

The Retail of Alcohol Standards Group

Guidance for the responsible retailing of alcohol

England and Wales



RASG

Retail of Alcohol
Standards
Group

2017 Edition

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Foreword.



Retailers in the UK take their responsibility with regards to the sale of alcohol very seriously and the members of the Retail of Alcohol Standards Group have been at the forefront of efforts to promote the responsible retail of alcohol since the group started in 2005.

This includes developing pioneering schemes to tackle underage sales such as the Challenge 25 ID scheme ten years ago, Community Alcohol Partnerships seven years ago, of which there have been over 100 launched, and launching the initial version of this guidance in 2014.

This guidance was developed initially to help set a standard for the responsible retail of alcohol in off trade retailers, such as shops and supermarkets. It took the best practice from retailers across the industry and sought to instil high standards of alcohol retailing to support the efforts of the industry and others to reduce alcohol related crime, harm and nuisance.

This second edition looks to build on and improve on the initial guidance by enhancing the signposting to best practice schemes and guidance and containing more links and contact information to guidance and publications that may support retailers. In addition it updates the legislative aspects which have changed in the past two years and provides best practice examples and case studies.

It is our hope that this guidance is easy to access for all alcohol retailers and that it continues to be a useful source of information for those wanted to improve their standards and become increasingly responsible retailers of alcohol.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Hardish Purewal'.

Hardish Purewal,

Chair, Retail of Alcohol Standards Group

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Legislation around the sale of alcohol in England and Wales

The retail of alcohol in England and Wales is regulated by a number of key acts. These include:

The Licensing Act 2003

The Licensing Act establishes a single integrated scheme for licensing premises which are used for the sale or supply of alcohol, to provide regulated entertainment, or to provide late night refreshment. Permission to carry on some or all of these licensable activities are now contained in a single licence, the premises licence, replacing several different and complex schemes previously in operation.

Responsibility for issuing licences now rests with local authorities, who took over this power from the Justices of the Peace. These authorities are each required to establish a Licensing Committee, which acts in a quasi-judicial capacity under the Act. The powers of the Act fully came into force in November 2005 and the Act applies in England and Wales. The Licensing Act covers the regulation of both the off trade, including shops and supermarkets, and the on trade, such as pubs, bars and clubs.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010

The Secretary of State prescribed five mandatory conditions in the 2010 Order relating to the sale and supply of alcohol (up to nine conditions can be prescribed. These are:

- A ban on irresponsible promotions - such as speed drinking and all you can drink for £10
- A ban on pouring drinks directly into the mouths of customers
- Provision to ensure free tap water for customers
- Provision to ensure that all on trade premises offer small measures of beers, wine and spirits to customers
- Provision to ensure that all those who sell or supply alcohol have an age verification policy in place requiring them to ask anyone who looks under 18 for proof of age



The Police Reform and Social Responsibility Act 2013

The Police Reform and Social Responsibility Act 2013 amended aspects of the Licensing Act 2003 in England and Wales. Measures in the 2011 Act included expanding the number of responsible authorities to include health and local authority stakeholders, abolishing the vicinity test for objections and changing the wording around the licensing objectives to allow for objections based on what is appropriate, rather than necessary, for their protection.

Further to this, the 2011 Act introduced the Late Night Levy, which allows local authorities to raise funds by charging retailers that operate after midnight, and Early Morning Restriction Orders which can be used to restrict licenses from operating at certain times of the night.



The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014

In 2014 changes were made to the mandatory conditions relating to irresponsible promotions, bringing promotions in which alcohol is poured directly into the mouth into this category and making minor changes to the provision relating to the availability of tap water and the application of age verification policies. The condition relating to the availability of small measures of alcohol was amended to ensure that there was more consistency and awareness of the small measures.

A new condition was also introduced to ban the sale of alcohol below a price representing the aggregate cost of the duty for that product, plus the VAT based on that duty.

For further information about licensing obligations, the WSTA has produced for its members a guide to licensing which is available from autumn 2017.



In addition to the strict regulatory environment that regulates age restricted sales, retailers also must have a regard for the licensing objective to protect children from harm. Therefore responsible retailers not only adhere to law regarding age related sales, but can also undertake further measures to prevent underage and proxy sales and harm to children through the sale of alcohol.

Legal obligations

Sections 145 – 154 of the Licensing Act 2003 set out the key legal provisions in relation to children and the sale of alcohol in England and Wales. This includes the key principle that it is illegal for a retailer to sell alcohol to a person under the age of 18. However, in addition to this, it is also illegal for a person under the age of 18 to attempt to buy alcohol and illegal for anyone to attempt to buy alcohol on behalf of a person under the age of 18, which is known as “proxy purchasing”.

In accordance with the law, each store should have a premises Licence and a Designated Premises Supervisor that holds a personal alcohol licence. Each member of staff that obtains a personal licence must go through accredited training to achieve this;

Mandatory Code

The mandatory code places conditions on every licence in England and Wales. In relation to the off trade the code requires:

- The premises licence holder or club premises certificate holder must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. This must as a minimum require individuals who appear to the responsible person to be under the age of 18 years of age to produce on request, before being served alcohol, a proof of age document bearing their photograph, date of birth, and a holographic mark or an ultra violet feature.

Licence holders – training

Every premises that serves alcohol needs to appoint a Designated Premises Supervisor that holds a personal alcohol licence. In order to apply for a personal licence, applicants must be aged 18 years or over, and hold a licensing qualification; for example a BII Level 2 Award for Personal Licence Holders or a similar accredited qualification. Retailers should:

- Ensure Personal Licence Holders in England and Wales have undergone the requisite training and provide refresher training where necessary;
- Ensure staff members under 18 only make alcohol sales under the supervision of staff members above the age of 18 and provide with requisite training to support this;
- Ensure that the holder of a licence registers changes of name or address in a timely manner and produces their licence when requested.

Individual licensing conditions

In addition to the mandatory conditions, licensing authorities may place further individual conditions on an alcohol licence, either during the application process or by review. These must be proportionate and relevant, and may impose stricter requirements that are appropriate for the protection of the Licensing Objectives. These will be set out either in the Premises Licence or in Annex 2 or and it is vital that these conditions are adhered to at all times.

Penalties

There are significant penalties for selling alcohol to a person under the age of 18 for both staff and retailers. These include:

- A potentially unlimited fine if a member of staff makes an underage sale unless they can show they have taken all measures including asking for identification that would convince a reasonable person that they were over 18;
- An on the spot fine of up to £90 for any shop worker selling to a person underage;
- A potentially unlimited fine for a premises that persistently sells to people underage, defined as happening on 2 or more occasions in a 3 month period, under section 147a of the Police and Social Reform Responsibility Act 2011;
- Closure orders for a maximum of 14 days following persistent underage sales, under section 169A of the Police and Social Reform Responsibility Act 2011.
- A potentially unlimited fine for a person who purchases alcohol on behalf of a minor;
- Review of your alcohol licence with the potential to lose it and have to cease trading;
- Removal of a Designated Premises Supervisor.



Action retailers can take to prevent underage sales

- Provide any member of staff that sells alcohol age restricted sales training, including references to the application of the Challenge 25 scheme and proxy purchasing where appropriate, and provide refresher training on at least a yearly basis;
- Ensure that the age verification policy has a clear policy on which proof of age documents are acceptable in store and provide training to staff to support this;
- If in doubt, contact the local authority or Primary Authority who will be able to assist in the development of a robust ID policy;
- Have an underage sales escalation process that can be followed in the event of a failed test purchase for alcohol and consider internal test purchasing to test the robustness of the ID policy and training;
- Have an in-built prompt on computerised systems for purchases that contain alcohol, which alerts staff and requires active assent to the sale and ensure that no alcohol sales through self-service tills can be made without authorisation from staff in store;
- Where operationally possible, have the Designated Premises Supervisors (DPS) for any store be based in that premises.



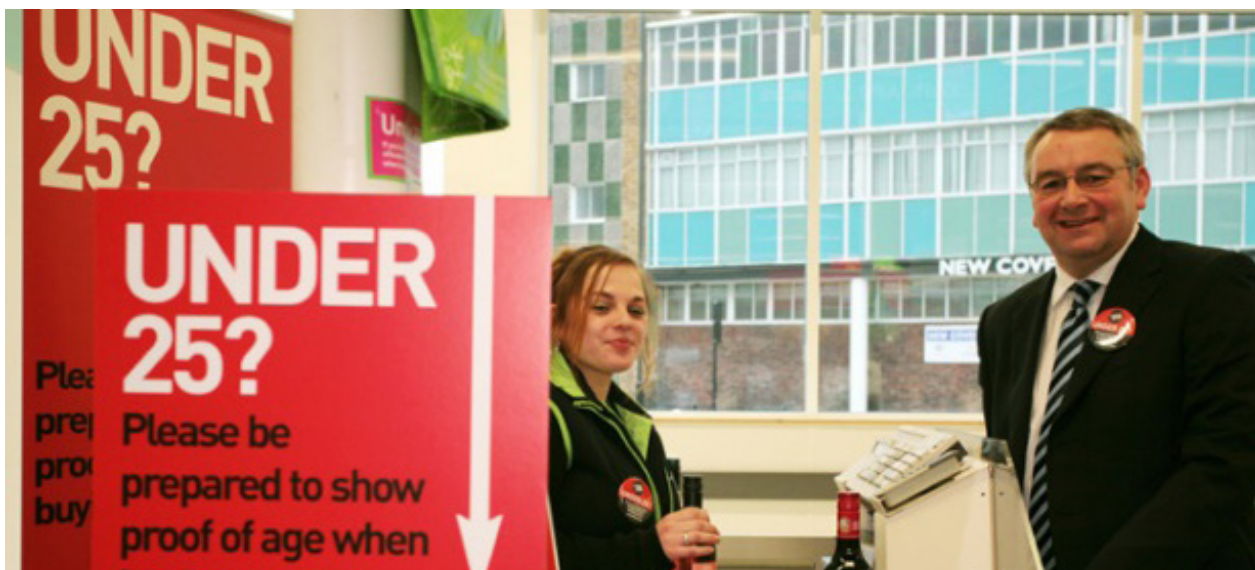
Guidance and support for retailers

Challenge 25

In order to support the effort to reduce underage sales, the RASG has developed the Challenge 25 scheme. The scheme is designed so that all people buying alcohol that look under 25 are to provide proof of age when attempting to purchase alcohol. This scheme has had an enormous impact since its adoption, further details of which can be found here: <http://bit.ly/Ch25Rep>

The adoption of Challenge 25, and the training that goes with it, helps to give confidence to staff to make challenges, shows the public that the scheme is in operation and helps to deter those that may attempt underage sales.

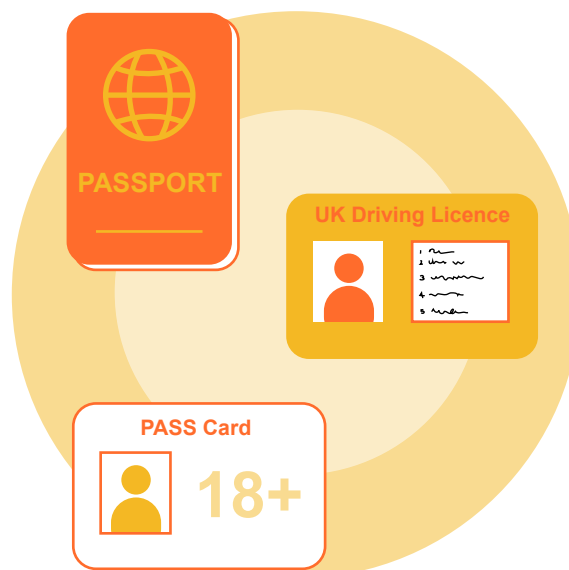
The WSTA maintains the official Challenge 25 posters and logos on its website, which are free to all retailers to download. The scheme is adopted by all RASG retailers and is promoted by the Association of Convenience Stores to its members, but is open to any retailer, large or small, to adopt. A guide to support retailers that are interesting in adopting Challenge 25 is available here: <http://bit.ly/Ch25Adopt>



Support with fake ID

The only ID that is acceptable for the purchase of alcohol is one that contains a photograph, date of birth and a hologram logo. However, while retailers are required by law to have an ID policy in relation to alcohol sales, the ID that retailers accept can vary.

The Home Office has developed guidance for retailers which sets out what ID is allowed to be accepted and provides guidance on how to detect fake ID. This information can help to form part of training to support staff in identifying and dealing with fake ID. Available here: <http://bit.ly/FakeID1>

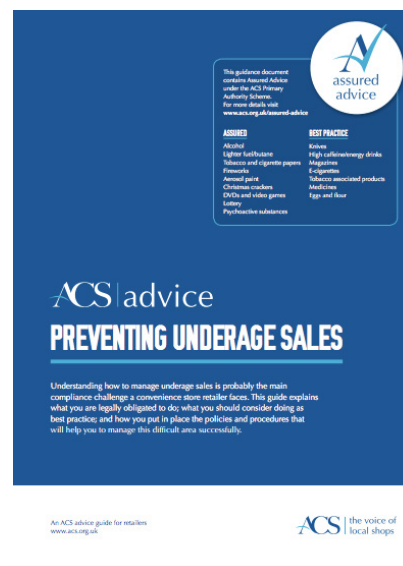


ACS age-related sales guidance

All major retailers provide their staff with age related sales training on a regular basis, however in order to support convenience and independent retailers the Association of Convenience stores have produced a guide to age related sales. This guide includes guidance on:

1. Common refusal approaches;
2. Avoiding conflict;
3. Dealing with proxy purchasing;
4. Proof of age;
5. Staff training and;
6. Keeping records.

This guide is available here:
<http://www.acs.org.uk/advice/age-restrictions/>



Primary Authority

Primary Authority offers businesses the opportunity to form a legally recognised partnership with one local authority, which then provides robust and reliable advice for other councils to take into account when carrying out inspections or dealing with non-compliance. Primary Authority has recently been extended to alcohol sales, but does not include licensing issues.

Further details can be found at <https://primaryauthorityregister.info/par/index.php/home>

The Association of Convenience Stores operates a Primary Authority partnership and offers assured advice on alcohol related issues, more details here: <https://www.acs.org.uk/assured-advice/>



Internal test purchasing

Internal test purchasing provides one way to test the robustness of your age restricted sales policy. There are a range of third parties that can be hired to conduct internal non-punitive test purchasing. This provides evidence and feedback which can help retailers ensure their high standards are being met. Examples of providers that do this include:

Serve Legal: <http://www.servelegal.co.uk/>

Retail Guardians: <http://www.retailguardians.co.uk/>

Tern: <http://www.tern.co.uk/test-purchasing-and-integrity-testing-mystery-shopping>

Risk Associates: <http://www.riscassociates.co.uk/mystery-shopping-test-purchasing/>

The issue of pricing of any product, including alcohol, is very strictly regulated for a number of reasons. Primarily, this is to ensure that companies do not engage in anti-competitive or cartel style practices. However, there are also consumer protection restrictions around the promotion of products and the minimum value at which products can be sold.

Legal obligations

Competition Law

Retailers must be aware of their obligations under the Competition Act 1998 (and related EU competition law) and particularly the provision set out in Section 2(1) of this act which sets out that any agreements, decisions or practices which directly or indirectly fix purchase or selling prices or any other trading conditions are unlawful.

In practice this means any agreement which encourages or brokers an agreement between businesses to raise/fix prices or to set minimum prices will almost certainly infringe the Competition Act 1998

Further to this any measure which acts as a mechanism to co-ordinate the commercial decision-making of independent businesses through non-mandatory means such that those businesses take a decision collectively, or in agreement with each other, rather than individually/unilaterally or encourages or facilitates the sharing (directly or indirectly) of commercial information from one business to another, including information on the future commercial activity are highly likely to breach Competition Act 1998.

All retailers and trade associations are entities for the purposes of the Competition Act and are therefore within the scope of the Act.

Any breaches of this Act are investigated by the Competition and Markets Authority and they have produced the following guidance for retailers, which retailers should have due regard for. This is available on the GOV.UK website, and includes:

- **How your business can achieve compliance with competition law (OFT1341)**
- **Agreements and concerted practices – understanding competition law(OFT401)**
- **Government in markets (OFT1113)**

Additionally, as many retailers are encouraged into agreements by local authorities, advice from the Department of Business, Innovation and Skills as it then was included advice for officials on competition law issues when Government encourages businesses to work together - www.bis.gov.uk/files/file45711.pdf

Further guidance from the Office of Fair Trading can be seen in its submission to the Health Committee Inquiry into the Government's Alcohol Strategy (May 2012) - www.oft.gov.uk/OFTwork/consultations/responses/health-committee

Guidance from the Competition and Markets Authority can be found at the following link: <https://www.gov.uk/government/collections/cma-ca98-and-cartels-guidance>

Penalties

Penalties for breaching competition law can be quite severe. This could lead to:

- Fines of up to 10% of group global turnover;
- Having provisions in agreements being declared void and unenforceable;
- Actions for damages from customers and competitors who can show they have been harmed by the anti-competitive behaviour; and
- Individuals being disqualified from being a company director and lead to criminal sanctions.

Mandatory Licensing Conditions

Following the implementation of the Licensing Act 2003 (Mandatory Conditions, Order 2014) it is unlawful in England and Wales to sell alcohol below the level of the combined cost of the duty rate of that product plus the VAT applicable on that duty. All retailers should ensure that they do not price products below this level. Guidance on the application of this restriction can be found here:

Home Office: <http://bit.ly/MandCons1>

ACS, WSTA and LGA Guidance: <http://bit.ly/AcsWstaGuide1>



Further pricing restrictions

Further restrictions which apply to all products, including alcohol, should also be considered such as:

- Unfair Terms in Consumer Contracts Regulations 1999
- Price Marking Order (2004)
- Consumer Protection from Unfair Trading Regulations 2008

Given the strict rules around competition and pricing, there is no scope for retailers to discuss pricing collectively in relation to alcohol on either a self-regulatory or voluntary basis.

There is an obligation for retailers to set their pricing of alcohol individually. They should at all times ensure that any pricing practice meets the minimum requirements of the Mandatory Condition on the sale of below the levels of duty plus VAT. Additionally they must ensure that there is, as with every aspect of alcohol sales, due regard should be given for how the pricing or promotion of products may impact on the application of the Licensing Objectives.



The responsible promotion of alcohol, as with any product, is a legitimate means for retailers to create competitive advantage and market differentiation. However retailers must always ensure that they are following their legal obligations as well as adhering to the self-regulatory framework around the promotion of alcohol.

Action retailers can take to support responsible promotion

In addition to following these codes, in order to ensure that alcohol is promoted responsibly, retailers can also:

- Not cross-market or cross-promote alcohol with products that are designed to primarily appeal to children or products that are used as hangover remedies;
- Ensure tasting and sampling in store is done responsibly by only allowing small measures of alcohol samples and operate the Challenge 25 policy. Where contractors are used, retailers could provide guidance for contractors to inform them of these obligations;
- Provide non-alcohol alternatives as part of “meal deal” offers which include alcohol;
- Include clear unit content, NHS guidelines and a warning about drinking when pregnant on all own brand labels for alcohol products;
- Adhere to the Drinkaware brand guidelines to enable clear and consistent usage, including using the Drinkaware logo on alcohol marketing where practicable;
- Avoid putting alcohol adverts on standalone outdoor billboard sites within 100m of schools;

Case Study: Voluntary measures on labelling

In 2017 the UK drinks industry published new guidance on communicating health information through labelling and other channels. The industry advice, developed by the Portman Group, Wine and Spirit Trade Association, National Association of Cider Makers, British Beer and Pub Association and the Scotch Whisky Association, aimed to support producers and retailers to communicate voluntary health and content information consistently.

The full guidance is available here:

Units must be displayed per container, and optionally per serve.

Or: “It is safest not to drink alcohol when pregnant” as an alternative to logo.



The container should state the website address of the independent charity, Drinkaware, as **drinkaware.co.uk**

Guidance and support for retailers

Advertising Standards Authority rules on alcohol advertising

The ASA marketing rules in this section apply to marketing communications for alcoholic drinks and marketing communications that feature or refer to alcoholic drinks. Alcoholic drinks are defined as drinks containing at least 0.5% alcohol.

Alcohol retailers should follow the Advertising Standards Authority rules on Marketing Alcohol fully, including both the Broadcast and Non-Broadcast codes.



In Particular:

- Ensuring that alcohol marketing is not targeted at people under 18 and does not imply, condone or encourage immoderate, irresponsible or anti-social drinking. And:
- Ensuring that no medium should be used to advertise alcoholic drinks if more than 25% of its audience is under 18 years of age.

The ASA provide advice and guidance to members of the public wishing to complain about adverts that breach the ASA codes, this is available here: <http://bit.ly/ASAComp1>. It has also developed a training module to support retailers and producers understand the code of practice around alcohol marketing. For more information on the online training available from CAP / ASA please visit www.caplearning.org.uk

The Portman Group

The Portman Group operates a strict Code of Practice to ensure alcohol is marketed responsibly and does not appeal to children. This Code applies to all pre-packaged alcohol sold or marketed in the UK and they have recently launched a code to cover alcohol sponsorship too. Since the Portman Group was set up in 1989, they have banned over 130 irresponsible products in co-operation with retailers.



In order to ensure retailers are promoting and packaging products appropriately RASG retailers should:

- Ensure that own label products comply with the Portman Group Code;
- Support the principles of the Portman Group code by not restocking any products which fall foul of the code and are the subject of a Retailer Alert Bulletin;

The Portman Group also operates an advice line to support retailers and producers in applying the Portman Group code to the products that they produce or sell. This advice is confidential and designed to support the industry in applying the code to their own practices. More details are available here: <http://bit.ly/PGCodeAdvice1>

Case Study

If a product breaches The Portman Group code, it issues a Retailer Alert Bulletin alerting retailers to this breach, an example of which is highlighted below. Supportive retailers agree to remove products that are subject to the bulletin and agree not to re-stock it until it has been amended to meet the code's standards.

A list of products that have been subject of a Retail Alert Bulletin can be found here: <http://portmangroup.co.uk/complaints/complaint-decisions>

Drinkaware

The Drinkaware Trust is an independent UK-wide alcohol education charity, funded largely by voluntary and unrestricted donations from UK alcohol producers, retailers and supermarkets.

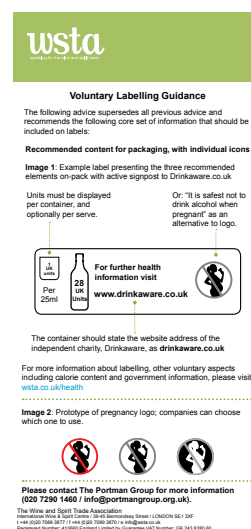
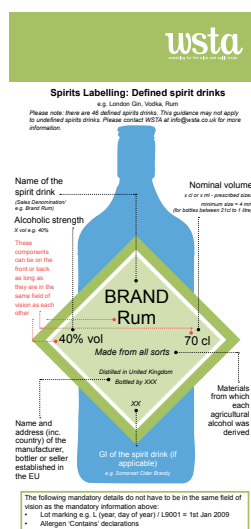
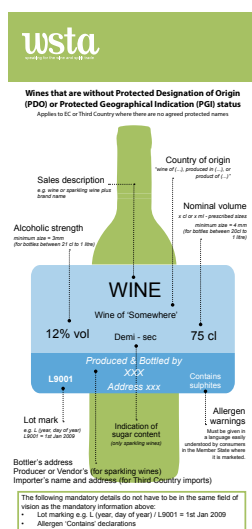
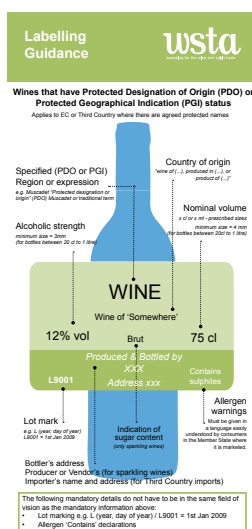
The Trust is governed independently and works in partnership with others to help reduce alcohol-related harm by helping people make better choices about their drinking. Its website www.drinkaware.co.uk contains facts about the health impact of alcohol, a range of advice for those looking to cut down and for parents on how to approach talking about alcohol, as well as a range of trackers and calculators to help people monitor their own drinking habits.

drinkaware.co.uk
for the facts about alcohol

Companies that wish to adopt the Drinkaware logo can do so by gaining a licensing agreement with Drinkaware. You can contact them by emailing logos@drinkaware.co.uk or calling 020 7766 9900.

Labelling requirements

In order to support producers and retailers in presenting the correct information on alcohol labels, the WSTA has produced a best practice design guide, which includes details on what images to use, the format of these and how these should be presented on alcohol labels. This is available here: <http://bit.ly/Labelguide>



The in-store environment is unique to each retailer and varies greatly depending on the size, layout and type of store. Distinction in this chapter is drawn between large stores and convenience retailers because of the differing challenges facing these stores in terms of their in-store environment. Convenience stores are defined as being 280sqm (3014sqft) and under as in the Sunday Trading Act 1994.

Legal obligations

There are few legal restrictions on the placement of alcohol in-store in England and Wales. This is limited to the application of the Licensing Act 2003 and any specific conditions licensing authorities may place on an individual store. Additionally, store design and layout is an important point of competitive differentiation between retailers.

Action to ensure the responsible placement of alcohol

While all retailers take an individual approach to how they organise their store layouts depending on the store format, retailers can consider the following in order to help promote the responsible retailing:

- Provide simple and consistent information as appropriate in the off-trade (supermarkets and off-licences) as well as other marketing channels (e.g. online, in-store magazines), to raise awareness of units, NHS lower-risk drinking guidelines, and the health harms associated with exceeding the guidelines;
- Display Challenge 25 signage as a minimum in each store and consider displaying further age restricted sales warnings, Drinkaware signage or unit awareness information;
- Place alcohol products responsibly in store and have due regard for its location and proximity to other products;
- Operate Challenge 25 at any point an on-sale purchase of alcohol is made on the premises;
- In larger stores (over 3014sqft) which sell alcohol make low-alcohol and non-alcohol beer, cider or wines available;



This section is applicable to the home delivery of supermarket groceries which include alcohol.

Home delivery of food, including alcohol, is a growing and important aspect of the modern grocery market. However this also presents retailers with a challenge in relation to the delivery of alcohol and ensuring this is not sold to people underage.

Legal obligations

The legal requirements for remote sales of alcohol, including home delivery, are set out in Section 151 of the Licensing Act 2003. While subsection 6 of this section outlines that alcohol can be delivered to a person under the age of 18, so long as the order is placed by an adult and the delivery is made to that adult's home or office address, point 10.52 of the Section 182 Guidance on the Licensing Act 2003, clarifies a retailer's obligations in these circumstances by stating:



Licence holders should consider carefully what steps they are required to take to comply with the age verification requirements under the 2003 Act in relation to sales of alcohol made remotely. These include sales made online, by telephone and mail order sales, and alcohol delivery services. Each of these sales must comply with the requirements of the 2003 Act.

The mandatory condition requires that age verification takes place before a person is served alcohol. Where alcohol is sold remotely (for example, online) or through a telephone transaction, the sale is made at this point but the alcohol is not actually served until it is delivered to the customer. Age verification measures (for example, online age verification) should be used to ensure that alcohol is not sold to any person under the age of 18. However, licence holders should also consider carefully what steps are appropriate to ensure that age verification takes place before the alcohol is served (i.e. physically delivered) to the customer to be satisfied that the customer is aged 18 or over. It is, therefore, the responsibility of the person serving or delivering the alcohol to ensure that age verification has taken place and that photo ID has been checked if the person appears to be less than 18 years of age.



Action to ensure the responsible delivery of alcohol

While the legal application of the law does not require ID checks to be made, it is best practice to ensure that age verification checks are carried out when groceries including alcohol are delivered. To ensure responsibility in home delivery, retailers can:

- Ensure that delivery colleagues are trained to operate Challenge 25 on the door step;
- Develop a clear policy in relation to the sale of alcohol online and make this available publically on their website or as part of their website terms and conditions;
- Place Drinkaware branding on their own online grocery websites; and a link to [Drinkaware.co.uk](https://www.drinkaware.co.uk)
- Require that customers must confirm when buying alcohol online, through an appropriate statement, that they are over the age of 18;
- Consider further measures when alcohol is being delivered such as: prompts for drivers on handheld devices; warnings on receipts when deliveries contain age-restricted products such as alcohol; monitoring of alcohol only baskets, monitoring of unusual purchasing patterns.



The Government estimates that there is around £1.2bn of alcohol fraud in the UK and therefore tackling the illicit alcohol trade is beneficial for retailers, producers, consumers and the Government. There are a number of ways in which fraud occurs. This can be through non-payment of duty, theft or counterfeit alcohol.

Legality obligations

Non duty paid alcohol is covered by Section 144 of the Licensing Act 2003. This makes it an offence if a person knowingly keeps or allows to be kept, on any relevant premises, any goods which have been imported without payment of duty or which have otherwise been unlawfully imported. Further legal aspects of the payment of duty fall under the following:

- The Excise Goods (Holding, Movement and Duty Point) Regulations 2010
- The Customs and Excise Management Act 1979
- HMRC due diligence requirements

Alcohol Wholesale Registration

If you sell alcohol to another business you may need to apply to register for the Alcohol Wholesaler Registration Scheme (AWRS). This scheme was introduced by HM Revenue and Customs (HMRC) to tackle alcohol fraud. If you only sell alcohol to the general public and not to other businesses you won't need to apply. The scheme doesn't apply to individuals purchasing alcohol from retailers for their own use. For more information on the scheme you can visit: <http://bit.ly/GovAWRSLink>

Action to prevent the illicit sale of alcohol

There are a number of actions that retailers can take to help avoid the sale of illicit alcohol, including:

- Undertaking due diligence on all alcohol suppliers to ensure that they are not providing illicit, stolen or non-duty paid alcohol;
- Ensuring that they have developed a company policy in relation to fraud which is relevant to alcohol products;
- Ensure that they have developed a company policy in relation to store thefts, which includes alcohol related theft, and that have a protocol for members of staff to report incidents;
- Have a process for product recall or withdrawal that is applicable to alcohol in the event of fake, counterfeit or non-duty paid products entering the supply chain;
- If you believe that another retailer is selling alcohol that is non-duty paid, this can be reported to your local licensing authority who have the powers to investigate this;

Guidance and support for retailers

HMRC Fraud Taskforce

A joint taskforce was launched by the Government in January 2013 in a bid to tackle alcohol duty fraud. The Joint Alcohol Anti-fraud Taskforce (JAAT) aims to bring together law enforcers, trade bodies and key alcohol industry figures in order to tackle duty fraud.

The JAAT, which works to improve intelligence and information sharing, meets twice yearly and the WSTA represents its members a member of the Group. For more details contact David Richardson on David@Wsta.co.uk.

Reporting fraud

Should a retailer identify alcohol related fraud there are a number of ways in which this can be reported or dealt with. This includes:

- The Crime Stoppers Hotline on 0800 555 111 or http://bit.ly/CrimeSInfo_
- The HMRC fraud reporting hotline available at 0800 595 000 or <http://bit.ly/HMRCFraud>
- Association of Convenience Stores Guide to Duty Fraud: <http://bit.ly/ACSFraud1>



Product recalls

If you discover that an alcohol product you have been selling is illegal, dangerous or unsafe it may need to be subject of a product recall, the Chartered Institute of Trading Standards provides guidance as to how to notify it of a product recall here: <http://bit.ly/TSIRecall>



Constructive relationships and partnership work between retailers and licensing authorities can be incredibly useful in an effort to tackle all types of alcohol related harm and crime. Retailers are often approached by licensing authorities to take part in a wide range of local schemes, including through Community Alcohol Partnerships.

Action to promote positive partnerships locally

In addition to their licensing obligations, retailers should consider the following:

- Have regard for all reasonable requests for licensing conditions as part of a licence application or review;
- On a case by case basis, give due regard to local schemes by enforcement agencies that are operated in the local community that seek to deal with alcohol related crime, anti-social behaviour and harm;
- Provide guidance to store managers about their ability to sign up to and support local schemes designed to tackle alcohol related crime, anti-social behaviour and harm;
- Encourage good working relationships between stores and local enforcement agencies;
- Work with RASG to support Community Alcohol Partnerships being introduced into communities where the problem of underage sales and drinking is identified;
- Continue to support the Government's Local Alcohol Action Area scheme through the provision of Community Alcohol Partnerships and the Retail of Alcohol Standards Group;

Ensure engagement is legal

While retailers are encouraged to work with in partnership with local authorities to tackle alcohol related harm and crime, it is important that retailers understanding the potential legal issues associated with this. The following guidance has been produced for retailers to ensure that they are aware of their legal obligations when dealing with local authorities or other retailers.

ACS and WSTA: <https://www.acs.org.uk/advice/reducing-the-strength/>

Competition Commission Guidance: <http://bit.ly/CompComGuide>

Local Government Association: <http://bit.ly/LGAGuide>

Local Engagement Case Study:

Castleford (Wakefield) Community Alcohol Partnership



Reason for the CAP

The original CAP was created in 2014 to cover Airedale, Ferry Fryston and Townville. Following its success, the CAP was expanded in 2015 to cover the whole of Castleford.

Crime and anti-social behaviour rates in Castleford were higher than average across Wakefield in addition to a number of localised youth alcohol related anti-social behaviour hotspots. Although there existed a great deal of enthusiasm to make the area better, partners were frustrated that joined up thinking and multi-agency activity didn't seem to be happening effectively. The partners felt that CAP offered a robust model that they could work with. The local secondary school headteacher further recognised that the pupils would benefit from the actions and resources suggested by CAP and enthusiastically came on board.

Key Partners

- West Yorkshire Police
- Castleford Academy and Airedale Academy
- Wakefield Youth Services
- Wakefield District Housing
- Wakefield Public Health (contracted to Spectrum Community Health Services CiC)
- Wakefield Licensing
- Crime and Health Neighbourhood Management Groups
- RASG members with lead retailers being Sainsbury's, The Co-operative and Tesco
- Castleford Tigers Rugby League Club

Actions taken

- Licensing workshops were conducted with local retailers in August 2014 and 2015. Further workshops are planned in the near future for local independent retailers.
- PCSOs routinely visit off-licences to offer support and gain intelligence. They check that Challenge 25 resources are on display and read the refusals register.
- CitizenCard application packs have been distributed to local schools and via all licensed retailers.
- This year, Castleford Tigers joined the partnership. They recognise that they have a large youth following and want to assist the CAP by promoting a healthy lifestyle. A video is planned that will star their mascot and involve CAP elements and partners.
- CAP flyers and posters to deter proxy purchase have been circulated in English and Polish following intelligence to suggest that Polish speakers were buying alcohol on behalf of under 18s in the area.
- A pop-up café for young people was set up in response to an audit showing there was not enough for young people to do.
- Referral systems have been set up to signpost youngsters found under the influence of alcohol to specialist services who can offer support and counselling.
- In March 2016 performing arts students from Airedale Academy put on a dance/drama to raise awareness of the relationship between alcohol and domestic abuse. This has now been performed at four safeguarding workshops in Wakefield and turned into a DVD with lesson plans to teach

about domestic abuse and health relationships. These have been used with Year 10 students and will be used with Sixth Form students in the Castleford area in 2017.

- A voluntary Off-Licence Accreditation Scheme is to be piloted in December in the CAP area for independent retailers. The aim is to raise standards across all licensed premises and ensure that they tackle underage and proxy purchase effectively.
- A mobile phone application is being created by Spectrum Community Health. This is aimed primarily at young teenagers and provides information on the health risks of drinking underage, proxy purchasing, advice for parents and information about diversionary activities available in the area.
- CAP's work is being promoted via local GP surgeries.
- Detached youth workers engage youngsters on the streets and in public places. As a result of CAP they are signposting them to diversionary activity on offer including a new sports scheme called "Try Sports" introduced during the summer of 2016.
- The youth service and partners arranged special diversionary activities at the local Youth Hub on which was attended by over 130 young people.
- Advice on talking to children about alcohol (leaflet produced by the Alcohol Education Trust) has been circulated to local parents via schools and other public areas such as the Tieve Tara Medical Survey, libraries and residents meetings etc.
- Litter picks have been carried out in parks and public areas identified as have and underage or street drinking problem.
- The Fire Service organised a simulated car crash aimed at deterring newly qualified drivers from drinking and driving. This was set up in one of the known "hotspot" areas frequented by underage drinkers and attracted a large amount of interest from the public.
- vulnerable residents with a range of support including advice on housing and illegal money lending.

Impact of CAP

- 78% decrease in attempted purchase by under 18s
- 45% increase in percentage of retailers reporting an improved relationship with police and trading standards
- 66% decrease in retailers reporting young antisocial behaviour to be at least a monthly problem
- 20% decrease in calls to police in relation to youth anti-social behaviour
- 2 fewer "problem areas" out of 5 identified at baseline
- The percentage of Year 9-11s drinking at least weekly fell from 31.45% to 15.16%

For more information about community alcohol Partnerships please visit

www.communityalcoholpartnerships.co.uk or email kate@communityalcoholpartnerships.co.uk.



About the Retail of Alcohol Standards Group.

The Retail of Alcohol Standards Group (RASG) was established in 2005 in an effort to tackle the issue of underage sales and underage drinking. After conducting research into the issue, in 2006 the group developed and launched the ID scheme Challenge 25 (previously Challenge 21). This required that anyone that looked under the age of 25 were requested to produce ID when purchasing alcohol.

The scheme developed a common standard for ID checking which included the development of distinctive signage. Staff were provided with training and support from management to help increase confidence in making challenges and deal with conflict that may arise.

Following on from the development of Challenge 25, RASG began to focus on the demand side of alcohol and proxy purchasing, which continued to remain an issue, despite the reduction in underage related sales. This work led to the development of Community Alcohol Partnerships (CAP), localised schemes which aim to tackle both the supply and demand side of alcohol in communities.

This is achieved through co-operation at a local level between alcohol retailers and other partners such as trading standards, police, local authority licensing teams, schools and health networks. Over 108 schemes have been launched across every part of the UK. The CAP model is unique in that it recognises that retailers and licensees are part of the solution and has been shown to be more effective than traditional enforcement methods alone.

In September 2016 RASG published further research on the issue of proxy purchasing in its “xxx” report and continues to work on promoting the responsible retail of alcohol.

Retail of Alcohol Standards Group members include:

Aldi UK & Ireland

Asda Stores Ltd

Association of Convenience Stores

The Co-op

Lidl UK GmbH

Marks and Spencer PLC

MRH Group

Nisa Retail

Sainsbury's Supermarkets Ltd

Snax 24

Spar (UK) Limited

Tesco Stores Limited

Waitrose

Wine and Spirit Trade Association

WM Morrison Supermarkets PLC

Registered Number: 410660 England

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