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**Licensing for staff
responsible for
selling alcohol
(Off-Sales)
SCQF Level 5**

SQA Licensing Qualifications

What are the Licensing Qualifications?

These are Scotland's standards, based on the training framework drawn up by the National Licensing Forum for those involved in the off-sales sector. They have been developed to make sure that to comply with Licensing (Scotland) Act 2005, all training covers the three key areas.

They are necessary because of changes in the law which makes these requirements part of licensed trade responsibility – a regulatory requirement – to help keep Scotland safer and healthier.

The key areas are

- ◆ The licensing process in Scotland
- ◆ The responsible operation of licensed premises
- ◆ The effect of irresponsible operation on society and health

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.

Unit Specification – Licensing for staff responsible for Selling Alcohol (Off- Sales) (SCQF level 5)

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 to work responsibly and what happens if you don't – both to Scotland and to the health of others.

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 should:

- ◆ be able to show that you have some knowledge and or experience of the licensed off-sales trade in Scotland - for example, by working or through prior study.

What do I need to do?

You will need to show that you can effectively apply the law in carrying out the role in the sale of alcohol in Scotland, as specified within the Licensing (Training of Staff) (Scotland) Regulations 2007.

This qualification will provide sufficient evidence to satisfy these regulations.

How do I get this Unit?

You will complete a multiple choice question examination marked out of 25. You must get at least 18 marks to achieve this Unit.

What might this involve?

- ◆ Pre- course study
- ◆ Attendance at a half- day training course

What can I do next?

You could move on to further study towards Level 2 SVQ in Retailing or Drink Service, a National or Higher National Certificate

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 criteria are detailed in Appendix A.

1. Introduction to licensing

The licensing process in Scotland – Section 1

2. The responsible operation of licensed premises

- Overview of the licensing function - Section 2 (a.1-3)
- Key roles – Section 2 (b.1-2)
- Licensing and operating conditions – Section 2 (c1-7)
- Protecting children from harm – Section 2 (d.1-3)
- Control of order – Section 2 (e.1)
- Associated law – Section 2 (f. 1-7)

3. The effect of irresponsible operation on society and health

- Alcohol – Section 3 (a.1-6)
- Environment – Section 3 (b.1-4)

Learners with disabilities and/or additional support needs

The additional support needs of individual learners should be taken into account when planning learning experiences, selecting the most appropriate assessment activity and considering any reasonable steps which might be necessary to allow the learner to meet the assessment standard.

Further advice can be found in SQA's Assessment Arrangements' web pages (www.sqa.org.uk)

ADMINISTRATIVE INFORMATION

Credit Value

0.25 SQA credit (1 SQF credit points at SCQF level 5)



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Training and Assessment Specification for staff responsible for selling alcohol

This appendix provides detailed information on the requirements for the training and assessment content for staff, as set out in the schedule to the Licensing (Training of Staff) (Scotland) Regulations 2007 (SSI no. 2007/397)

For ease of use, all areas classified by the National Licensing Forum as essential knowledge have been highlighted in greyscale.

Subject	Areas to be covered
1) Introduction	
Any training should give the rationale for the development of the Licensing (Scotland) Act 2005 – including process and the relationship between licensing and health	<ul style="list-style-type: none"> • Understanding of key parts of the Plan for Action on Alcohol problems published 2001¹ • Knowledge of the remit of the Nicholson Committee² • Understanding of the background, overview and main themes underlying the approach taken in the Licensing (Scotland) Bill Policy memorandum
The legal basis of the requirement for the training of staff	Paragraph 6 of Schedule 3 Premises Licence Mandatory Conditions

¹ Including the purpose (reduce alcohol problems) and key priorities (reduce binge drinking and harmful drinking by children and young people) and 4 pillar approach (culture change; prevention and education; service delivery; and protection and control); plus any updated priorities in the next plan for action due later in 2006

² That is to review all aspects of liquor licensing and practice, with particular reference to the implications of health and public disorder, to recommend changes in the public interest and report accordingly.

Ref	Subject	Areas to be covered
	2) Responsible operation of licensed premises	
2(a)	a) Overview of the licensing function All relating to the Licensing (Scotland) Act 2005	
2(a).1	The Licensing Objectives	S4 The Licensing objectives
2(a).2	Broad understanding of the Licensing (Scotland) Act 2005 and how it applies to the role and premises.	Give understanding of broad content of the Act i.e. 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 Schedules 3 & 4 – Premises licenses: mandatory conditions & occasional licences: mandatory conditions
2(a).3	The definition of “alcohol” in the Act. What constitutes an unlicensed sale.	S1 Prohibition of unlicensed sale of alcohol S2 Meaning of alcohol S3 Certain supplies of alcohol to be treated as sales
2(b)	b)Key roles	
2(b).1	The functions of licensing Standards Officers, including their powers of entry	S13 Licensing Standards Officers S14 General Functions of LSOs S15 Powers of Entry and Inspection
2(b).2	Rights of entry and inspection of other statutory bodies	S15 Powers of entry and inspection S138 Police powers of entry

Ref	Subject	Areas to be covered
2(c)	c) Licences and operating conditions	
2(c).1	Awareness of the difference between a Premises Licence Holder, a Premises Manager and a Personal Licence Holder	S19 Premises Manager S20 Application for premises licence sub 1) S24 Applicant's duty to notify Licensing Board of convictions S41 Duty to notify court of premises licence S43 Licence holder's duty to notify Licensing Board of convictions S52 Duty to keep, display and produce premises licence S54 Dismissal, resignation, death etc of premises manager S72 Application for personal licence S74 Determination of a personal licence application S75 Applicant's duty to notify Licensing Board of convictions S80 Duty to notify court of personal licence S82 Licence holder's duty to notify Licensing Board of convictions S87 Licence holder's duty to undertake training S93 Licence holder's duty to produce a licence
2(c).2	The nature of an operating plan and its place in the licensing system	S20 Application for a premises licence S27 Conditions of a premises licence Paras 74-81 Policy memorandum
2(c).3	The different types of premises licence conditions.	S27 Conditions of premises licence Schedule 3 Premises Licences: Mandatory Conditions (including late night mandatory and discretionary conditions) Schedule 4 Occasional Licences: Mandatory Conditions
2(c).4	Special provision for clubs	S125 Special provisions for certain clubs

Ref	Subject	Areas to be covered
2(c).5	Licensed hours	S62 Licensed hours S63 Prohibition of sale, consumption and taking away of alcohol outwith licensed hours S64 24 hour licenses to be granted only in exceptional circumstances S65 Licensed hours: off-sales S66 Effect of start and end of British summer time S67 Power of Licensing Board to grant general extensions of licensed hours S68 Extended hours applications S69 Notification of extended hours application S70 Determination of extended hours application
2(c).6	Offences under the Act, particularly those involving persons under the age of 18	S97 Closure Orders S102 Sale of alcohol to a child or young person S103 Allowing the sale of alcohol to a child or young person S104 Sale of liqueur confectionary to a child S105 Purchase of alcohol by or for a child or young person S106 Consumption of alcohol to a child or young person S107 Unsupervised sale of alcohol to a child or young person S108 Delivery of alcohol to a child or young person S109 Sending a child or young person to obtain alcohol S110 Duty to display notice S111 Drunk persons entering or in premises on which alcohol is sold S112 Obtaining alcohol by or for a drunk person S113 Sale of alcohol to a drunk person S114 Premises manage, staff etc not to be drunk S115 Disorderly conduct S116 Refusal to leave premises S117 Offences relating to the sale of alcohol to trade S118 Prohibition of unauthorised sale of alcohol on moving vehicles S119 Delivery of alcohol from vehicles etc S120 Prohibition of late night deliveries of alcohol S121 Keeping of smuggled goods S122 Interpretation of Part 8
2(c).7	Broad understanding of the possible consequences of disorder problems	

Ref	Subject	Areas to be covered
2(d)	d) Protecting children from harm	
2(d).1	The Sale of Alcohol to Children and Young Persons (Scotland) regulations 2007 (SSI No. 2007/93).	S103 Allowing the sale of alcohol to a child or young person S104 Sale of liqueur confectionary to a child S105 Purchase of alcohol by or for a child or young person S106 Consumption of alcohol to a child or young person S107 Unsupervised sale of alcohol to a child or young person S109 Sending a child or young person to obtain alcohol S110 Duty to display notice
2(d).2	Proof of age	S102 Sale of alcohol to a child or young person S108 Delivery of alcohol to a child or young person Understanding best practice for age related sales ³ Understanding recognised Proof of Age schemes and related initiatives Understanding where relevant information can be obtained
2(d).3	Test purchasing of alcohol	S105 Clear understanding of responsibilities in the act with regard to asking for proof of age when in any doubt. Consequences of failing a test purchase

³ To include identifying possible underage or agent sales; high risk products; appropriate service practices; recording refusals; and deterrence measures

Ref	Subject	Areas to be covered
2(e)	e) Control of order	
2(e).1	Best practice as regards refusing service.	S111 Drunk persons entering or in premises on which alcohol is sold S112 Obtaining of alcohol by or for a drunk person S113 Sale of alcohol to a drunk person S114 Premises manager, staff etc not to be drunk S115 Disorderly conduct S116 Refusal to leave premises
2(f)	f) Associated Law. Staff require a general awareness of the existence of associated laws, how they relate to their job role.	
2(f).1	Smoking, Health and Social Care (Scotland) Act (2005)	<ul style="list-style-type: none"> • Understand basic requirements of no smoking legislation as they relate to licensed premises • Knowledge of where more information can be obtained (currently the Scottish Executive and special linked website www.clearingtheairscotland.com)
2(f).2	Disability Discrimination Act 1995	<ul style="list-style-type: none"> • Awareness that the act affects everyone who provides goods, facilities and services to the general public. Understand the basic definition of a disabled person (more than just wheelchair users) • Knowledge of where more information can be obtained (currently the Local Authority and Disability Rights Commission. Additionally, many LAs have access officers, usually based in planning or building departments, who can advise on any action that may be required).
2(f).3	Basic elements of relevant criminal law such as Misuse of Drugs Act 1971	<ul style="list-style-type: none"> • Understand that it is illegal to allow the selling or preparation of illegal drugs on any premises • Be able to recognise the common signs that drug dealing or use may be happening in a premises • Knowledge of where more information can be obtained (currently the police)
Ref	Subject	Areas to be covered
2(f).4	Other appropriate legislation/regulation such as those regulated by the requirements of Food Hygiene legislation,	<ul style="list-style-type: none"> • Knowledge of where more information can be obtained

	Health and Safety legislation	
2(f).5	Weights and measures Act	
2(f).6	Trades Descriptions Act	
2(f).7	Gaming, Betting and Lotteries Act	
3	3) Effect of irresponsible operation on society and health – (this should provide staff with an overview of the issues, and should not be too detailed)	
3(a)	a) Alcohol	
3(a).1	Units of alcohol and the relationship between units and the strength of different 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
3(a).2	Physical and psychological effects of alcohol	<ul style="list-style-type: none"> • the effects on the brain⁴ • the general effects on behaviour⁵
3(a).3	The sensible drinking limits for males and females recommended by the British Medical Association	
3(a).4	Dispelling myths about alcohol	<ul style="list-style-type: none"> • key facts about alcohol⁶ • common myths about alcohol⁷
3(a).5	Difference between blood alcohol level and drunkenness	<ul style="list-style-type: none"> • the difference between blood alcohol level and drunkenness⁸
3(a).6	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 dangers⁹ • Health and social problems¹⁰ • the key consequences of excessive drinking for the business¹¹ • the key consequences of excessive drinking for society¹²

⁴ including the consequent graduated physical effects observed and the danger of acute alcohol poisoning

⁵ including loss of inhibition and impairment of reasoning and decision making

⁶ Including the effects of gender, tolerance, food, age, general size, general health, time.

⁷ Including coffee and/or other substances/practices as “sobering agents”, alcohol as a “warmer agent”, “health”, properties of other drinks.

⁸ BAC as an objective measure used in drink driving offences, compared to drunkenness, a subjective measure of behaviour, as used in licensing legislation.

⁹ 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.

¹⁰ 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.

¹¹ 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).

Ref	Subject	Areas to be covered
3(b)	b) Environment	
3(b).1	Best practice as regards standards of service	<ul style="list-style-type: none"> • The importance of high and consistent standards throughout a premises¹³ • The potential for the environment to affect drinking and behaviour • The importance of good service practice¹⁴ • Awareness of the increasing importance of social responsibility and the need for responsible drinking¹⁵ • Understanding of best practice policies¹⁶ • The dangers of bad practice to a business • The opportunities for using social responsibility to enhance business
3(b).2	Good practice in managing 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
3(b).3	Best practice for refusals of service in relevant situations	
3(c).4	Awareness of security procedures and policies in relation to crime and terrorism	

¹² 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

¹³ Should include need for cleanliness, tidiness, good state of repair

¹⁴ Should include being polite to customers, knowledge of products, customer awareness and managing busy situations

¹⁵ Such as demonstrated by manufacturers' policies and initiatives, such as Drinkaware Trust, social responsibility adverts and support by government

¹⁶ Could include House Rules, closing time procedure; dispersal policy; age related sales; promotions; refusals of service-practice and record keeping; communication within a premises; plan for managing conflict, disorder or drunkenness; noise control and management of smokers.