



Unit Specification

Unit: Licensing for Personal Licence Holders (Refresher) – SCQF Level 6

Code: H49K 04

What are the Alcohol Licensing Qualifications?

These are Scotland's standards, based on the training framework drawn up by the National Licensing Forum and amended in 2013. The qualifications are for those involved in the sale of alcohol in both on-sales and off-sales. They have been developed to make sure that to comply with Licensing (Scotland) Act 2005 and the Alcohol etc. (Scotland) Act 2010, all training covers three key areas.

The key areas are:

- Introduction to licensing
- Responsible operation of licensed premises
- Effect of irresponsible operation on society and health

These standards are necessary because of changes in the law which makes them part of the licensed trade's responsibility – i.e. a regulatory requirement – to help keep Scotland safer and healthier.

Employers will look for the relevant qualifications when they are appointing new staff for the licensed trade. They also expect their existing staff to have these qualifications.

Understanding and applying skills in these key areas are important because they help you work effectively in your present job and also prepare you for jobs within the sector which you may do in future. Developing your knowledge of the licensing legislation helps you deal with today's rapidly changing world and improve your career prospects. That's also why employers value them.

What is this Licensing Unit about?

This Unit is about showing you understand how the licensing process works in Scotland, how people employed within the licensed trade can work responsibly and the consequences of this if they don't. The Unit forms the Scottish Certificate for Personal Licence Holders Group Award.

Your tutor will explain anything in this Unit which you do not understand.

What should I know or be able to do before I start?

You must have been awarded with a Scottish Certificate for Personal Licence Holders Award or equivalent.

Please note, only qualifications based upon the current National Standard for Personal Licence Holders, or its' predecessor, would be considered to be equivalent.

What do I need to do?

You will need to show that you can effectively apply the law in carrying out the role as a Personal Licence Holder in Scotland, as specified within the Licensing (Scotland) Act 2005 and the Alcohol etc. (Scotland) Act 2010.

You will need a qualification based upon the National Standards – Personal Licence Holders (Refresher) to support an application for demonstrating to a Licensing Board that you have completed your mandatory refresher training. The National Standard can be found in Appendix A.

How do I get this Unit?

You will complete a 40 question multiple choice examination. You must get at least 28 questions correct (70%) to achieve this Unit.

What might this involve?

Pre-course study

Attendance at a half day (minimum 3 hour) training course **or** completion of an online training programme approved by an awarding body

What can I do next?

You could move on to further study towards Level 3 S/NVQ in Hospitality Supervision, a Higher National Certificate or Diploma or an appropriate degree course. Your tutor can advise you about this.

Guidance for tutors

This Unit is supported by a comprehensive handbook for candidates, which should be issued with guidance on prior study before they attend a course.

The assessment requirements from the National Standards for Personal Licence Holders (Refresher) are appended in Appendix A (Topic references relate to those within the National Standard in Appendix A).

1. Introduction to Licensing - (not assessed)

2. The responsible Operation of Licensed premises

Overview of the Licensing Function

- Understanding the 5 licensing Objectives (Topic 2.1)
- The meaning of “alcohol” (Topic 2.2)
- Broad understanding of the Licensing (Scotland) Act 2005, Alcohol etc (Scotland) 2010 (Topic 2.3)

Key Roles

- General understanding of boards, applications and policy (Topic 2.4)
- General understanding of the functions of Licensing Standards Officers (Topic 2.5)
- Basic understanding of statutory bodies (Topic 2.6)
- Understanding of the Local Licensing Forums (Topic 2.7)
- Licensing and Operating Conditions
- Understanding of the types of Licences (Topic 2.8)
- Understanding of various roles within Licensing (Topic 2.9)
- Licensing Hours (Topic 2.10)
- Relationship between Risk assessments and the Operating Plan (Topic 2.11)
- Detailed understanding of mandatory and discretionary conditions (Topic 2.12)
- Understanding of operating conditions of members clubs (Topic 2.13)
- Understanding of Relevant Offences (Topic 2.14)
- Detailed knowledge of Personal Licence application processes (Topic 2.15)
- Understanding of the Premises Licence application process (Topic 2.16)
- Understanding of variation and transfer of Premises Licences (Topic 2.17)
- Understanding the duties of a Personal Licence Holder (Topic 2.18)
- The rights of objectors (Topic 2.19)
- Understanding the relationship between operating plans and licenses (Topic 2.20)

Protecting children from harm

- Understanding the law relating to sale and service to those under 18 (Topic 2.21)
- Understanding “Proof of Age” (Topic 2.22)
- Understanding the application of test purchasing (Topic 2.23)

Control of Order

- Understanding the law related to drunkenness and disorderly conduct (Topic 2.24)
- Understanding the law related to irresponsible promotions (Topic 2.25)
- Understanding of exclusion orders, closure orders and endorsements and suspension of personal licences (Topic 2.26)
- Understanding powers of entry and rights of inspection (Topic 2.27)
- Understanding the social responsibility levy (Topic 2.28)

Training

- Understanding the legal requirements for training (Topic 2.29)
- Understanding the importance of record keeping (Topic 2.30)

Associated Law

- Understanding relevant associated law (Topic 2.31)

3. The effect of irresponsible operation on society and health

Alcohol

- Understanding minimum pricing of alcohol (follow guidance within Topic 3.1)
- Understanding alcohol units and the strengths of alcohol (Topic 3.2)
- Understanding the effects of alcohol (Topic 3.3)
- Understanding low drinking limits (Topic 3.4)
- Understanding alcohol myths, blood alcohol level, consequences of excessive drinking and patterns of alcohol consumption in Scotland (Topics 3.5 – 3.8)

Illegal Drugs

- Understanding illegal drugs (Topic 3.9)

Social Responsibility

- Best practice in service, managing conflict, security and low risk guidelines (Topic 3.10 – 3.13)

Community links

- Understanding the importance of community links (Topic 3.14)

Assessment Criteria

Assessment Criteria for the award is specified within the National Standard for Personal Licence Holders (Refresher) (SCPLHR) which can be found in Appendix A.

The Training Delivery and Assessment Strategy for Scottish Alcohol Licensing Qualifications outlines the minimum acceptable standards for delivery and assessment of licensing qualifications in Scotland. A copy of this can be found at www.scplh.info

ADMINISTRATIVE INFORMATION

Credit Value

1 SCQF credit point at SCQF level 6

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Appendix A

National Standards - Personal Licence Holders (Refresher)

Introduction

This National Standard has been written by People 1st, the Sector Skills Council, the Scottish Government and industry.

Section 87 of the Licensing (Scotland) Act 2005 requires that Personal Licence Holders must complete additional mandatory training 5 years after their Personal Licence was issued. This Standard details the requirements of this mandatory training and its accompanying qualification. The assessment content of the qualification titled Scottish Certificate for Personal Licence Holders (Refresher) is also derived from this Standard. Achieving the qualification and presenting the certificate to a Licensing Board in Scotland within the prescribed period, is the only method by which the Personal Licence Holder can meet their statutory obligations and continue to be a Personal Licence Holder.

The training specification indicates which elements of the training must be a **DELIVERED COMPONENT**¹ and which elements candidates should cover by self-directed learning via the SCPLH Handbook.

Timescale

The delivered component should take a minimum of 3 hours to deliver. Assessment should take no more than 1 hour. Candidate preparation and reading time is in addition to this. For the purposes of the Scottish Credit and Qualifications Framework (SCQF), this equates to 10 notional learning hours.

Assessment

The SCPLH (Refresher) qualification must be assessed by way of a 40 question multiple-choice paper². All areas are subject to assessment. Please note that a maximum of 90% of examination questions will relate solely to the delivered component with the remaining examination questions assessing subjects covered within the handbook

Delivery and Assessment Strategy

The delivery and assessment of this standard is governed by the Delivery and Assessment Strategy specified by People 1st. The Strategy is available without charge from People 1st (www.People1st.co.uk).

Further information on mandatory licensing training within Scotland can be found at www.scplh.info

¹ By delivered component we mean a tutor lead training programme that follows this standard or an online training programme that follows this standard. This standard may NOT be delivered entirely by self-directed learning.

² Electronic forms of assessment offered by Awarding Bodies are acceptable

| Topic | | Reference | Delivered Component | Covered in Handbook |
|----------|--|---|---------------------|---------------------|
| | | Note: References are intended as guidance for where relevant information can be found. Not all information in the reference will be fully relevant to every subject All references are to the Licensing (Scotland) Act 2005 and as amended by subsequent legislation³. | | |
| 1 | Introduction | | | |
| 1.1 | Training must outline the reason for, and importance of, the Licensing (Scotland) Act 2005 including the relationship between licensing and health | Understanding of key parts of the current Scottish Government's Alcohol Policy ⁴ . | ✓ | ✓ |
| 2 | Responsible operation of licensed premises | | | |
| | Overview of the licensing function | | | |
| 2.1 | Understanding of the 5 Licensing Objectives | Licensing (Scotland) Act 2005 S.4 The Licensing objectives The 5 objectives: <ul style="list-style-type: none"> • preventing crime and disorder • securing public safety • preventing public nuisance • protecting and improving public health • protecting children from harm Each of the objectives has equal weighting | ✓ | ✓ |
| 2.2 | The meaning of "alcohol" | Licensing (Scotland) Act 2005 S.2 meaning of alcohol i.e. spirits, wine, beer, cider, or any other fermented, distilled or spirituous liquor, but does not include alcohol with a strength of 0.5% or less at the time of its sale. | x | ✓ |

³ At the time of writing this includes: Regulations, Scottish Statutory Instruments, the Criminal Justice and Licensing (Scotland) Act 2010, the Alcohol etc. (Scotland) Act 2010

⁴ Reduce alcohol consumption; supporting families and communities; positive public attitudes, positive choices; improved treatment and support. At the time of writing this is *Changing Scotland's Relationship with Alcohol: A Framework for Action, published 2009.*

| Topic | | Reference | Delivered Component | Covered in Handbook |
|-------|--|--|---------------------|---------------------|
| 2.3 | Broad understanding of the Licensing (Scotland) Act 2005, the Alcohol etc. (Scotland) Act 2010, subsequent relevant legislation and how they apply to the post ⁵ | <p>Give understanding of broad content of alcohol legislation i.e.</p> <p>Licensing (Scotland) Act 2005 Part 1 – Core provisions Part 2 – Licensing Bodies and Officers Part 3 – Premises Licences Part 4 – Occasional Licences Part 5 – Licensed Hours Part 6 – Personal Licences Part 7 – Control of Order Part 8 – Offences Part 9 - Miscellaneous and General</p> <p>Schedule 2 – Local Licensing Forums</p> <p>Schedules 3 and 4 – Premises licences: mandatory conditions and occasional licences: mandatory conditions</p> <p>Alcohol etc. (Scotland) Act 2010 Sections 2 to 6 and Sections 9 and 10 i.e. S.2 Minimum price of packages containing more than one alcoholic product S.3 Off-sales: variation of pricing of alcoholic drinks S.4 Off-sales: restriction on supply of alcoholic drinks free of charge or at reduced price S.5 Off-sales: location of drinks promotions S.6 Requirement for age verification policy S.9 Presumption against prohibition on off-sales to under 21s S.10 Premises licences: variation of conditions</p> <p>The Sale of Alcohol to Children and Young Persons (Scotland) Regulation 2007</p> <p>The Licensing (Training of Staff) (Scotland) Regulations 2007</p> <p>Criminal Justice and Licensing (Scotland) Act 2010 Section 195</p> | ✓ | ✓ |

⁵ This section should take no more than 10 minutes to deliver as all areas are covered in further detail later within the specification.

| Topic | | Reference | Delivered Component | Covered in Handbook |
|-------|--|--|--------------------------|--------------------------|
| | Key Roles | | | |
| 2.4 | General understanding of the role of the Licensing Boards in granting applications; regulating standards in licensing premises; duties to set out licensing policy | Licensing (Scotland) Act 2005 Paragraphs. 38-56 Policy memorandum Part 2 Licensing bodies and officers Alcohol etc. (Scotland) Act 2010 S.9 Presumption against prohibition of off-sales to under 21s S.10 Premises Licences: variation of conditions S.11 Consultation etc. of health boards | x x x x | ✓ ✓ ✓ ✓ |
| 2.5 | General understanding of the function of Licensing Standards Officers; their monitoring and advisory role and how this relates to licensing boards and the local authority | Licensing (Scotland) Act 2005 S.13 Licensing Standards Officers S.14 General Functions of Licensing Standards Officers S.15 Powers of Entry and Inspection (and seizure) (as amended - section 197 Criminal Justice and Licensing (Scotland) Act 2010) S.16 Training of Licensing Standards officers | ✓ ✓ ✓ ✓ x | ✓ ✓ ✓ ✓ ✓ |
| 2.6 | Basic understanding of the key roles and powers of other statutory bodies involved in the licensing process | Licensing (Scotland) Act 2005 S.50 Certificates as to planning, building standards and food hygiene (as amended - section 186 Criminal Justice and Licensing (Scotland) Act 2010) S.138 Police powers of entry S.186 (Criminal Justice and Licensing (Scotland) Act 2010) - Premises licence applications: food hygiene certificates | x ✓ x | ✓ ✓ ✓ |
| 2.7 | Understanding of the make-up and role of Local Licensing Forums | Licensing (Scotland) Act 2005 S.10 Local Licensing Forums S.11 General functions of Local Licensing Forums Schedule 2 – Local Licensing Forums | x x | ✓ ✓ |
| | Licensing and Operating Conditions | | | |
| 2.8 | Understanding the different types of licence: premises, personal and occasional | Licensing (Scotland) Act 2005 S.17 Premises licence S.56 Occasional licence subs 1) 2) (amended by section 13 of the Alcohol etc. (Scotland) Act 2010) S.71 Personal licence | x x x | ✓ ✓ ✓ |

| Topic | | Reference | Delivered Component | Covered in Handbook |
|-------|---|--|--|---|
| 2.9 | Understanding of the difference between a Premises Licence Holder, a Premises Manager and a Personal Licence Holder | Licensing (Scotland) Act 2005 S.19 Premises Manager S.20 Application for premises licence sub 1) (amended by section 179 of the Criminal Justice and Licensing (Scotland) Act 2010) S.24 Applicant's duty to notify Licensing Board of convictions S.41 Duty to notify court of premises licence S.43 Licence holder's duty to notify Licensing Board of convictions S.52 Duty to keep, display and produce premises licence S.54 Dismissal, resignation, death etc. of premises manager S.72 Application for personal licence S.74 Determination of a personal licence application (amended by section 192 (2) of the Criminal Justice and Licensing (Scotland) Act 2010) S.75 Applicant's duty to notify Licensing Board of convictions S.80 Duty to notify court of personal licence S.82 Licence holder's duty to notify Licensing Board of convictions S.87 Licence holder's duty to undertake training ⁶ S.93 Licence holder's duty to produce a licence | ✓ x ✓ ✓ ✓ ✓ ✓ x x ✓ ✓ ✓ ✓ ✓ ✓ ✓ | ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ |
| 2.10 | Licensed hours | Licensing (Scotland) Act 2005 S.62 Licensed hours S.63 Prohibition of sale, consumption and taking away of alcohol outwith licensed hours (amended by section 188 (2) of the Criminal Justice and Licensing (Scotland) Act 2010) S.64 24 hour licences to be granted only in exceptional circumstances S.65 Licensed hours: off-sales S.66 Effect of start and end of British summer time S.67 Power of Licensing Board to grant general extensions of licensed hours S.68 Extended hours applications S.69 Notification of extended hours application (amended by section 190 of the Criminal Justice and Licensing (Scotland) Act 2010) S.70 Determination of extended hours application (amended by section 191 of the Criminal Justice and Licensing (Scotland) Act 2010) | ✓ ✓ ✓ ✓ x x x x x x | ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ |

⁶ Including information on statutory training requirements for Personal Licence Holders, i.e. pre application - full SCPLH training, 5 years after Personal Licence issued, SCPLH (Refresher) training, 10 years after Personal Licence issued, full SCPLH training

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|------|--|---|---|--|
| | Relevant offences (continued) | <p>S.114 Premises manager, staff etc. not to be drunk</p> <p>S.115 Disorderly conduct</p> <p>S.116 Refusal to leave premises</p> <p>S.117 Offences relating to the sale of alcohol to trade (amended by section 188 (3) of the Criminal Justice and Licensing (Scotland) Act 2010)</p> <p>S.118 Prohibition of unauthorised sale of alcohol on moving vehicles (amended by section 195 (2) of the Criminal Justice and Licensing (Scotland) Act 2010)</p> <p>S.119 Delivery of alcohol from vehicles etc.</p> <p>S.120 Prohibition of late night deliveries of alcohol (amended by section 195 (2) of the Criminal Justice and Licensing (Scotland) Act 2010)</p> <p>S.121 Keeping of smuggled goods (amended by section 195 (2) of the Criminal Justice and Licensing (Scotland) Act 2010)</p> <p>S.122 Interpretation of Part 8</p> <p>S.141 (a) Defence of due diligence for certain offences (as amended by section 195 (3) of the Criminal Justice and Licensing (Scotland) Act 2010)</p> <p>S.141 (b) Vicarious liability of premises licence holders and interested parties (amended by section 195 (3) of the Criminal Justice and Licensing (Scotland) Act 2010)</p> | <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>x</p> <p>x</p> <p>x</p> <p>x</p> <p>x</p> <p>✓</p> <p>✓</p> <p>✓</p> | <p>✓</p> |
| 2.15 | Detailed knowledge of application and renewal for a personal licence including police powers | <p>Licensing (Scotland) Act 2005</p> <p>S.71 Personal licence</p> <p>S.72 Application for personal licence</p> <p>S.73 Notification of application to chief constable</p> <p>S.74 Determination of personal licence application (amended by section 192 (2) of the Criminal Justice and Licensing (Scotland) Act 2010)</p> <p>S.75 Applicant's duty to notify Licensing Board of convictions</p> <p>S.76 Issue of licence (amended by section 192 (3) of the Criminal Justice and Licensing (Scotland) Act 2010)</p> <p>S.77 Period of effect of personal licence</p> <p>S.78 Renewal of personal licence</p> <p>S.79 Notification of determination</p> | <p>x</p> <p>x</p> <p>x</p> <p>x</p> <p>x</p> <p>x</p> <p>✓</p> <p>✓</p> <p>✓</p> | <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> |
| 2.16 | Application process for a premises licence including police powers | <p>Licensing (Scotland) Act 2005</p> <p>S.20 Application for premises licence (amended by section 179 of the Criminal Justice and Licensing (Scotland) Act 2010)</p> <p>S.21 Notification of application (amended by section 180 Criminal Justice and Licensing (Scotland) Act 2010)</p> <p>S.22 Objections and representations (amended by section 183 (2) of the Criminal Justice and Licensing (Scotland) Act 2010)</p> | <p>x</p> <p>x</p> <p>x</p> | <p>✓</p> <p>✓</p> <p>✓</p> |

| | | | | |
|------|--|--|---------------------------------|---------------------------------|
| | Application process for a premises licence including police powers (continued) | S.23 Determination of premises licence application (amended by section 181 of the Criminal Justice and Licensing (Scotland) Act 2010) S.24 Applicant's duty to notify Licensing Board of convictions (amended by section 183 (3) of the Criminal Justice and Licensing (Scotland) Act 2010) S.25 Further application after refusal of premises licence application S.26 Issue of licence and summary (amended by section 187 of the Criminal Justice and Licensing (Scotland) Act 2010) | x x x x | ✓ ✓ ✓ ✓ |
| 2.17 | Variation and transfer of premises licence | Licensing (Scotland) Act 2005 S.29 Application to vary premises licence S.30 Determination of application for variation S.31 Variation to substitute new premises manager S.32 Further application after refusal of application for variation S.33 Transfer on application of licence holder S.34 Transfer on application of person other than licence holder S.35 Variation on transfer | x x x x x x x | ✓ ✓ ✓ ✓ ✓ ✓ ✓ |
| 2.18 | Understanding the duties of a personal licence holder | Licensing (Scotland) Act 2005 S.80 Duty to notify court of personal licence S.82 Licence holder's duty to notify Licensing Board of convictions S.87 Licence holder's duty to undertake training | ✓ ✓ ✓ | ✓ ✓ ✓ |
| 2.19 | Rights of objectors | Licensing (Scotland) Act 2005 S.22 Objections and representations (amended by section 183 (2) of the Criminal Justice and Licensing (Scotland) Act 2010) S.36 Application for review of premises licence | x x | ✓ ✓ |
| 2.20 | Understanding the relationship between the operating plan and the premises licence, including variations | Licensing (Scotland) Act 2005 S.20 Application for premises licence (amended by section 179 of the Criminal Justice and Licensing (Scotland) Act 2010) S.29 Application to vary premises licence S.30 Determination of application for variation S.31 Variation to substitute new premises manager S.32 Further application after refusal of application for variation | x x x ✓ x | ✓ ✓ ✓ ✓ ✓ |

| Topic | | Reference | Delivered Component | Covered in Handbook |
|-------|---|--|--|---|
| | Control of Order | | | |
| 2.24 | The law in relation to drunkenness and disorderly conduct | Licensing (Scotland) Act 2005 S.111 Drunk persons entering or in premises on which alcohol is sold S.112 Obtaining of alcohol by or for a drunk person S.113 Sale of alcohol to a drunk person S.114 Premises manager, staff etc. not to be drunk S.115 Disorderly conduct S.116 Refusal to leave premises | ✓ ✓ ✓ ✓ ✓ ✓ | ✓ ✓ ✓ ✓ ✓ ✓ |
| 2.25 | The law with regard to irresponsible promotions | Licensing (Scotland) Act 2005 S.27 Conditions of premises licence (amended by section 7 of the Alcohol etc. (Scotland) Act 2010) Schedule 3 – Premises licences mandatory conditions Schedule 4 – Occasional licences: mandatory conditions Alcohol Etc (Scotland) Act 2010 S.2 Minimum price of packages containing more than one alcoholic product S.3 Off-sales: variation of pricing of alcohol drinks S.4 Off-sales: restriction on supply of alcoholic drinks free of charge or at a reduced price S.5 Off-sales: location of drinks promotions S.10 Premises licences: variation of conditions | ✓ ✓ ✓ ✓ ✓ ✓ ✓ | ✓ ✓ ✓ ✓ ✓ ✓ ✓ |
| 2.26 | Exclusion orders, review of premises licence, suspension of premises licences, closure orders, endorsements and suspension of personal licences | Licensing (Scotland) Act 2005 S.36 40 Review of premises licence S.83 Procedure where Licensing Board receives notification of convictions S.84 Conduct inconsistent with licensing objectives (amended by Schedule 6 (16) of the Criminal Justice and Licensing (Scotland) Act 2010) S.85 Expiry of endorsements S.86 Suspension of licence after multiple endorsements S.94 Exclusion orders S.95 Breach of exclusion order S.96 Exclusion orders: supplementary provision S.97 Closure orders (amended by section 193 of the Criminal Justice and Licensing (Scotland) Act 2010) S.98 Termination of closure orders S.99 Extension of emergency closure orders S.100 Regulations as to closure orders S.101 Interpretation of sections 97-100 | x x x x x x x x x x ✓ x x x x x | ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ |

| Topic | Reference | Delivered Component | Covered in Handbook | |
|-----------------------|---|---|-----------------------|-----------------------|
| 2.27 | Powers of entry and rights to inspection | Licensing (Scotland) Act 2005 S.15 Powers of entry and inspection (and seizure) (amended by section 197 of the Criminal Justice and Licensing (Scotland) Act 2010) S.138 Police powers of entry | ✓ ✓ | ✓ ✓ |
| 2.28 | Licence holders: Social responsibility levy | S.14 Alcohol etc. (Scotland) Act 2010 A statutory instrument which makes provision for the imposition on licence-holders, charges for furtherance of the licensing objectives, and which the authority considers necessary to mitigate any adverse impact attributable to the operation of the businesses licence holders in the authority's area. | ✓ | ✓ |
| Training | | | | |
| 2.29 | The legal requirement of the licence holder and staff to undertake training and to hold relevant qualifications | Licensing (Scotland) Act 2005 S.87 Licence holder's duty to undertake training Schedule 3 Premises licence: mandatory conditions The Licensing (Training of Staff) (Scotland) Regulations 2007 | x x ✓ | ✓ ✓ ✓ |
| 2.30 | Guidance on appropriate record keeping procedures | Schedule 3 - Section 6 - Form of training record specified in The Licensing (Mandatory Conditions No. 2) (Scotland) Regulations 2007) | ✓ | ✓ |
| Associated Law | | | | |
| 2.31 | Relevant associated law ⁸ | Weights and Measures Act 1985 For example: information on standard measures, free pouring, beer/cider/lager head size, glass lines and pre-packed alcohol service The Consumer Protection from Unfair Trading Regulations 2008 For example: information on misleading actions, omissions and aggressive practices Private Security Industry Act 2001 For example: Sections 3 - 6 of that Act Smoking, Health and Social Care (Scotland) Act (2005) For example: how the business manages it's smoking policy (if applicable) Gambling Act 2005 For example: the 3 Gambling Objectives | x x x x x | ✓ ✓ ✓ ✓ ✓ |

⁸ In addition Personal Licence Holders require to have a basic understanding of the relevant sections and best practice in conforming with the requirements of Food Hygiene legislation, Health and Safety legislation, Noise Regulations, and advertising requirements and the duty of the premises licence holder to carry out a risk assessment

| | | | | |
|--|-------------------------------------|---|----------------------------|----------------------------|
| | Relevant associated law (continued) | <p>Equalities Act 2010 For example: Protected Characteristics with regard to employment and services</p> <p>Phonographic Performance Limited (PPL) and Performing Right Society (PRS) For example: information on live and pre-recorded music and the licenses required</p> <p>Misuse of Drugs Act (1971) Common patterns of drug consumption in licensed premises and associated offences</p> | <p>x</p> <p>x</p> <p>x</p> | <p>✓</p> <p>✓</p> <p>✓</p> |
|--|-------------------------------------|---|----------------------------|----------------------------|

| Topic | | Reference | Delivered Component | Covered in Handbook |
|----------|--|---|---------------------|---------------------|
| 3 | Effect of irresponsible operation on society and health | | | |
| | Alcohol⁹ | | | |
| 3.1 | Minimum price of alcohol per unit | <ul style="list-style-type: none"> • Knowledge of minimum price per unit¹⁰ • Basic understanding of the arguments for introduction | ✓ ✓ | ✓ ✓ |
| 3.2 | Units of alcohol and strengths of alcoholic drinks | <ul style="list-style-type: none"> • Knowledge of British standard units • Knowledge of how to calculate the units per drink from a range of common drinks | x ✓ | ✓ ✓ |
| 3.3 | Physical and psychological effects of alcohol | <ul style="list-style-type: none"> • The effects on the brain¹¹ • The general effects on behaviour¹² | ✓ ✓ | ✓ ✓ |
| 3.4 | Low drinking limits | <ul style="list-style-type: none"> • Definitions of low risk, hazardous and harmful drinking¹³ | ✓ | ✓ |
| 3.5 | Dispelling myths about alcohol | <ul style="list-style-type: none"> • Key facts about alcohol¹⁴ • Common myths about alcohol¹⁵ | x x | ✓ ✓ |
| 3.6 | Difference between blood alcohol level and drunkenness | <ul style="list-style-type: none"> • The difference between blood alcohol level and drunkenness¹⁶ • Drink-driving limits in Scotland¹⁷ • Drink driving limits in England, Wales and Northern Ireland | ✓ ✓ x | ✓ ✓ ✓ |

⁹ Information should come from a reputable, up to date source, such as Alcohol Statistics Scotland, published biennially by NHS National Services Scotland or the Scottish Government's InfoScotland website (Healthier Scotland – alcohol)

¹⁰ This section is optional until such time as legislation is implemented and is not currently assessed

¹¹ Including the consequent graduated physical effects observed and the danger of acute alcohol poisoning

¹² Including loss of inhibition and impairment of reasoning and decision making

¹³ Current edition of Alcohol Statistics Scotland, published biennially by NHS National Services Scotland

¹⁴ Including the effects of gender, tolerance, food, age, general size, general health, time

¹⁵ Including coffee and/or other substances/practices as “sobering agents”, alcohol as a “warmer agent”, “health”, properties of other drinks

¹⁶ BAC as an objective measure used in drink driving offences, compared to drunkenness, a subjective measure of behaviour, as used in licensing legislation

¹⁷ No PLH or staff member should attempt to calculate alcohol units or sobriety as a method for determining if it is “safe” to drive - best and safest advice remains “don't drink alcohol and drive”.

| Topic | Reference | Delivered Component | Covered in Handbook | Topic |
|-------|--|---|--|--|
| 3.7 | Consequences to the individual, to the business and to society of excessive drinking | <ul style="list-style-type: none"> • The key consequences of excessive drinking for the individual including: <ul style="list-style-type: none"> ~ short term dangers¹⁸ ~ health and social problems¹⁹ • The key consequences of excessive drinking for the business²⁰ • The key consequences of excessive drinking for society²¹ | <p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> | <p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> |
| 3.8 | Common patterns of alcohol consumption and misuse in Scotland | <ul style="list-style-type: none"> • The patterns of problem drinking and binge drinking • Basic understanding of the level and trend in underage drinking and drunkenness²² • Basic understanding of the level and trends in various types of alcohol related illness and death | <p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> | <p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> |
| | Illegal Drugs | | | |
| 3.9 | Common patterns of drug consumption in licensed premises | <ul style="list-style-type: none"> ▪ Signs to look for – drug dealing ▪ Drugs prevention policy ▪ The importance of seeking advice from the police with regards to drug dealing in licensed premises | x | ✓ |

¹⁸ Including the increased risk of accidents, becoming a victim of crime or being involved in crime, increase in other socially related risks/problems e.g. sexual diseases or pregnancy from unplanned sex

¹⁹ Both short and long term: including hangover, increased blood pressure, birth defects, heart disease, liver disease and various cancers; employment problems, relationship problems and financial problems

²⁰ Including increased difficulty in dealing with drunken customers, ultimately affecting reputation and business viability (such as increased cost of replacing fixtures and fittings, staff turnover, liability and loss of licence)

²¹ Including the current trend for high rates of alcohol related crime and disorder; the trend of increasing alcohol related problems including underage drinking, drunkenness, alcohol related disease; and associated costs to society

²² Current edition of Alcohol Statistics Scotland, published biennially by NHS National Services Scotland; current edition of Scottish Schools Adolescent Lifestyle and Substance Use Survey (SALSUS), published biennially by NHS Scotland

| Topic | | Reference | Delivered Component | Covered in Handbook |
|------------------------------|--|---|-------------------------------------|-------------------------------------|
| Social Responsibility | | | | |
| 3.10 | Best practice in setting and maintaining good standards of service and environment | <ul style="list-style-type: none"> The importance of high and consistent standards throughout a premises²³ The potential for the environment to affect drinking and behaviour The importance of good service practice²⁴ Responsibilities to staff and customers | <p>x</p> <p>x</p> <p>x</p> <p>x</p> | <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> |
| 3.11 | Common causes of conflict, how to prevent conflict and how to manage conflict situations | <ul style="list-style-type: none"> Typical scenarios leading to conflict and how these might be prevented or managed Signs of potential conflict | <p>✓</p> <p>✓</p> | <p>✓</p> <p>✓</p> |
| 3.12 | Security procedures and policies in relation to crime and counter terrorism | <ul style="list-style-type: none"> Threat procedures²⁵ Training of staff to look out for left packages/luggage etc | <p>x</p> <p>x</p> | <p>✓</p> <p>✓</p> |
| 3.13 | Promoting recommended low risk guidelines | <ul style="list-style-type: none"> Ways in which low risk drinking behaviour can be promoted Awareness of the increasing importance of social responsibility and the need for low risk drinking²⁶ | <p>✓</p> <p>✓</p> | <p>✓</p> <p>✓</p> |
| Community Links | | | | |
| 3.14 | Understanding the roles and links to local community initiatives, such as Alcohol and Drugs Partnerships (ADPs), Community Safety Partnerships Pub Watch, Retail Watch, City Centre Safe | <ul style="list-style-type: none"> General awareness of the existence of such schemes The benefits of such schemes | <p>x</p> <p>x</p> | <p>✓</p> <p>✓</p> |

²³ Should include need for cleanliness, tidiness, good state of repair

²⁴ Should include being polite to customers, knowledge of products, customer awareness and managing busy situations

²⁵ Should include how to record threat information, management reporting, emergency service contact procedure and evacuation procedures

²⁶ Such as demonstrated by manufacturers policies and initiatives, e.g. Drinkaware Trust, or at www.drinksmarter.org

Assessment Criteria for Awards

Please note that a maximum of 90% of the assessment must be derived from the delivered component and a minimum of 10% from self-directed learning. In addition, examination papers for the Scottish Certificate for Personal Licence Holders must adhere to the following assessment balance:

| (Ref) | Topic | Assessment Weighting (%) | Number of Questions |
|---------------|---|--------------------------|---------------------|
| (1.1) | Introduction | 0% | 0 |
| (2.1 - 2.3) | Overview of the licensing function | 2.5% | 1 |
| (2.4 - 2.7) | Key Roles | 2.5% | 1 |
| (2.8 - 2.20) | Licensing and Operating Conditions | 42.5% | 17 |
| (2.21 - 2.23) | Protecting children from harm | 15% | 6 |
| (2.24 - 2.28) | Control of Order | 10% | 4 |
| (2.29 - 2.30) | Training | 2.5% | 1 |
| (2.31) | Associated Law | 0% | 0 |
| (3.2 - 3.8) | Effect of irresponsible operation on society and health | 15% | 6 |
| (3.9) | Illegal Drugs | 0% | 0 |
| (3.10 - 3.13) | Social Responsibility | 10% | 4 |
| (3.14) | Community Links | 0% | 0 |