

Social Responsibility Standards
for the Production and Sale
of Alcoholic Drinks: **Scotland**
with
Guidance for Implementation



**SOCIAL RESPONSIBILITY STANDARDS FOR THE
PRODUCTION AND SALE OF ALCOHOLIC DRINKS:
SCOTLAND (EventScotland Version)**
with
Guidance for Implementation

Promoted by:

Advertising Association

Association of Convenience Stores

Association of Licensed Multiple Retailers

Bar Entertainment and Dance Association

British Hospitality Association

BII Scotland

Gin and Vodka Association

Guild of Master Victuallers

National Association of Cider Makers

Scotch Whisky Association

Scottish Beer & Pub Association

Scottish Grocers Federation

Scottish Retail Consortium

Society of Independent Brewers Scotland

The Portman Group

Wine and Spirit Trade Association

These Standards are supported by the above trade associations and organisations who will undertake to ensure the guidance contained in this document is widely communicated to all their members.

Statement of Purpose

The purpose of this document is to support and underpin the alcohol industry's commitment to social responsibility in Scotland, within the context of Scotland's new licensing regime as set out in The Licensing (Scotland) Act 2005 and also the Up-dated Plan for Action on Alcohol Problems.

Alcohol Social Responsibility Principles

EventScotland actively supports responsible drinking and retailing and expects all its event partners who intend to sell alcohol at their events to do likewise, which involves adhering to the following principles.

- To promote responsible drinking and the 'Sensible Drinking Message'.
- To avoid any actions that encourage or condone illegal, irresponsible or immoderate drinking such as drunkenness, drink driving or drinking in inappropriate circumstances.
- To take all reasonable precautions to ensure people under the legal purchase age cannot buy or obtain alcoholic drinks.
- To avoid any forms of marketing or promotion which have particular appeal to young people under the age of 18 in both content and context.
- To avoid any association with violent, aggressive, dangerous, illegal or anti-social behaviour.
- To make the alcoholic nature of their products clear and avoid confusion with non-alcoholic drinks.
- To avoid any suggestion that drinking alcohol can enhance social, sexual, physical, mental, financial or sporting performance, or conversely that a decision not to drink may have the reverse effect.
- To ensure their staff and those of companies acting on their behalf are fully aware of these Standards and are trained in their application in their own areas of responsibility.
- To ensure that all company policies work to support these Standards.

Retailing of Alcoholic Drinks

The retailing of alcoholic drinks, whether in the on- or off-trade, is in the front line when it comes to ensuring a number of the key social responsibility principles are delivered. Key issues include: preventing illegal sales to those under the age of 18; or those who are intoxicated; and ensuring that all promotions are conducted in a socially responsible manner.

The Licensing (Scotland) Act 2005, replacing existing legislation in 2009, will regulate all licensed premises in Scotland, providing the legal framework in which organisations are obliged to operate. Industry best practice as set out below goes beyond the requirements of current licensing legislation and ensures the industry is well placed to meet the requirements of the new regime.

Consistent and strict enforcement of the licensing laws are fully supported by all those involved in the drinks industry.

General Responsibilities

This section sets out the current general responsibility all retailers are strongly encouraged to consider in order to comply with the Social Responsibility Principles.

Points for Consideration

- Consideration should be given to developing protocols with procedures to be followed in the event of violent behaviour arising from refusals to sell and other causes.
- Where practicable, information should be displayed regarding sensible drinking including alcohol content in terms of units. For consistency of approach, companies are encouraged to follow The Portman Group Protocol on unit labelling.

Promotions

The new licensing regime in Scotland will introduce measures to tackle ‘irresponsible promotions’ through a new standard national condition on all licences. In advance of these being introduced many retailers already comply with industry Standards and Codes of Practice banning ‘irresponsible promotions.’

The Licensing (Scotland) Act 2005 outlaws irresponsible drinks promotions including those which:

- relate specifically to an alcoholic drink likely to appeal largely to persons under the age of 18,
- involve the supply of unlimited amounts of alcohol for a fixed charge (including any charge for entry to the premises),
- are based on the strength of any alcohol,
- reward or encourage, or seek to reward or encourage, drinking alcohol quickly, or
- offer alcohol as a reward or prize, unless the alcohol is in a sealed container and consumed off the premises.

All these promotional activities are already prohibited by industry Codes of Practice and Promotions Standards, including the British Beer and Pub Association’s ‘[Standards for the Management of Responsible Drinks Promotions](#)’. Pub operators recognise that these Standards represent industry best practice in this area and they are being adopted widely across Scotland’s beer and pub industry, not just by the Scottish Beer and Pub Association’s members.

Promotions and promotional material SHOULD NOT:

- Condone, encourage or glamorise excessive drinking or drunkenness or encourage anti-social behaviour. Effects of intoxication should not be referred to in any favourable manner.
- Be linked to sexual imagery implying sexual success or prowess.
- Refer to consuming alcohol to recover from previous over-indulgence.
- Be disrespectful of contemporary, prevailing standards of taste and decency and avoid degrading or gratuitously offensive images, symbols, figures and innuendoes. Promotional material should not be demeaning to any gender, race, religion, age or minority group.
- Appeal, through images / symbols, primarily to those under the legal purchase age. Characters should only be used if it is clearly established that their primary appeal is to adults. Use of any cartoon character popular with children is unacceptable.
- Contain any direct or indirect references to drug culture or illegal drugs.
- Have any association with violence or anti-social behaviour.

Points for Consideration

- Licensees should consider the risks of planned promotions taking into account possible impact on crime and disorder.
- Licensees should assess the impact of their promotions and modify as appropriate.

Prevention of Under-age Purchases

It is illegal to sell alcohol to persons under the age of 18 except in certain limited circumstances on licensed premises.

Points for Consideration

- Retailers should follow a “No ID, No Sale” and ‘Challenge 21’ approach. This should be made clear using point of sale material and other information stating that under-18s will not be served.
- When age is in doubt retailers should request and only accept a legitimate form of proof of age such as a card with a Proof of Age Standards Scheme (PASS) logo, valid driver’s licence (with photograph) or passport. The Young Scot entitlement card bears the PASS hologram

Prevention of Sales to Intoxicated Customers

It is illegal to sell alcohol to a person who is intoxicated.

Points for Consideration

- Companies should operate a clear policy of not selling to intoxicated customers.

Training

Training is key to ensuring employees understand their legal obligations when selling alcohol and for embedding the principles set out in this document. Under the terms of The Licensing (Scotland) Act 2005 it will be mandatory for all those involved in the serving and selling of alcohol to be trained from when the new licensing regime comes fully into effect.

Points for Consideration

- All staff should be instructed in the requirements of the law and their understanding checked before they are allowed to serve alcohol.
- In Scotland, it is illegal to sell alcohol to persons under the age of 18 except in certain limited circumstances on licensed premises; equally it is illegal to sell alcohol to a person who is intoxicated. Companies should have in place effective disciplinary procedures for staff contravening such a policy.
- All staff should be provided with the relevant company training/reference manual on the retailing of alcohol.
- Consideration should be given to obtaining formal qualifications to an appropriate standard (such as BII qualifications or ServeWise).
- Where relevant, training should address people management skills including conflict resolution. In particular staff should be competent and confident in addressing situations arising from refusal to serve someone who is under the legal purchase age or already intoxicated.

The On-Trade

This section specifically deals with those elements of the Social Responsibility Principles which are specific to the On-trade.

Promotions Specific to the On-Trade

Promotions in the on-trade should fully embrace the Social Responsibility Principles and in no way encourage irresponsible consumption. Responsible promotions, should comply with the following guidelines:

Timing: During early evening, some customers may be drinking on an empty stomach, so providing food/bar snacks at these times is helpful. It may also be helpful to consider the appropriateness of holding certain promotions on particular days.

Duration: Set a clear time period for the promotion. If the time period is vague, customers may hurry their purchases and therefore their drinking in case prices suddenly rise. The greater the discount available, the stronger the incentive may be for some customers to drink excessively.

Discounts: Bear in mind that the greater the discount available, the stronger the incentive may be to some customers to drink excessively. Operators should consider including a selection of soft drinks and/or low alcohol drinks at a reduced price during the promotion, as this could encourage more customers to alternate alcoholic and soft drinks, and also provides a benefit to those customers not wishing to drink alcohol.

Linked Discounts: There are some practices which would not be a suitable basis for a promotion, for example, discounting drinks according to unpredictable events, such as until the first goal is scored in a football match, or until the first yellow card etc., could encourage customers to drink more, more rapidly.

Promotions which SHOULD NOT be run

The following promotions should not be run as there is a disproportionate risk they will lead directly to alcohol misuse and anti-social behaviour:

- Reward schemes that are only redeemable over short periods thereby encouraging the purchase and consumption of large quantities of alcohol over a short period of time;
- Drinking Games - these tend to encourage either speed drinking or the drinking of large quantities of alcohol;
- Promotions that involve free drinks either in large quantities (e.g. 'Free spirits between 10pm and 12pm') or to specific groups (e.g. 'Free drinks for women');
- Entry fees that are linked with unlimited free drinks (e.g. '£X.XX on the door and all your drinks are free or all you can drink for £X.XX');
- Promotions that are an incentive to speed drinking or encouraging people to 'down their drinks in one' (e.g. 'If you finish your first bottle of wine by nine, the next one is on us');
- Promotions linked to unpredictable events, (e.g. 'Free drinks for five minutes after every Scotland goal');
- Promotions that encourage or reward the purchase or drinking of large quantities of alcohol in a single session;
- Promotional material that is linked to sexual imagery implying sexual success or prowess;
- Promotions that encourage either an excessive drinking session or a pub crawl;
- Promotions that involve driving in any way;
- Involvement of novel devices that do not dispense a measured amount of alcohol e.g. sprays.

Points for Consideration

- All relevant personnel should be made fully aware of the above 'should' and 'should not' points.
- Management of the premises should ensure that the risks of alcohol misuse are minimised. The premises should be monitored regularly, for example, to clear away empty glasses, check the toilets and identify customers who are intoxicated or under the legal purchase age. Provisions for minimising risk of alcohol misuse will depend on a number of factors such as location, time, offering etc.
- Premises should be designed in order to minimise the risk of crime and disorder for example, by referring to the British Beer & Pub Association's '[Security in Design](#)' publication.
- Companies should also consider the guidance as set out in the British Beer and Pub Association's '[Standards for the Management of Responsible Drinks Promotions](#)'. These Standards also give operators within the on-licensed industry advice on how they can operate responsible drinks' promotions which do not encourage excessive drinking, or incite anti-social behaviour.

Controlled Exit and Dispersal

Putting in place effective controlled exit and dispersal policies can have a positive role to play in reducing potential incidents of crime and disorder.

Points for Consideration

- Where appropriate, licensees should prepare and implement a dispersal policy, in consultation with the police and local licensing officers.
- Such a policy would set out the steps the venue will take at the end of the trading session to minimise the potential for disorder and disturbance as customers leave the premises. The policy, which should be regularly reviewed, should include the following key areas:
 - **Transporting customers home:** For example, by displaying details of reliable taxi services, by providing free phone numbers for licensed mini-cabs and details of nearby taxi ranks, bus timetables or other local transport networks.
 - **Keeping empty glasses on premise:** Regular collection of empty glasses and bottles is recommended particularly in the period immediately before closing. If necessary signage should indicate that leaving with glasses and bottles is not allowed.
 - **Minimising noise on exit:** Where possible, notices should be displayed near the exit requesting exiting customers to leave quietly.
 - **Door staff :** When door staff are employed, they can play a key role in the implementation of several aspects of any dispersal policy by:
 - encouraging customers to drink-up and progress to the exit within a venue throughout the latter part of drinking-up time;
 - drawing the attention of exiting customers to the notices in the foyer and asking them to be considerate;
 - ensuring the removal of all bottles and glasses from departing customers;
 - actively encouraging customers not to congregate outside the venue; and
 - directing customers to the nearest taxi ranks or other transportation away from the area.
- Companies should also consider the guidance set out in The Bar Entertainment and Dance Association [Dispersal Policy](#).

The Off-Trade

This section outlines Standards that have particular regard to responsible retailing in the off-trade and covers underage sales, sales to the intoxicated, promotions and in-store tastings. This section should be read in conjunction with specific guidance set out in the [Responsible Retailing of Alcohol: Guidance for the Off-Trade](#).

Prevention of under-age sales and sales to intoxicated customers

Points for Consideration

- When practical, retailers should clearly display information at each alcohol display area and at the point-of-sale stating that under-18s and intoxicated people will not be served.
- Retail staff can often fail to challenge underage purchases or refuse sales to intoxicated people if they feel afraid of the consequences, abuse and violence. Retailers should try to ensure, through training, that their staff feel safe when serving and confident to challenge, and if necessary refuse, the customer.
- Retailers are encouraged to adopt a policy to ensure deliveries of alcohol are not made to those under the age of 18.

Promotions

Promotions on price, such as discounts on quantity or linked discounts, are a legitimate part of the business model but businesses should take steps to ensure they are conducted in a responsible manner.

Points for Consideration

- Point-of-sale material must not encourage or promote irresponsible consumption and should comply with the guidance on promotions set out above.

Tastings

Free tastings are permitted under the law. Companies who conduct tastings should follow the guidelines set out below.

Points for Consideration

- Samples should not be provided to anyone under 18. Relevant checks should be made where there is doubt.
- Samples should not be provided to anyone who is intoxicated.
- The sample size should be appropriate.
- Care must be taken to ensure that customers do not return for further tastings and run the risk of becoming intoxicated.
- Alcoholic drinks should not be left unattended in the demonstration area.

Annex: Contacts and Additional Guidance

A number of organisations have worked together to produce these Standards. If you would like any further information on any of the issues raised, contact the appropriate organisation listed below. Also included are website addresses to the additional specific guidance referred to in the document.

Advertising Association
www.adassoc.org.uk 020 7340 1100

Association of Convenience Stores www.thelocalshop.com 01252 515001

Association of Licensed Multiple Retailers
www.almr.org.uk 020 8579 2080

Bar Entertainment and Dance Association www.beda.org.uk 0161 429 0012

British Beer and Pub Association www.beerandpub.com 020 7627 9191

British Hospitality Association www.bha-online.org.uk 0845 880 7744

BII Scotland www.bii.org 0131 226 9880

British Retail Consortium www.brc.org.uk 020 7854 8900

Drinkaware Trust www.drinkaware.co.uk 020 7307 7450

Gin & Vodka Association
www.ginvodka.org 01722 415892

Guild of Master Victuallers
020 8947 8671

National Association of Cider Makers
www.cideruk.com 0117 906 6519

Scotch Whisky Association
www.scotch-whisky.org.uk 0131 222 9200

Scottish Beer & Pub Association
www.scottishpubs.co.uk 0131 225 4681

Scottish Grocers Federation
www.scottishshop.org.uk 0131 343 3300

Scottish Retail Consortium
www.scottishretail.org.uk 0870 609 3631

Society of Independent Brewers
www.siba.co.uk

The Portman Group
www.portmangroup.org.uk 020 7907 3700

Wine and Spirit Trade Association
www.wsta.co.uk 020 7089 3877

Guidance Documents

Social Responsibility Standards http://www.wsta.co.uk/images/stories/social_responsibility.pdf for the Production and Sale of Alcoholic Drinks in the UK - The Standards Document

Drinkaware <http://www.drinkaware.co.uk/>

Scottish Executive <http://www.infoscotland.com/alcohol>

Television Advertising Standards Code http://www.asa.org.uk/asa/codes/tv_code/tv_codes/

Radio Advertising Standards Code http://www.asa.org.uk/asa/codes/radio_code/

British Code of Advertising, Sales http://www.asa.org.uk/asa/codes/cap_code/ Promotion and Direct Marketing

The Portman Group's Code of Practice <http://www.portman-group.org.uk/codeofpractice/152.aspx> on the Naming, Packaging and Promotion of Alcoholic Drinks

BII qualifications <http://www.biiab.org/>

Point of Sale Promotions: http://www.beerandpub.com/content.asp?id_Content=894 Standards for the management of Responsible Drinks Promotions including Happy Hours.

Security in Design http://www.beerandpub.com/content.asp?id_Content=985

BEDA Dispersal Policy [email info@beda.org.uk](mailto:info@beda.org.uk) to request a copy

Responsible Retailing of Alcohol: http://www.wsta.co.uk/images/stories/responsible_retailing_of_alcohol.pdf Guidance for the Off-Trade