

# PLH / DPS Information Booklet



## Introduction to Knock Back

Dear Designated Premise Supervisor (**DPS**) / Premise Licence Holder (**PLH**),

Please find enclosed in this pack materials to assist your premise follow a Knock Back Challenge 21 age verification scheme. Knock Back offers practical guidance in underage sales prevention and the responsible retailing of alcohol. It is produced in response to requests for guidance from the licensed trade. Under the mandatory licensing conditions which came into force in October 2010 every Premise Licence Holder or Club Premise Certificate Holder must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. Following Knock Back and ensuring your staff are trained in Challenge 21 to prevent underage sales will help your premise comply with this condition. Included in this pack is an 'Age Verification Policy' poster, we suggest you fill this in and display it clearly in your premise.

If used correctly Knock Back can:

- ➔ Assist PLH's, DPS's and staff in refusing sales of alcohol to under 18's and reduce the potential for mistakes
- ➔ Be an invaluable training and developmental tool
- ➔ Reinforce the responsibilities of all who work in the licensed trade
- ➔ Help demonstrate your commitment to meeting the current licensing objectives
- ➔ Help towards the premise establishing an effective due diligence defence if alcohol is sold to an under 18

We would advise you to keep this Knock Back pack somewhere safe in your premise (such as the premise office), that way you will be able to locate these documents easily if required.

As a PLH or DPS you have a responsibility to ensure all staff under your control comply fully with the law relating to the sale of alcohol:

- ➔ Don't allow untrained staff to sell alcohol to customers
- ➔ Don't allow your premise to operate with inadequate staffing during busy periods. This may affect your staff's ability to judge a customer's age
- ➔ Don't allow your premise to operate in your absence without adequate control procedures in place
- ➔ Ensure you keep up to date with the relevant legislation and update your training accordingly
- ➔ If you are unsure about your responsibilities seek further advice. Failure to comply with the law relating to the sale of alcohol may lead to you or your staff committing a criminal offence

## Due Diligence

As a DPS or PLH, if a member of your staff sells alcohol to an under 18, you may be able to make use of a due diligence defence. An effective due diligence defence could include:

- ➔ Documented staff training in relation to preventing underage sales
- ➔ Operating an effective sales refusal system to document when refusals have been made (E.g. the Knock Back refusals book being filled in or a refusals button on the till).
- ➔ We recommend you monitor that all staff are correctly using the refusals book or refusals button regularly
- ➔ Checking and recording that procedures in place to prevent underage sales are being followed and adhered to
- ➔ Regular refresher training for all staff which is documented, we suggest at least every 6 months

## Knock Back Agreement

By following Knock Back we ask that you agree to:

- ➔ Use and display the Knock Back materials
- ➔ Train all staff in accordance with the Knock Back documents supplied
- ➔ Ensure all staff complete a staff test and pass this before they are allowed to sell alcohol
- ➔ Conduct regular refresher training for all staff
- ➔ Log all training and refresher training in the Staff Training Record
- ➔ Retain all staff tests on the premise
- ➔ Record and monitor all refusals of alcohol sales either in the refusals book or on your till system
- ➔ Instruct all staff to ask for proof of age for anyone they believe may be under 21
- ➔ Ensure that all staff have adequate knowledge of the law relating to the sale of alcohol, prior to them being allowed to sell alcohol
- ➔ Adhere to the principles and procedures outlined in the staff training booklet and this booklet
- ➔ Never allow the business to operate in the absence of the DPS without having control procedures in place
- ➔ Ensure adequate staffing is available during busy periods and special events
- ➔ Never allow staff under the age of 18 to work on the premise without adequate adult supervision
- ➔ Instruct all staff to refuse the sale of alcohol to anyone suspected of buying it for an under 18 (except as detailed in the guidance for consumption with a table meal for 16 / 17 year olds)
- ➔ Allow Trading Standards to inspect refusals records and all relevant training documents on request
- ➔ Monitor staff for compliance with Knock Back, auditing the refusals system and if necessary taking any corrective action

## Designated Premise Supervisor Authorisations

In any business, there are likely to be times when the DPS will not be on the premises when alcohol is being sold. For that reason we strongly suggest that the DPS authorises, in writing, members of staff to sell alcohol in their absence. A single written authorisation would be sufficient to cover multiple sales over an unlimited period. Keep the authorisation up to date as staff leave and join the premises. Ensure the form is readily to hand, so you could keep it in this pack. An example template of how to do this is below:

### AUTHORISATION FOR SUPPLY OF ALCOHOL

I, [your full name], being a personal licence holder, hereby authorise:-

[staff full name]

[staff full name]

[staff full name]

[staff full name]

To make sales of alcohol under the terms of our premises licence and subject to restrictions under the Licensing Act 2003 at [business name], [full address] for so long as [she][he] is employed by to work at that address or until this authorisation is withdrawn, whichever is sooner.

Signed: .....

Date: .....

## Staff Training

Prior to allowing staff to sell alcohol in your premise it is important that they are trained on Knock Back and have read the staff training booklet. Once they have read the booklet ensure they sit the staff test and pass this. If any staff fail the test we suggest they read the training booklet again and resit the test until they pass it. It is important you feel confident that your staff have a good knowledge of the law in relation to the sale of alcohol, as you are ultimately responsible and could be prosecuted.

Refresher training should be carried out regularly, we suggest at least every 6 months. This refresher training could be in the form of having staff read the staff training booklet again and resitting the staff test. It is important you document all staff training, this can be done in the staff training record. This is your evidence to prove which members of staff have been trained and shows due diligence.

We recommend the DPS monitors the refusals system on a regular basis. This not only allows them to ensure it is being utilised and is up to date, but will allow them to see which staff are filling it in and can flag up if any staff are not using the system. This can then be addressed with the individual staff member as to why they are not recording their refusals which might be a training issue. You might also find there are particular times or days when refusals appear to not be taking place, this could for example be during busy periods and it might be that staffing levels during these times needs to be addressed. Each time you check your refusals records this should also be recorded, this can be done by the PLH or DPS signing the refusals book or till system records.

## Checking ID and Fake ID

In the staff training booklet is guidance for your staff on how to check ID and what to look for in relation to fake ID. One of the techniques we suggest for staff to use when challenging ID is to ask the customers their star sign, a list of what dates come under each sign could be produced and this information displayed out of the view of customers. You could also display what year of birth would make a customer 18, but remember this would need updating as time goes on.

The advice on fake ID is largely taken from the Home Office's False ID Guidance document which goes into considerably more detail and is available on the Home Office website. To assist your staff with identifying fake ID, you could print out the most common types of fake ID used and display these out of the view of customers for staff to see.

## Prominent Notices & Documents

Posters are included in this pack which warn members of the public about the premise operating a Challenge 21 scheme, not serving drunk customers, proxy sales, acceptable forms of ID, and the premises age verification policy. Please ensure all these posters are displayed prominently in your premise. Displaying the posters sends out a constant and consistent message that under no circumstances will the premise serve alcohol to someone underage. It also serves as a useful tool for your staff when they're making refusals, as they can point to the posters to back up the policy they are enforcing.

When granted a premise licence the PLH will receive a paper copy of their licence, it is important this or a certified copy is kept on the actual premises. The premise licence summary is a shorter version of the premise licence, and the summary or a certified copy of it must be displayed prominently at the premises.

## Checklist for Notices & Documents

It is important that you know where certain documents and notices are displayed or stored in your premise. Below is a table of the key notices and documents you should familiarise yourself with. You may find the template below useful to document this information:

Notices / Documents	Where displayed / stored?
Full Premise Licence	
Premise Licence Summary	
DPS Written Authorisation	
Staff Training Record / Staff Tests	
Challenge 21 / Proxy Sales / Acceptable Forms of ID Posters	
Not Serving Drunks Policy & Posters	
Statutory Tobacco Notice (if you sell tobacco)	
Refusals Book / Till Refusals Records	
Other (please specify):	

## Absent Designated Premise Supervisor

It is appreciated there will be times when the DPS is not available or will be away from the premise for short periods of time. As the DPS you have a responsibility to ensure you and your staff comply fully with the law relating to the sale of alcohol. If you are going to be away from the premises for more than 3 or 4 days, you should ensure you nominate someone in your absence to control the day to day running of the premise. It is important this nominated person understands their responsibilities under the Licensing Act and consents to being named as the person in charge of the day to day running of the premise.

## Test Purchasing

Trading Standards staff employed by the City Council check that the law in relation to the sale of age restricted products (including alcohol, tobacco and E-Cigarettes) is complied with. We may carry out an underage test purchase as part of our enforcement duties, when a complaint is received about a premise selling to underage. Test purchases are allowed as gathering evidence of underage sales, and are not a trap.

Test purchase volunteers are allowed to lie about their age and date of birth, so it is important your staff always ask for proof of age in the form of valid ID.

Remember, if you or any of your staff are in any doubt about a customer's age, do not serve them any age restricted products. The law states you must take all reasonable steps to establish the persons age, and nobody could have reasonably suspected from their appearance that the person was under 18.

## Drink Less, Enjoy More

Drink Less Enjoy More is a campaign to try and make Liverpool city centre a safer and more enjoyable place by supporting the bars and clubs to comply with the law and refuse service of alcohol to people who are excessively drunk.

One of the principles of Knock Back is looking out for the signs to spot customers who have had too much to drink and refusing to serve them, by doing so you will be helping to support this campaign.

As a DPS or PLH, or a member of staff, you have a responsibility to look after customers and help everyone have an enjoyable time out. The law says 'You commit an offence if you knowingly sell or attempt to sell alcohol to a person who is drunk'. The penalties are:

- The person who sells alcohol to someone who is drunk can be issued with a Fixed Penalty Notice of £90 by the Police
- If it goes to court the fine could be up to £1000 on conviction
- The premises could be taken to Licence Review
- Your premise might have their own disciplinary procedures

Trading Standards are supporting bars by offering full training around how to identify the signs that someone is clearly drunk and confidently refuse them service. Communication materials have also been produced for bars including: posters for bar staff and posters for public, bar runners, briefing / crib sheets for bar staff, t-shirts for staff, and badges for staff. If you wish to book in for the training or would like any of the communication materials for your premise please contact us via email at [trading.standards@liverpool.gov.uk](mailto:trading.standards@liverpool.gov.uk)

## Free Staff Training

In addition to the Knock Back packs Trading Standards staff are available to come to your premise to provide free staff training on Knock Back. If you wish to book this service, please contact us.

This training is predominately aimed at on-licensed premises and covers the below topics:

- Challenge 21
- Acceptable ID and how to check ID
- Due diligence and refusals
- Fake ID
- How to identify drunk customers and confidently refuse to serve them
- Hate crime
- Crime scene management
- Conflict resolution guidance
- Current alcohol initiatives taking place in Liverpool

If you require any additional materials from the Knock Back pack such as extra posters or a new refusals book, please contact us on the details provided below.

E: [trading.standards@liverpool.gov.uk](mailto:trading.standards@liverpool.gov.uk)

T: 0151 233 8140 / 233 2880

This information has no legal force and is not an authoritative interpretation of the law, which is a matter for the Courts. It is intended to help businesses to understand in general terms, the main features of the legislation. The information is not a substitute for the legislation and you should refer to the text of the legislation for a full statement of legal requirements and obligations. Where appropriate, you should seek your own independent legal advice.



