

Xtra Humongous.

Staff Training Resource Pack

Introduction

This training resource pack has been designed to assist management and staff of the venue that are licensed to sell alcohol for consumption on the premises. If used correctly, the pack will enable staff to be aware of the law in relation to age restricted products and how to avoid making illegal sales. The pack also offers advice on how to prevent breaching conditions attached to the premises licence.

This pack is for the owners, managers, Designated Premises Supervisors, Premises Licence Holders, employees and any other person who is associated with the day to day running of the premises.

A staff test paper is provided to ensure that all staff understand their responsibilities and is attached as **Appendix A**.

In addition to this pack, the Premises Licence holder has provided a Training Record Book in which training sessions will be recorded, as well as a Refusals Book in which to list refused sales. These must be made available to all Responsible authorities upon reasonable request.

Summary of Responsibilities

Designated Premises Supervisor (DPS)

- Under the Licensing Act 2003, it is a mandatory condition that where a premises licence authorises the sale of alcohol there must be a Designated Premises Supervisor (DPS) and that no sale of alcohol should be made at a time when there is no DPS in respect of the licence.
- The DPS must be a personal licence holder. This ensures that where alcohol is sold, there is a person at the premises who has a relevant qualification and therefore an understanding of the social issues and potential problems linked with the sale of alcohol.
- There can be any number of personal licence holders employed at a premises but only one person may be named as the DPS.
- The DPS will be recruited and appointed by the Premises Licence Holder.
- The DPS is the individual who has day-to-day control and responsibility for running the premises.
- The DPS is responsible for alcohol sales and therefore responsible for any offences relating to alcohol sales.
- The name and contact details of the DPS are stated on Part B of the Premises Licence. It is a legal requirement to display Part B at the premises. This allows Officers to easily

identify who is in charge and ensure any problems that arise can be dealt with swiftly by engaging with this key individual.

- The DPS need not be on the premises at all times. They must however be able to ensure that the licensing objectives are properly promoted and that the licensing law and licence conditions are complied with

- The DPS will compile a list of named persons who they have authorised to sell alcohol on the premises. This list should be kept in the premises licensing folder by the till so it can easily be produced if requested by a Responsible Authority. (This list should be signed and dated by the DPS).

2. Premises Licence Holder

- A Premises Licence Holder is any individual (aged at least 18) or body who carries on a business involving licensable activities on a premises.

- A Premises Licence Holder must ensure that a DPS is in place if the premises supplies alcohol.

- The Premises Licence Holder must ensure that the premises licence conditions are complied with and that the permitted licensable activities are carried out within the limitations set

General Advice

In order to prevent illegal sales being made from the premises, all staff must ensure the following:

Premises Licence

- Staff know the licensed opening and activity hours attached to the premises licence.

- Staff are aware of the conditions attached to the premises licence and that they are designed to promote the Licensing Act 2003 objectives, which are:

- **The prevention of crime and disorder**

- **The protection of children from harm**

- **The prevention of public nuisance**

- **Public safety**

- Staff are aware of who to raise any concerns with, in relation to complying with these conditions/times.

- The DPS has day-to-day control over the sale of alcohol at the premises.

- Personal Licence Holders carry their personal licence card with them so they are available for inspection by a Responsible Authority upon request.

- Part A of the licence is on the premises and in the premises licence folder and Part B is prominently displayed at the premises.

Training

- New and existing staff are trained and aware of all legal requirements relating to our business.
- Refresher training is carried out on a regular basis. It is recommended that staff sign that they have received the training and that you test that they have understood it.
- Training records are kept for a minimum of 12 months.
- Staff are kept up to date with products and the age restrictions that apply.

Refusals

- Your staff are clear about how to deal with attempted purchases by underage persons and are confident enough to refuse sales when necessary.
- Staff only accept photographic proof of age e.g. Passport, Driving Licence or Student Card with a PASS hologram logo on it.
- Staff are encouraged to take a 'No ID, No Sale' approach to age-restricted products, or use the "Think 25" Policy. (*The Think 25 Policy involves staff refusing to sell age-restricted products to anyone who appears to be under 25 years old, and does not have an acceptable form of identification*).
- Staff know the importance of looking at the face of every customer: not all children are short!
- We have a refusal log in place this is also kept in the licensing folder and should be completed following each refused sale. A record should be made of the time, date, description of the young person, the product they attempted to purchase, and the reason for the refusal.

The Refusals Book is monitored weekly to check for patterns in the times or days the sales are refused and whether all staff are using the book. (*This information may be useful when organising staff rotas, as more staff may be needed at certain times*).

- The DPS will monitor the Refusals Book, sign and date the book when they check it.
- Staff do not sell age-restricted products to anyone suspected of buying on behalf of an underage person.
- Staff shall not sell alcohol to anyone who appears to be drunk or to uniformed police officers.

Bar

- Challenge 25 Posters will be displayed near the counter stating that we adopt this policy for all patrons of the premises.

Food and Alcohol

- Customers must be 18 or over to legally purchase alcohol. However, if accompanied by an adult, a person aged 16 years or over may drink alcohol (wine, beer or cider only) when consuming a table meal.

Test Purchases

- Staff are aware that underage volunteers carry out regular test purchases of age-restricted products, on behalf of Trading Standards and sales can lead to prosecutions, large fines, a criminal record and a review of the premises licence. (*Volunteers may lie about their age*).

Please note:

If an underage sale is made, it is worth noting that if you are not the actual seller, and you have done all you reasonably can in an attempt to prevent underage sales from your premises, you may be able to raise a due diligence defence* and avoid action being taken against you and a possible criminal conviction. Giving this training to all staff as an induction and regular refresher training will contribute to establishing a defence.

***Definition of due diligence defence: the accused took all reasonable and practical steps to avoid committing the offence**

Legal Requirements Summary Alcohol

- It is a criminal offence to sell alcohol to a person under the age of 18, even if they look older.
- Staff under the age of 18 must not sell alcohol without the consent of an employee over 18. Consent is required **each time a sale is made**.
- Selling alcohol to a person under 18 puts the premises licence at risk of review, which could result in the licence being amended, suspended or revoked and/or the DPS being removed from the licence.
- Underage sales can result in a number of people in the business committing an offence. The seller, a personal licence holder, the premises licence holder, the DPS and the owner of the business may all face prosecution.
- Alcohol is defined under the Licensing Act 2003 as being a strength of 0.5% alcohol by volume (ABV) or above, and therefore the 18 age restriction applies to all products containing this ABV.
- It is a mandatory condition of the Licensing Act 2003, that where the supply of alcohol is one of the licensable activities, there must be a DPS named on the licence.
- Every supply of alcohol must be made or authorised by a person who holds a personal licence.

Staff are also likely to be trained in:

- Fire Safety, including evacuation procedures
- Health & Safety at Work Act
- Health & Safety Policies
- How to avoid trips and slips

- How to lift heavy objects
- Electrical safety
- How to report an incident
- How to report an accident
- How to identify counterfeit goods/bank notes
- Weights & Measures
- Pricing
- Dealing with violence/ Anti-social behaviour
- Drugs Policies
- Basic food hygiene
- Food dates

ANNEX A

SAMPLE - Licensing/Age Restricted Sales Training Answers

1. Between what times can alcohol be sold from these premises?

As per premises licence

2. What is the minimum age a customer has to be to purchase alcohol:

18

3. What is the Challenge 25 Policy?

“Challenge 25” means that if a customer looks under 25 years of age, they must be asked for ID to prove that they are at least 18. If they do not have ID, the sale must be refused.

4. What should you do if you suspect a customer to be under age?

Apply the “Challenge 25” Policy. If no ID, refuse sale and complete refusal book, refuse politely

5. What forms of ID are accepted as proof of age?

Driving licence, Passport, or a card with the PASS hologram on it.

6. What action must you take if a customer cannot prove that they are old enough to purchase the goods?

Refuse the sale. Make an entry in the refusals book: including date, time of attempt, description of young person, the product attempted to purchase, and the reason for refusal.

7. Apart from those under age, who else can you not sell alcohol to?

Anyone who appears to be drunk, uniformed police officers, or anyone you suspect of buying on behalf of a person under 18 (Proxy sale).

8. Are there any restrictions on the times children are permitted on the premises? If so, what are they?

Check premises licence conditions.

10. What are the four licensing objectives?

- *Prevention of crime and disorder,*
- *public safety,*
- *prevention of public nuisance*
- *Protection of children from harm.*