

Alcohol & Children **Policy**

Premises Name:

G's Bar

Address:

**Deans Court, Market Square
Bicester. OX26 6AA**

Designated Premises Supervisor:

George Smith

Issue Date: April 2014

All members of staff are required to read and sign this Policy document.

This Policy document is to be retained at the premises with the Premises Licence and made available for inspection if requested by the Police, Licensing Authority or any other Responsible Authority

For further information and assistance please contact Kurnia Licensing Consultants at
www.kurnia.co.uk - 01507 477481- licensing@kurnia.co.uk

Alcohol and Children Policy - Licensing Act 2003

This document sets out the policy of these premises in regard to alcohol and children.

All employees (paid and unpaid) are expected to adhere to this policy.

All employees (paid and unpaid) will face disciplinary action should they not adhere to the contents of this document.

The Law States

1. It is an offence to sell alcohol to anyone under 18 years old at any time. There are no exceptions.
2. It is an offence to knowingly allow the sale of alcohol to anyone under 18 years old. This means if you permit a colleague to sell alcohol to someone you know is under 18 you also commit an offence.
3. It is an offence for a person under 18 to purchase or attempt to purchase alcohol. *(The exception to this is when an under 18 year is empowered by the police or trading standards to attempt to purchase or purchase alcohol during a 'Test Purchase' operation.)*
4. It is an offence for anyone to attempt to purchase alcohol for a person under 18. *(The exception to this is that a person aged 18 or over may purchase beer, wine or cider for a person aged 16 or 17 to consume whilst the person aged 16 or 17 is having a table meal provided the person aged 18 or over purchases the beer, wine or cider and is also having a table meal.)*
5. It is an offence for an under 18 to consume alcohol on licensed premises *(other than stated in 4)*
6. It is an offence for a member of staff to knowingly permit an under 18 to consume alcohol on licensed premises *(other than in 4)*
7. It is an offence for an unaccompanied person under the age of 16 to be present on premises primarily or exclusively used for the sale of alcohol for consumption on the premises whilst they are open and being used for the supply of alcohol. For a person under the age of 16 to be present they must be accompanied by an adult.
8. It is an offence for an unaccompanied person under the age of 16 to be present on any premises licensed for the sale of alcohol for consumption on the premises whilst they are open and being used for the supply of alcohol between the hours of midnight and 5am. For a person under the age of 16 to be present they must be accompanied by an adult.

Company Policy

1. Points 1 to 8 under the heading 'The Law States' must be adhered to at all times
2. When a customer appears to be aged 21 or under they must be asked to provide proof of their age.
3. The only forms of identification to be accepted are ones with a photograph and from the following list:
 - a. A valid photo drivers licence
 - b. A valid passport
 - c. A recognised valid proof of age scheme card bearing the PASS hologram logo.
4. Any identity documents provided should be checked for the following:
 - a. Photo matches the holder
 - b. Date of birth makes the holders age 18 or over
 - c. It is current and valid
 - d. It has not been tampered with
 - e. It is not a fake
5. If you still have any doubts after examining a form of identification you should still refuse to serve the customer.
6. If caught selling alcohol to an under 18 or committing an offence such as listed in points 1 to 8 under the heading 'The Law States' you may be issued with a fixed penalty fine by the police of £90. In such circumstances it the responsibility for payment of such fine will be that of the person the fine was issued to. Alternatively you could face a fine of up to £5,000 (Level 5).
7. In cases where an employee is issued with a fixed penalty or where an employee does not adhere to points 1 to 8 under the heading 'The Law States' they will face a disciplinary hearing which may result in dismissal from the company.
8. If you refuse service for any reason an entry should be made in the refusals register.

Using the 5 Step Checking Process for PASS ID Cards:

Step 1 Check the PASS Hologram

- Look for the 3D effect in the background of the hologram.
- Look for the small PASS text in the background.
- The PASS hologram must be flush with the plastic of the card - NOT stuck on top of the plastic.
- If in doubt, compare it with a sample card.



Step 2 Check the Photograph

- Ensure that the photograph is of the person presenting the card – if necessary, politely ask the person to remove their hood, hat or sunglasses to be sure.
- The photograph must be printed directly on to the plastic of the card – NOT stuck on top of the plastic.

Step 3 Check the Date of Birth

- Calculate the age of the person from the date of birth.
- Make sure they are old enough to buy the goods or services requested.
- The date of birth must be printed on to the plastic – NOT stuck on top of the plastic.

Step 4 Check the Card

- Ensure that the card has not been tampered with or altered.
- Feel the card – it should be completely smooth – NO ridges or anything stuck on to the card.

Step 5 Check the Person

- If you are still unsure about a person's age, your legal responsibility is to refuse to sell.
- If you refuse to sell items because you believe that the person is too young, once the person has left, report the incident to your supervisor or manager, and record.

Intoxication guidelines

These guidelines are designed to assist you to determine whether or not a person is intoxicated.

You must always have due regard to the licensing objectives of the Licensing Act 2003:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

What is the law?

A person commits an offence if he knowingly sells or attempts to sell alcohol to a person who is drunk, or allows alcohol to be sold to such a person. A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding £1,000.

A person commits an offence if he knowingly obtains, or attempts to obtain, alcohol for consumption on licensed premises by a person who is drunk. A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding £1,000.

All staff must ensure that customers do not become intoxicated. Intoxicated persons are to be removed from the premises immediately or refused entry onto the licensed premises.

What are the noticeable signs of intoxication?

These symptoms or signs are not exhaustive, and not necessarily conclusive of intoxication:

Speech	<ul style="list-style-type: none">- Slurring words- Rambling or unintelligible conversation- Incoherent or muddled speech- Loss of train of thought- Not understanding normal conversation- Difficulty in paying attention
Balance	<ul style="list-style-type: none">- Unsteady on feet- Swaying uncontrollably- Staggering- Difficulty walking straight- Cannot stand or falling down- Stumbling- Bumping into or knocking over furniture and people
Co-ordination	<ul style="list-style-type: none">- Lack of coordination- Spilling drinks- Dropping drinks- Fumbling change- Difficulty counting money or paying- Difficulty opening or closing doors- Inability to find one's mouth with a glass

Behaviour	<ul style="list-style-type: none"> - Rudeness - Aggression - Belligerent - Argumentative - Offensive - Bad tempered - Physically violent - Loud /boisterous - Confused - Disorderly - Exuberance - Using offensive language - Annoying / pestering others - Overly friendly - Loss of inhibition - Inappropriate sexual advances - Drowsiness or sleeping at a bar or table - Vomiting - Drinking rapidly
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The following are guidelines of the different levels of intoxication:

Level 1 Euphoria	<ul style="list-style-type: none"> - Lowered Inhibitions - More talkative - Mild euphoria - Increased self-confidence - Diminished attention, judgment and control
Level 2 Excitement	<ul style="list-style-type: none"> - Dulled senses (impaired perception, judgement, memory and comprehension) - Poor co-ordination - Slow reaction time - Impaired balance - Slightly slurred speech - Drowsiness
Level 3 Confusion	<ul style="list-style-type: none"> - Disorientation - Exaggerated emotions (fear, rage, grief etc.) - Staggering gait - Slurred speech - Increased pain threshold - Impaired vision
Level 4 Stupor	<ul style="list-style-type: none"> - Inability to stand, walk or communicate - Vomiting - Loss of bladder/bowel control - Decreased response to stimuli - General inertia/apathy - Impaired consciousness

Level 5 Coma	<ul style="list-style-type: none"> - Complete unconsciousness - Shallow breathing - Slow pulse - Low body temperature - Unresponsive
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Anyone, including staff and other customers, can be prosecuted if they are found supplying alcohol to an intoxicated person.

Fines of up to £1,000 apply.

How else to determine if someone is intoxicated

Make observations:

- Does the person smell of alcohol?
- How long has the person been drinking?
- When did the person enter the premises?
- Was the person affected by alcohol when they arrived?
- What type of alcohol has been consumed?
- How much alcohol have you seen the person drink?

Your observations will help you form a reasonable belief as to whether the person is intoxicated as a result of alcohol consumption.

Talk to the person and their friends to help determine whether the person is intoxicated or becoming intoxicated.

Reasonable grounds for a belief that a person is intoxicated are what a reasonable person would believe in the circumstances, taking into account the relevant knowledge and facts presented.

You should be sure of your reasons for refusal of service and these reasons should not be discriminatory, for example race, sex, disability.

Are there conditions that exhibit similar symptoms/signs to intoxication?

Some medical conditions, disabilities or the use of drugs may cause similar behaviours without the person being intoxicated as a result of alcohol consumption.

Prior to refusing service on the basis that a person is intoxicated, you should endeavour to determine whether the person has a medical condition or disability which may cause signs or symptoms similar to intoxication.

If the person has a medical condition or disability, it is likely that their friends will be able to tell you. Be sensitive to a person's right to privacy.

Examples only:

- Acute infections
- Acquired Brain Injury
- Brain trauma /tumours
- Delirium
- Diabetes/ hypoglycaemia
- Epilepsy
- Head injuries
- Pneumonia
- Seizures and post seizure states
- Stroke.

Even though a person has a pre-existing condition, if you have observed the person consuming alcohol and the person has been drinking for some time, then it would be reasonable to form a belief that the person is intoxicated as a result of alcohol consumption.

How to prevent intoxication

It is your responsibility to prevent patrons from becoming intoxicated. There are things you can do including:

- Talk to your customer and get to know their drinking patterns and intentions.
- Alert other staff.
- Serve free water and keep water available.
- Promote low or mid-strength alcoholic drinks, non-alcoholic drinks and food.
- Provide free snack food.
- Slow service down for the patron.
- Wait for the customer to re-order, don't automatically top up drinks.
- Do not conduct an activity or promotion that will result in customers engaging in irresponsible, rapid or excessive consumption of liquor or unsafe activities.

What to do if someone is intoxicated

If you have reasonable grounds for the belief that someone is intoxicated as a result of alcohol consumption you must refuse service to that person.

When refusing service to a person:

- Introduce yourself to the person and tell them your name and your role, and ask their name.
- Approach the person in a friendly and respectful manner. Patronising or authoritarian attitudes can often evoke anger and make the person aggressive – this is a common response to threats to one's dignity and self-respect. Try not to speak to the person in front of others.
- When talking to the person: use their name; use slow, distinct speech; use short, simple sentences; avoid emotion and involved discussions; use appropriate eye contact and adjust speaking pace to match the customers.
- Give a clear, concrete statement that by law they cannot be served another drink.
- Notify the manager/licensee/supervisor or security. Also notify other bar staff that you have refused service to the person. If a shift change is nearing, notify the new staff.

Supplying alcohol to an intoxicated person can be very expensive. The licensee or staff can be fined up to £1,000 or be issued with an on-the-spot fine by way of a penalty notice. It is also an offence for other customers to supply alcohol to an intoxicated person, with a maximum fine of £1,000 applying.

All staff must ensure that customers do not become intoxicated. Intoxicated persons are to be removed from the premises immediately or refused entry onto the licensed premises.

By signing the below you acknowledge that you have read and understand the contents of this Policy and that you agree to abide by its contents.

Employee Name	Date of Birth	Signature	Date