Pages/mobilebusinesses.aspx for information.

Personal trainers do not usually need a PPL licence to play music at residential properties (for example, if they hold sessions at their home), but they may require one if renting a room on premises not covered by a PPL licence. Membership of ukactive includes a discounted PPL licence and ukactive collects PPL licence fees from its members as part of its membership procedure. Go to www.ppluk.com/I-Play-Music/Businesses/How-much-does-a-licence-cost/Business-type-1111111 for information.

Employment status

Rules introduced by HMRC called IR35 are intended to prevent avoidance of National Insurance (NI) Class 1 Contributions and tax payments by self-employed personal trainers who are engaged by contracting organisations such as gyms. For example, if an individual self-employed personal trainer works for only one gym over an extended period, it can be difficult to prove to HMRC that they are genuinely self-employed and not an employee of the gym. This can lead to an increased tax and NI liability for both the gym and the personal trainer.

It is important for personal trainers to ensure that they meet HMRC's employment status criteria. HMRC provides an employment status indicator tool on its website at www.gov.uk/employment-status-indicator.

Criminal records checks and child safeguarding

Gyms and local authority leisure centres hiring personal trainers will typically require them to have had a criminal records check and hold a certificate as evidence of this, especially if they will be providing regular training sessions for children or vulnerable adults.

In England and Wales, criminal records checks are known as Disclosure and Barring Service (DBS) checks. Go to www.gov.uk/government/collections/dbs-checking-service-guidance--2 for details. Gym proprietors will usually check the existing DBS certificates of anyone they intend to employ or hire on a freelance basis, such as a personal trainer, using the DBS update service. Go to www.gov.uk/dbs-update-service for further information about updating and checking certificates.

Individuals and self-employed people cannot apply directly for DBS checks, but can obtain basic checks via 'umbrella bodies', such as the Federation of Sports and Play Associations (FSPA, www.sportsandplay.com/home).

In Scotland and Northern Ireland, criminal records checks are referred to as 'disclosures' and are carried out by Disclosure Scotland (www.disclosurescotland.co.uk) and AccessNI (www.nidirect.gov.uk/campaigns/accessni-criminal-record-checks) respectively. Basic disclosures

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can be applied for by individuals. However, standard and enhanced disclosures must be obtained via umbrella bodies such as trade associations.

The Children Act 1989 (as amended), which covers England, and equivalent child protection legislation in Wales, Scotland and Northern Ireland, protects and safeguards children by setting out procedures for reporting child protection and safety concerns. To comply with the Act, gyms and leisure centres must have safeguarding policies in place to protect children aged 17 and under while they are attending training sessions, and personal trainers should ensure that they comply with the safeguarding policy of a gym they are hired by. Go to www.nspcc.org.uk/preventing-abuse/child-protection-system for more information.

Also as best practice, before accepting new clients who are aged 17 or under, a personal trainer should ensure that an application form, parental consent form and a medical pre-screening document are completed and signed by the child's parent or guardian.

Resources and toolkits covering safeguarding issues have been published by the NSPCC and can be viewed at www.nspcc.org.uk/services-and-resources.

Exercise on Referral schemes

Exercise on Referral (EoR) schemes operate throughout the UK. They are funded by local health authorities, councils and leisure companies and enable eligible NHS patients to receive fitness and exercise instruction, such as weight lifting and aerobics, either free or at a discounted rate for a prescribed period of time.

The National Institute for Health and Care Excellence (NIHCE) has developed guidelines for EoR schemes alongside a number of stakeholders, including REPs. Go to www.exerciseregister.org/resources/exercise-referral for more information.

Details of public sector tender opportunities, including contracts to deliver EoR services, can be found at:

- Contracts Finder (England only, www.gov.uk/contracts-finder).
- Government Procurement Dynamic Marketplace (contracts worth less than £10,000 in England only, https://buyers.procserveonline.com/otis/preregistration/splash_page.html).
- Public Contracts Scotland (www.publiccontractsscotland.gov.uk).
- Sell2Wales (www.sell2wales.gov.wales).
- eSourcing NI (https://e-sourcingni.bravosolution.co.uk/web/login.shtml).

Health, safety and welfare of clients

The Health and Safety at Work Act 1974 and the Health and Safety at Work (Northern Ireland) Order 1978 place a general duty of care on personal trainers to protect the health and safety of themselves, their clients and anyone else that may be affected by their business activities.

Under this duty of care, personal trainers must take reasonable steps to protect their health, safety and welfare when they are participating in exercise sessions. This means that they must take care to avoid acts or omissions which they reasonably consider would be likely to harm anyone during fitness training sessions. For example, a personal trainer who fails to assess the

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risks of an activity correctly, or fails to check whether weights are safely attached to a dumb-bell, may have breached this duty of care.

NRPT members must also meet the following requirements of its Code of Ethics:

- Personal trainers must ensure clients' health and wellbeing at all times during training sessions.
- Clients must be shown how to complete the exercises included in their training programme in a safe way.
- Personal trainers must not recommend drugs or banned substances under any circumstances.

Under the Management of Health and Safety at Work Regulations 1999 and equivalent legislation in Northern Ireland, all employers and certain self-employed people are required to undertake a risk assessment of their work activities and workplace, including all locations where personal training sessions are held. For example, they should assess the potential risks to health and safety from lone working or holding training sessions in a public space such as a park.

Risk assessments should cover all potential risks to the personal trainer and to their clients (including the risks of injury from use of each separate piece of fitness equipment or from loose dogs in a park), the risks to anyone such as passers-by in a park and the risks to child safety and safeguarding issues. The Health & Safety Executive (HSE) has published a guide to carrying out a risk assessment at www.hse.gov.uk/risk/controlling-risks.htm.

In England, Wales and Scotland, under the Provision and Use of Work Equipment Regulations 1998 (PUWER) and the Provision and Use of Work Equipment Regulations (Northern Ireland) 1999, personal trainers must ensure that all equipment that they use, including equipment such as dumb-bells and wobble boards, are suitable for its intended use, and properly maintained and operated in order to prevent risks to health and safety and to avoid injury where risks exist.

Under the Health and Safety (First-Aid) Regulations 1981 and the Health and Safety (First-Aid) Regulations (Northern Ireland) 1982, most personal trainers are required to provide first-aid equipment such as a first-aid kit. Although the regulations do not cover provision of first aid to clients, the HSE strongly recommends that third parties such as clients are included in an assessment of first-aid needs and that provision is made for them. First-aid kits cost from around £10 and can be sourced from online suppliers such as Eureka! Direct (www.eurekadirect.co.uk/First-Aid-Supplies) and Safety First Aid (www.safetyfirstaid.co.uk).

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) and equivalent legislation in Northern Ireland require personal trainers to report certain accidents and injuries to the HSE or the Northern Ireland Health and Safety Executive (HSENI). In general, an incident is reportable if it involves an injury that results in the person concerned being taken directly to hospital. For example, a personal trainer would have to report an incident under RIDDOR if a person dropped a heavy dumb-bell, broke their foot and was taken to the local hospital, but would not have to report a person who was taken to hospital following an epileptic fit during a training session. Go to www.hse.gov.uk/riddor/examples-reportable-incidents.htm for more information about reportable incidents.

Promotion

Opportunities for promoting personal training services include:

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- Advertising in specialist directories such as:
    - Sports Links Directory (www.personaltrainersdatabase.co.uk), which provides a free six-month listing.
    - Instructors Directory (www.instructors-directory.co.uk), which provides advertising opportunities for a range of instructors, including personal trainers and fitness instructors. Listing fees are available on request.
- Joining trade associations such as REPs that list members in searchable online directories and NRPT. Go to www.exerciseregister.org/members/members-directory-listing to view the REPs directory and to www.nrpt.co.uk/find/index.htm to view the NRPT's 'Find a trainer' directory.
- Networking and building contacts with potential contractors and referrers such as gyms, leisure centres, local sports clubs, sports goods retailers, GP practices and organisations such as Weightwatchers and Slimming World. Local gyms can be found via Gyms Near Me (www.gymsnearme.org.uk) and other specialist directories.
- Approaching local employers who may be interested in providing personal training as part of an employee benefits package.
- Creating a five-minute video tutorial about a specific exercise or piece of fitness equipment, uploading it onto online video-sharing websites such as YouTube and including a link back to the business' website. Go to www.youtube.com and enter 'personal trainer kettlebells UK' in the search box for examples of personal trainers doing this.
- Creating a Facebook business page to encourage client referrals. Facebook pages can be customised with the trainer's name, logo and other information, and regularly updated with special offers, details of any new training available, 'before' and 'after' photos, and client reviews. Go to www.facebook.com/LondonPersonalTrainers and www.facebook.com/bencarpenterpersonaltraining for examples of personal trainers with a Facebook business page. A personal trainer must have permission from clients before using their personal details or photos for promotional purposes. Go to www.facebook.com/business for more information about how to use Facebook for business promotion.
- Operating a loyalty scheme with exclusive rewards and promotional deals for clients who book a minimum number of sessions each month, and offering discounted membership before and after the Christmas period. Some personal trainers offer 'try before you buy' sessions to prospective clients, providing a session free of charge or for a discounted price.
- Participating in discount and voucher schemes such as Wowcher (www.wowcher.co.uk), Groupon (www.grouponworks.co.uk) and Lavish (www.lavish.co.uk). Voucher schemes typically negotiate with personal trainers to establish a discounted price for a number of training sessions. The trainer usually receives payment up front once the deal has been negotiated, based on how many vouchers the scheme expects to sell, and the voucher scheme deducts a percentage of this as commission (typically between 25% and 50%).
- Advertising via freelance marketplaces such as Guru (www.guru.com),) and PeoplePerHour (www.peopleperhour.com). Most marketplaces allow freelancers to create a free basic profile, but charge a service fee of around 10% of the value of any contract they secure through the site. Premium listings generally cost between £8 and £15 a month and include lower service fees, unlimited bids and an enhanced profile.

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Insurance

Personal trainers require a number of insurance policies, including:

- Public liability insurance, which is required by trade associations and covers a trainer against claims from clients and members of the public injured or adversely affected as a result of their activities.
- Professional indemnity insurance, which covers trainers against, for example, claims of misconduct and injury caused to clients due to negligent instruction, breach of the Data Protection Act 1998 or breach of copyright by playing music during fitness training sessions without a licence.
- Legal expenses insurance, which covers a trainer against claims arising from contractual disputes with suppliers, contractors or third parties such as local authorities.
- Building and contents cover for the trainer's equipment and premises against accidental damage, fire, flood and theft.
- Cover for use of any vehicles for business purposes, which must include a minimum of third-party cover. Cover can also be obtained for equipment stored in the vehicle.

REP members must have civil liability insurance (including cover for public liability and professional indemnity) of at least £10 million.

Specialist insurance for personal trainers is available from insurers and brokers such as Markel Direct (www.markeluk.com/business-insurance/personal-trainer-fitness-instructor-insurance) and Professional Fitness (www.professional-fitness.co.uk/index.php).

The NRPT provides an insurance package for members, which includes public liability cover of £5 million, cover against claims of slander and libel, and professional indemnity cover. Go to www.nrpt.co.uk/join/insurance/index.htm for details.

Legislation

This section provides an at-a-glance list of the legislation which personal trainers must comply with. Professional advice about the impact of legislation should always be obtained before making any business decisions.

Relevant legislation includes:

Client health, safety and welfare

- The Health and Safety at Work Act 1974 places a duty on personal trainers to ensure that fitness equipment is safe to use. An equivalent requirement applies in Northern Ireland under the Health and Safety at Work (Northern Ireland) Order 1978.
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) require personal trainers to report accidents that are caused by their equipment, where the individual concerned is taken straight to hospital from the centre as a result of the accident.

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Licensing consents

- The Copyright, Design and Patents Act 1988 requires business owners to obtain consent before playing copyright-protected music in public, which is defined to include members of staff and/or customers. In practice, this means obtaining licences from collecting societies PRS for Music and PPL.
- Under Schedule 1 of the Royal Parks and Other Open Spaces Regulations 1997, personal trainers delivering trainings sessions in any of the eight Royal Parks must hold a licence issued by the Royal Parks Agency (RPA). Local bylaws in some other areas also require personal trainers to hold a licence to deliver sessions in public parks and spaces.

Consumer and business protection

- The Data Protection Act 1998 places controls on the management and use of personal information relating to individuals. It stipulates that information must be used only for its clearly intended purpose and held securely. It also requires personal trainers who hold personal information about clients, for example medical information that they share with gym proprietors, to notify (register with) the Information Commission's Office (ICO) as a data controller.
- The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015 require personal trainers who are unable to resolve a dispute with a consumer through their own complaints-handling procedure to inform that consumer about a certified alternative dispute resolution (ADR) scheme relevant to their sector. If they enable clients to book sessions online, they must also provide a link to the European Online Dispute Resolution platform on their website.
- The Business Protection from Misleading Marketing Regulations 2008 make it a criminal offence for personal trainers to make unfair comparisons between their own services and those of other fitness trainers or leisure providers.
- The Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 (CCRs) govern all types of contract between personal trainers and their clients who are consumers (individuals who are acting for purposes unconnected to their business or profession). They require personal trainers to provide consumers with certain pre-contractual information, such as pricing, payment and cancellation terms.
- The Consumer Protection from Unfair Trading Regulations 2008 make it an offence for personal trainers to mislead or otherwise act unfairly towards a consumer, such as misleading them about their qualifications, experience or membership of a professional body.
- The Consumer Rights Act 2015 stipulates that personal trainers must provide training and instruction to consumers with reasonable skill and care. Equipment provided for clients' use must be of reasonable quality and fit for its intended purpose.
- The Electronic Commerce (EC Directive) Regulations 2002 require personal trainers who enable clients to book fitness and exercise sessions online to provide clear information about the technical steps to follow to conclude the contract, and how the consumer can identify any input errors before confirming their booking.

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- The Children Act 1989 (as amended), which covers England, and equivalent child protection legislation in Wales, Scotland and Northern Ireland, protects and safeguards children by setting out procedures for reporting child protection concerns.

Workplace health, safety and welfare

- The Management of Health and Safety at Work Regulations 1999 and the Management of Health and Safety at Work Regulations (Northern Ireland) 2000 require employers and some self-employed people to carry out an assessment of the risks they face while carrying out work.
- The Provision and Use of Work Equipment Regulations 1998 and the Provision and Use of Work Equipment Regulations (Northern Ireland) 1999 require equipment used at work such as dumb-bells and wobble boards to be suitable for its purpose, maintained in good working order and inspected regularly.

Further information

SEC027 Exercise and Fitness - Sector Update

BOP004 Gym
BOP072 Dance Teacher
BOP161 Physiotherapist
BOP356 Yoga and Pilates Instructor

Useful contacts

Register of Exercise Professionals (REP)
Tel: 0330 004 0004
Website: www.exerciseregister.org

National Register of Personal Trainers (NRPT)
Tel: (01536) 425920
Website: www.nrpt.co.uk

FitPro
Tel: (020) 8586 0101 / 8635
Website: www.fitpro.com

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Cobweb Information Ltd, Unit 9 Bankside, The Watermark, Gateshead, NE11 9SY.
Tel: 0191 461 8000 Website: www.cobwebinfo.com

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