

RESPONSIBLE RETAILER AWARD SCHEME

CONDITIONS OF MEMBERSHIP

As a participant in the Responsible Retailer Award Scheme, I agree to comply with the following conditions:

- I agree to abide by all legislation relating to underage sales.
- My staff and I will operate a Challenge 21 policy when selling any age-restricted products, and only accept bona-fide forms of identification as proof of age (e.g. passport, driving license or ID cards carrying the PASS hologram). If customers cannot prove they are old enough to make the purchase, then my staff and I will refuse the sale.
- I will ensure that a refusals book or similar system is in use, and will check on a regular basis that my staff keep it up-to-date by logging any sales refusals made to underage customers.
- I will ensure that my sales staff receive regular training on legislation relating to age-restricted products, and keep an up-to-date record of the training given to staff members. At the very least I will get them to read through and sign the relevant training sheets in the Underage Sales Pack provided.
- If applicable, I will display clearly visible signs required by legislation, stating minimum age requirements for the products I sell (e.g., statutory notices for tobacco products & fireworks).
- I understand that Sheffield Trading Standards can carry out test-purchasing of age-restricted products at my premises at any time.
- I understand that Sheffield Trading Standards reserves the right to refuse or revoke membership if there is evidence of non-compliance with the conditions of the scheme, and that my participation in the Scheme will be reviewed if there are any significant changes in my business circumstances.

SUSPENSION OF MEMBERSHIP IN THE EVENT OF A FAILED TEST PURCHASE FOR AGE-RESTRICTED PRODUCTS

In order to maintain the credibility and integrity of the Responsible Retailer Scheme, any members who fail test purchases for age-restricted products will be notified in writing that their membership is to be suspended. This condition will apply to all test purchase failures, regardless of whether the operation was carried out by Sheffield Trading Standards or South Yorkshire Police.

The offending business will also be instructed to remove from display on their premises any branding materials, i.e., Responsible Retailer window stickers, certificate of membership etc, which could mislead consumers into thinking the business is still an active member of the scheme. Failure to comply with this instruction will be considered as a breach of the Trade Descriptions Act, in that the business will be considered to be making a false or misleading statement as to the provision of a service. This is a criminal offence and will be dealt with accordingly.

Suspension from the Responsible Retailer Scheme will be for a minimum period of 6 months from the date of the offence.

Suspension from the Responsible Retailer Scheme will not prevent legal proceedings from also being brought against a retailer if the circumstances of the age-restricted sale are severe enough to warrant this course of action.

Before allowing membership to resume, Sheffield Trading Standards and/or South Yorkshire Police will make efforts to ascertain through follow-up test purchases whether the retailer in question is acting responsibly and is worthy of renewed membership of the Responsible Retailer Scheme. Repeated test purchase failures will lead to expulsion from the scheme.

Businesses will be notified in writing when the suspension has been lifted, and new Responsible Retailer branding material will be supplied at this point.

For retailers who may feel aggrieved by the decision to suspend their membership, the following appeal procedure can be followed:

APPEALS AGAINST SUSPENSION OF MEMBERSHIP

Members have the right to appeal against the decision by Sheffield Trading Standards to suspend membership. Appeals must be made in writing, and must be submitted within one calendar month of the date of notification of suspension. Please state clearly in your appeal any mitigating circumstances that you feel should be taken into consideration by Trading Standards when reviewing your case.

Decisions on appeals against suspension will be made by the Chief Trading Standards Officer, after reviewing any evidence submitted. The decision of the Chief Trading Standards Officer is final, and will be notified to appellants within one calendar month of the appeal being received.

Appeals against suspension should be addressed to:

**The Chief Trading Standards Officer, Sheffield Trading Standards,
2-10 Carbrook Hall Road, Sheffield S9 2DB**