

THE BAR CODE



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THE BAR CODE

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HOSPITALITY VENUES CAN BE FUN AND DYNAMIC PLACES TO WORK, PROVIDING CUSTOMERS WITH FOOD, DRINKS, ENTERTAINMENT AND AN ENVIRONMENT WHERE THEY CAN RELAX AND SOCIALISE.

One of the key aspects of the job is serving alcohol. This role carries responsibility, as alcohol consumption can lead to intoxication and a number of negative consequences. Licensed premises can be the source of disorder and the resulting criminality. It is well documented that the consumption of alcohol has a detrimental impact on the levels of crime and disorder.

Good management practices which tackle the volume of alcohol sold and the environment in and around licensed premises can often make the difference in preventing criminality and incidents of disorder.

Since the introduction of the Licensing (Scotland) Act 2005 there has been an expectation that premises licence holders, managers and staff will do what they can to uphold the principles of the licensing objectives as detailed in Section 4(1) of the above act.

THESE OBJECTIVES ARE :

- Preventing crime and disorder;
- Securing public safety;
- Preventing public nuisance;
- Protecting and improving public health; and
- Protecting children and young persons from harm.

This booklet outlines what you are required to do by law, as well as providing practical advice on how to stay inside the law when you're behind the bar.

While some responsibilities sit with management, you as a member of staff have a role to play.

OTHERWISE... FINES

Breaking the laws around serving alcohol could be very expensive for you personally. It can also affect your manager, the Licence Holder of the bar, even the other people working there, if the premises were to lose it's licence.



FOR SELLING ALCOHOL TO SOMEONE WHO IS DRUNK:

- You could be convicted and fined up to **£1000**

FOR SELLING ALCOHOL TO A CHILD OR YOUNG PERSON:

- You could be convicted and fined up to **£5000** or **imprisoned** for 3 months

FOR SALE/SUPPLY OF ALCOHOL BEYOND LICENSED HOURS:

- You could be convicted and fined up to **£1000**

DRUNKENNESS

RECOGNISING AND DEALING WITH IT - THIS IS ONE OF THE MOST IMPORTANT OF YOUR RESPONSIBILITIES. IF POLICE OR REGULATORY AGENCIES FIND SOMEONE INTOXICATED ON YOUR PREMISES, YOU AS THE SERVER COULD BE FINED, AS WELL AS THE MANAGER AND OWNER, PLUS THE LIQUOR LICENCE FOR YOUR BAR MAY BE AFFECTED.



YOU ARE REQUIRED BY LAW TO:

- > Refuse service to anyone who is intoxicated
- > Prevent violent, quarrelsome, insulting or disorderly customers from being on the premises

It is best practice to:

- > Prevent intoxicated persons from entering the premises
- > Prevent anyone becoming intoxicated in your bar
- > Ensure intoxicated customers leave the premises

Intoxicated individuals may be vulnerable targets as well as problematic offenders.

Licensed premises staff should manage and supervise intoxicated customers in a 'place of safety' until they can be removed safely from the premises. You have a 'Duty of care'.

Ask your manager for more information.

WHEN IS SOMEONE DRUNK?

There is no legal definition of when someone is drunk but the following are strong indicators:

- > Speech is impaired.
- > Coordination is impaired.
- > Appearance is affected.
- > Behaviour is impaired.

Indicators of drunkenness may include but are not limited to:

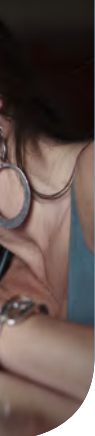
- > **Speech:** slurring, difficulty forming words, loud, repetitive, loses train of thought, nonsensical, unintelligible.
- > **Coordination:** spills drinks, trips, weaves, walks into objects, unable to stand or sit.
- > **Appearance:** bloodshot eyes, eyes glazed, inability to focus, tired, asleep, dishevelled.
- > **Behaviour:** seriously inappropriate actions or language, aggressive, rude, belligerent, obnoxious behaviour affecting other customers.

Certain medical conditions and disabilities may display characteristics similar to intoxication. Make sure you don't make assumptions, and be respectful and careful when announcing drunkenness.

WHY YOU NEED TO PREVENT DRUNKENNESS.

Most times, people drink and enjoy alcohol without incident. But a few drinks can lead to a few more... which can lead to intoxication and a whole range of possibilities, including crime, violence, drink driving and accidents, physical assault, sexual assault, and injury.

It's not just the intoxicated person who suffers. Friends, partners, children and innocent bystanders can all be affected, often with shocking consequences. It's a serious problem.



“...a few drinks can lead to a few more... which can lead to intoxication and a whole range of possibilities, including crime, violence, drink driving and accidents, physical assault, sexual assault, and injury.” **Act early**

KNOWING WHAT TO DO

You are required by law to keep an eye on your customers' alcohol consumption and prevent them from becoming drunk.

This document will outline some strategies to help with this. If you're not sure whether or not someone is intoxicated, get a second opinion from your manager or senior bar staff.

It's best to act early. It is far easier and smarter to spot potential for trouble and limit someone's drinking before they become intoxicated. You'll find that out if you ever try to reason with someone who is intoxicated and have them removed. By acting early, you minimise the embarrassment or potential discomfort to the drinker, to other customers and to yourself.

DRINKING AND OTHER DRUGS

If customers are combining alcohol with other drugs, they can become intoxicated much more quickly than they would otherwise.

Drugs can also magnify the effects, making customers more unpredictable than if they had just consumed alcohol.

Anyone who is intoxicated must be denied service and it is best practice for them to be removed from the premises.

EMERGENCIES

If anyone collapses and is unconscious, from alcohol, other drugs, or a combination of these – or for any other reason – call an ambulance immediately (ring 999).

“it is far easier and smarter to spot potential for trouble and limit someone's drinking before they become intoxicated.”



ASK YOURSELF:

- > What would you do to slow someone's drinking?
- > What's the house policy on getting customers to slow down their drinking?
- > How do you deal with customers who are intoxicated?
- > Do you have authority to ask customers to leave? If not, who does?
- > Does your bar have signs about not serving people who are intoxicated?
- > Can you afford the fine if you're caught serving an intoxicated customer?

INTOXICATION PREVENTION TOOL



SOBER > MONITOR

CUSTOMER BEHAVIOUR

- > Coherent, clear speech, normal tone and volume, may be talkative
- > Coordinated, balanced, standing without help or support
- > Clear eyes, tidy, alert
- > Behaving sensibly



SERVER'S ROLE

MONITOR CUSTOMER CONSUMPTION

- > All staff have a role in monitoring the effect of alcohol on patrons
- > Talk with the customer – this will build rapport and give insight into their condition
- > Use unobtrusive monitoring techniques such as glass collection

ESTABLISH CLEAR AND CONSISTENT STANDARDS

- > Management and staff are responsible for setting the tone of the premises
- > Create a sociable, friendly atmosphere where intoxication will be out of place and unacceptable

IDENTIFY CUSTOMER INTENTIONS

- > Recognise that a minority of customers on your premises intend becoming intoxicated
- > Identify and actively manage those who appear to be high risk
- > Be aware that high-risk people include those celebrating, ordering in quick succession, and ordering shots

OFFER LOW-ALCOHOL AND NON-ALCOHOLIC DRINKS AND FOOD OPTIONS

- > Provide a range of alternatives to alcohol
- > Actively promote and encourage other products as part of the broader customer experience



INFLUENCED > INTERVENE

CUSTOMER BEHAVIOUR

- > May be overly talkative, opinionated, stumble over words, loud, inappropriate language or comments
- > Slowed or delayed reactions, swagger or occasional staggers or sways
- > Vacant or blank expression, smell of alcohol on breath, may look untidy
- > Overly friendly or withdrawn, inappropriate or risky actions, argumentative, fading attention, increased consumption rate



SERVER'S ROLE

COMMUNICATE WITH TEAM AND MANAGER

- > Inform your manager and team of issues so they can support an intervention
- > House policy will determine who should remove the customer from the premises the broader customer experience

SLOW OR STOP ALCOHOL SERVICE

- > Talk to the customer – intervene early and tactfully
- > Offer non-alcoholic drinks and food options

- > Don't offer the sale of alcohol – wait till they ask; be busy serving other customers
- > Serve their next drink with water on the side
- > If possible, use the customer's friends to rein in their drinking

BE ASSERTIVE, NOT AGGRESSIVE

- > Make your requirements clear and allow customers the chance to comply without losing face
- > Never respond to provocation; stay calm and employ calming strategies

INTOXICATION PREVENTION TOOL



INTOXICATED

> DENY AND DUTY OF CARE



CUSTOMER BEHAVIOUR

- > Slurring, difficulty forming words, loud, repetitive, loses train of thought, nonsensical
- > Spills drinks, stumbles, trips, weaves, walks into objects, unable to stand unaided or sit straight
- > Eyes glazed or bloodshot, inability to focus, tired, asleep, dishevelled
- > Seriously inappropriate actions or language, aggressive, rude, belligerent, obnoxious behaviour affecting other customers
- > Emotional, scared, avoiding persons in their company, erratic behaviour – vulnerable?



ROLE – DUTY OF CARE

GOOD MANAGEMENT PRACTICE INVOLVES DEVELOPING POLICIES BASED ON POTENTIAL RISKS TO YOU, YOUR CUSTOMERS AND OTHER STAFF, SUPPORTED BY TRAINING.

- Inform your manager and team, so they can support your actions
- An awareness of your Legislative duties should be taken into account, as outlined on page 4
- Your Premises should have a Policy to give you direction on dealing with customers who are a risk to themselves or others
- Remember your premises could be a place of safety, consider carefully if ejecting is the right course of action, taking into account the following:

“ a Vulnerable person may be a person, who for any of a variety of reasons, is unable to look after themselves from harm or exploitation”.

VULNERABILITY CONSIDERATIONS:

- Intoxication level
- Substance misuse
- Illness or medical condition
- Disability
- Mental Health issues
- Age
- Gender/risk of sexual predator or exploitation
- Social impact factors

DUTY OF CARE EXAMPLES:

- Cause of the behaviour – try to establish
- Identify if person is alone or with friends
- Make contact with a relative or arrange to be taken home safely
- Obtain medical assistance if necessary
- Contact alternative first responder, Police - if situation escalates or if you have a Legal obligation to eject the person
- Remove audience effect and take to safe area within your premises
- Sign post to Street Pastors or Night Zone if available
- Communicate with staff or other premises using radios through Pubwatch or inhouse communications if required
- Record the Incident to comply with your own policies

This list is not exhaustive but remember, the person could genuinely require help, we encourage Social Responsibility as a fundamental part of the “Bar Code” and part of the assessment criteria to be a Best Bar None Premises. Through your actions and moral duty of care, you could prevent a crime or ensure the safety of an individual.

CHILDREN AND YOUNG PERSONS

A CHILD IS A PERSON AGED 15 OR UNDER. A YOUNG PERSON IS SOMEONE AGED 16 OR 17 YEARS. YOU, YOUR MANAGER AND THE BAR OWNER CAN BE FINED HEAVILY FOR SERVING ALCOHOL TO CHILDREN AND YOUNG PERSONS OR ALLOWING THEM ON THE PREMISES ILLEGALLY. TO AVOID THIS, ALL CUSTOMERS WHO LOOK UNDER THE AGE OF 25 SHOULD BE CHALLENGED AND ASKED FOR VALID ID.

WHO YOU CAN SERVE AND WHERE THEY CAN DRINK

An adult, can legally purchase beer, wine, cider or perry for consumption by a young person along with a meal supplied on the premises. This can only be done when the alcohol is purchased by someone over the age of 18.

Some Licensed premises are divided into various areas where different conditions apply. Some bars have just one designation, others have combinations. These include:

- Restricted: an area where no-one under 18 is allowed.
- Supervised: an area where no-one under 18 is allowed unless they are accompanied by an appropriate adult
- Undesignated: an area where anyone of any age can be.

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18? YOU NEED PROOF

It's up to the customer to prove they are old enough to buy alcohol or be on your premises. If they can't supply proof, you should not allow them on the premises or where they are on premises you should not serve them alcohol.

Guidelines in relation to Challenge 25 should be followed.

Licensed Premises are now required to have an age verification policy of asking for ID if anyone looks under 25. Ask for ID every time. Don't be flexible or you could be targeted by underage patrons, as well as authorities.

The biggest mistake staff make is to calculate the age incorrectly from the date of birth provided. You should know today's date and subtract 18 years. Anyone born after that date is under age.



ASK YOURSELF:

- What does your house policy tell you to do when someone who may be under 18 asks for service?
- What forms of ID can you accept?
- Do you know how to calculate whether someone is over 18?
- Are your premises Restricted, Supervised or Undesignated – what does it mean?
- Does your bar have signs about not serving people who are under 18?

GUIDE TO CHECKING ID

- Ask to see the customer's ID if they look 25 or under.
 - The customer should remove the ID from their wallet or pocket.
 - **Check the date of birth** (know the cut-off birth date at which you must deny customers access to your premises).
 - **DO NOT** look at the picture first; look at the picture last.
 - **Feel the surface** and edges of the card with your thumb, checking for blemishes or tampering.
 - **FIRST**, while talking to the customer, look for distinguishing features on their face, nose, chin and jaw.
 - **SECOND**, look at the picture on the card – ensure this has the same features as the face.
 - Shine a torch from behind the photo and the date of birth.
 - If further validation required, check their signature against the card (get them to sign).
 - Can you PROVE to police you have ID-ed them? (Cameras/Notebook/Stamp)
 - **FAKE IDs:** Do you know the correct procedure for retaining an ID? Record in an incident book, with the names of staff involved, the name on the ID and the name of the DPM.
- A description of the person using the ID and it should be stored, in a secure place until handed over to the authorities.

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Keeping people safe

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