

RESPONSIBLE RETAILER AWARD SCHEME NEWSLETTER



WINTER 2010

ISSUE 18

Welcome to the Winter 2010 edition of the Responsible Retailer Award Scheme Newsletter. By the time you get this issue the busy Christmas shopping period will be well under way and hopefully trade will be brisk for all the shops involved in our scheme.

Earlier this year, membership of the Responsible Retailer Scheme surpassed the 500 mark. On Tuesday 9th November, Sheffield Trading Standards held the eleventh in our series of Responsible Retailer Award ceremonies. The Lord Mayor of Sheffield, Councillor Alan Law kindly attended the ceremony to congratulate and issue certificates to 46 new scheme members.

Sheffield Trading Standards would like to wish all Responsible Retailers a Merry Christmas and a very prosperous 2011, and thank you for supporting the scheme over the past year.

☆☆ **STOP PRESS** ☆☆

Congratulations to Prize Draw Winner

The prize draw for the latest batch of Responsible Retailer customer nomination forms was held after the recent award ceremony on 9th November. The winner of the prize draw was Lisa Vardy, a customer of Cavells Cafe Bar, 31 High Street, Sheffield. Lisa wins a £10 gift voucher for Debenhams.

☆☆☆☆

Seasons Greetings

The busy Christmas shopping period is upon us, and with that comes the increased demand for age-restricted products. It goes without saying that there will be an increase in the sale of alcohol from off-licences for all those parties over the festive season, so keep a vigilant look out for underage customers. Christmas gifts such as modelling kits often require craft knives and paints for their construction - craft knives, kitchen knives and other sharp household tools should not be sold to persons aged under 18 and aerosol spray paint carries a 16 age restriction. Many videos, DVD's and computer games also carry age restrictions. With that in mind, we thought it might be timely to remind retailers of the laws around some of the age-restricted products that are more frequently sold at this time of year.

- If selling or hiring videos, DVD's and computer games please follow the age restrictions specified on the products.
- It is illegal to sell fireworks, knives and other sharp objects to persons under 18 years of age.
- It is illegal to sell aerosol paint containers to persons under 16 years of age.
- It is illegal to sell alcoholic drinks to persons under 18 years of age. A person under 18 also commits an offence if they buy or attempt to buy alcohol. A person aged over 18 commits an offence if they buy or attempt to buy alcohol on behalf of an individual aged under 18. However, Section 149 of the Licensing Act 2003 allows a person aged 18 or over to purchase beer, wine or cider for a 16 or 17 year old if its purchase is for consumption with a table meal on relevant premises, and the 16 or 17 year old is accompanied at the meal by a person aged 18 or over.
- It is an offence to sell Party Poppers, Serpents, Throwdowns, and Novelty Matches to anyone under 16 years of age.

The golden rule is always ask for proof of age from young customers, and if in doubt don't make that sale. Best practice guidance would be to adopt a Challenge 21 or Challenge 25 policy for all age-restricted products.

Latest test purchasing results for alcohol are very encouraging

During November a series of test purchasing operations were carried out by officers from South Yorkshire Police and Sheffield Trading Standards. In the north-west of the city only 3 out of 50 premises sold alcohol to the underage volunteers. These results are very encouraging and reflect the good work that retailers in the Parson Cross,

Ecclesfield and Chapeltown areas are now doing to prevent underage sales. Earlier in the year, test purchasing in the same areas had resulted in 17 out of 40 premises selling alcohol to underage youngsters. Retailers are politely reminded that further test purchasing will be taking place across the city in the run up to Christmas and the New Year.

ALCOHOL RETAILERS

Are you employing staff under 18 to cover the busy Christmas period?

Section 153 of the 2003 Licensing Act states that a responsible person commits an offence if he knowingly allows an individual aged under 18 to make a sale of alcohol, ***unless the sale or supply of alcohol has been specifically approved by that or another responsible person.***

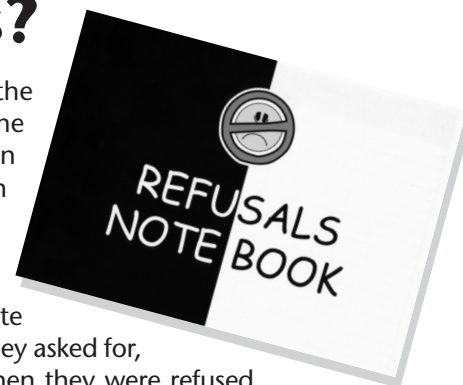
A 'responsible person' is defined as the holder of the premises licence, the designated premises supervisor or any individual aged 18 or over who is authorised by the holder or the designated premises supervisor.

On a practical basis this means that sales assistants aged under 18 must ask permission from 'a responsible person' for ***each and every*** sale of alcohol. It is important that the responsible person looks at the buyer before authorising the sale. There have been occasions where the young assistant has shouted out for authorisation, the supervisor without taking much notice has signified approval, and a sale has been made to an underage youngster. In these circumstances it is the supervisor who is technically 'the seller' and has committed the offence.

A young person working for an alcohol retailer is vulnerable to peer pressure, and because of their young age, may not possess the self-confidence and interpersonal skills necessary to refuse to serve alcohol to underage or aggressive customers. It is therefore important not to leave young shop assistants to manage the shop on their own. Also, if the young person is alone in the shop and there is no-one to authorise the sale of alcohol, then they must refuse the sale - regardless of the age of the customer.

Refusals Notebooks - are you using yours?

Refusal Notebooks are an essential part of the Responsible Retailer Scheme. All scheme members are asked to record the details in their book every time they refuse to sell an age-restricted product to a youngster. The details you should record are the date of refusal, brief description of the young customer (i.e., boy or girl and approximate age), what type of age-restricted product they asked for, and any comments on what happened when they were refused. The member of staff who made the refusal should also sign the book.



Keeping a record of refusals is important for several reasons. Firstly, it provides Sheffield Trading Standards with a method of evaluating the effectiveness of the scheme – a way of measuring whether the number of young people asking retailers for age-restricted products is increasing or declining. It is also a useful record of what types of age-restricted products are asked for by youngsters, and if trends for certain brands are developing. Because the information in your Refusal Notebook is of interest to us, you may find that Trading Standards Officers ask to see your refusal book as part of their routine inspection of your premises.

The most important reason why you should keep a refusal log is that it is a record of what is happening in and around your store regarding underage sales. If staff get into the habit of recording all refusals for underage sales, the refusal book provides you with useful indicators as to which members of staff are making refusals on a regular basis, and which are not. Questions might then be asked why some staff are not logging refusals when others clearly are. Also, a correctly filled in refusal log can indicate particular days and times when problems are likely to occur – for instance, if the log shows a lot of refusals occur each Friday evening, measures can be taken such as ensuring that young and vulnerable staff are not left unsupervised at such times, or that staff are aware of the problem and are confident to make refusals to young customers if they cannot prove their age.

Should a prosecution ever be brought against a store for selling an age-restricted product to a minor, the book can form part of a retailer's evidence that they do ask for proof of age and refuse to sell age-restricted products to young customers on a regular basis.

If any retailers have filled up their Refusal Notebooks and need a new one, please contact Greg Ward on 0114 2736241 and one will be sent to you free of charge. Also, don't throw away your completed Refusal Books – keep them safe in case you ever need to show them to us.

If you have any suggestions or ideas for articles for the Summer 2011 edition of this newsletter, contact:

**Greg Ward, Responsible Retailer Scheme Co-ordinator
Sheffield Trading Standards, 2-10 Carbrook Hall Road,
Sheffield S9 2DB. Telephone 0114 2736241.**

