

Useful Contacts

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If you would like more information or this document in large print or Braille, audiotape or in another language, please contact 020 7527 3198.

If you would like to know more about this event, please contact:

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An essential guide to age-restricted products



Preventing sales of age restricted products to young people is important both for their health and safety and for that of our communities.

Remember:

- Illegal sales often result in antisocial behaviour
- Antisocial behaviour has a negative impact on the local community
- People who start smoking or drinking when young find it harder to give up and are more likely to suffer long term ill health
- The owner of a business could be prosecuted and fined if an illegal sale takes place
- You may receive a fixed penalty notice or lose your licence if you or your staff sell alcohol to an under-age customer.



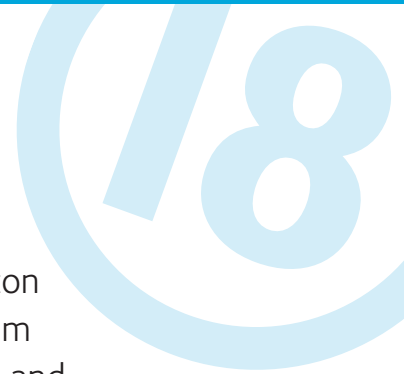
Introduction

This guidance pack from Islington Council's Trading Standards team has been produced to help you and your staff avoid selling age-restricted products to children and young people.

The Trading Standards team is responsible for enforcing a range of laws that deal with the sale of age-restricted products such as tobacco, knives, alcohol and lottery cards.

The law recognises that mistakes can happen which is why the advice in this pack, especially in relation to record keeping, is important. If you can show that staff are trained, sales are refused and that you have systems in place to prevent sales, formal action may not be taken.

If you would like more advice we are here to help. You can find contact details for the team and our partners, including the Police, the back page.



Top tips to avoid under-age sales

If in doubt refuse to sell.

- Operate a “**Challenge 25**” policy – in other words ask for proof of age from anyone who looks younger than 25 years old
- Operate a “**No ID No Sale**” policy (display the enclosed poster so customers know that they may be asked to prove their age)
- If possible set up a ‘prompt’ on your till to remind staff to ask for proof of age when selling age-restricted products
- If you or your staff refuse a sale, record this in the refusals book (enclosed with this pack)
- Make sure staff are fully trained and their training is monitored and record details in the training record book (enclosed with this pack)
- Do not sell to a child even if they say the product is for a parent or other adult
- Ensure statutory notices, for example for fireworks and tobacco, are prominently displayed
- Display the enclosed poster to make adults aware that they may be fined for buying restricted items for young people. You have the right to refuse to sell to them if you are suspicious

This information pack will give your staff the confidence to say no.

Proof of age – ask to see ID (identification)

It can sometimes be difficult to judge how old teenagers are so it is vital that you take steps to ensure that you and your staff are trained to prevent the sale of restricted items to young people.

Be realistic – to get what they want many youngsters will attempt to look older and may lie when asked their age.

To be on the safe side we recommend you operate a “**Challenge 25**” policy to build in a margin of error and always ask to see photo proof of age identification of anyone appearing to be under 25 years of age.



Photo ID schemes

You need to ensure the ID card belongs to the person using it and you need to see that person's age or date of birth. We recommend that you only accept cards with a photograph and a date of birth.

Passports and driving licences are acceptable but remember that a person can have a driving licence from the age of 17.

ID cards that include the PASS holographic logo will also show a photograph and date of birth. The hologram is forge-proof and recognisable. The Home Office, the Association of Chief Police Officers and Trading Standards support the scheme.

Nationally recognised PASS cards are:

- CitizenCard
- VALIDATE UK

Refusals book

When you or your staff refuse a sale keep a record of the incident in the refusal book. This shows us that your business is serious about avoiding sales to young people. It may also help identify problem schools, individuals and other issues that may be useful for trading standards and/or the local police.

You should monitor the refusals book to ensure that all staff are using it. If there are no entries, or very few by certain staff, this could indicate their reluctance to challenge people about their age and can help identify if extra training or support is needed.

Record of refusals

Person refused	Asked for ID?	Comments	Refused by
Male <input type="checkbox"/> Female <input type="checkbox"/> esc. _____ Approx. Age _____ Height _____ Build _____ <input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Yes <input type="checkbox"/> No		

Date and time	Product
_/ _/ _ @ _: _ am/pm	<input type="checkbox"/> Alcohol <input type="checkbox"/> Tobacco <input type="checkbox"/> Other
_/ _/ _ @ _: _ am/pm	<input type="checkbox"/> Alcohol <input type="checkbox"/> Tobacco <input type="checkbox"/> Other
_/ _/ _ @ _: _ am/pm	<input type="checkbox"/> Alcohol <input type="checkbox"/> Tobacco <input type="checkbox"/> Other

Training and support for staff

It is important that you make sure all staff selling age-restricted products receive regular training.

Make sure that you and your staff know the age limits for the various products you sell. See the details from page 12 onwards and display the enclosed quick reference guide next to the till.

Make sure that your staff know what acceptable photo ID looks like. The enclosed poster, which you should display behind the counter, will help.

Make sure staff check ID photographs so that they are sure the ID belongs to the customer.

Make staff aware that they should operate a **Challenge 25 policy**.

Keep records of training and instructions given to staff. Staff should sign to confirm they have understood the training.

Regularly monitor staff to check how they are dealing with age restricted products. Some may lack confidence in asking for proof of age.

Keeping Safe: avoiding confrontation

When saying no or asking for ID advise staff to divert the blame away from themselves and say it's company policy or that the Police and the council require you to ask.

Staff should also stay behind the counter or bar, as this can act as a safety barrier. Consider installing CCTV which can be used to show the police if trouble has occurred and can help identify troublemakers.

Consider placing age-restricted products, such as alcohol, tobacco, knives and solvents, behind or close to the counter, away from self-service areas.

If you are having problems, contact the council's licensing team or your local police safer neighbourhoods team for help and advice. Their contact details are on the back page.

And if you run a pub, hotel, club or restaurant

Ensure age restriction notices are displayed on cigarette vending machines and gaming machines.

Position cigarette vending machines and gaming machines so that staff can make sure that young people are not using them.



Are your staff under the age of 18?

If yes, there are a few things you need to consider.

Alcohol – staff under the age of 18 can only sell alcohol if the licensee or other responsible adult (over 18 years old) agrees to the transaction.

Fireworks – no staff under the age of 16 may sell fireworks. A responsible adult must supervise the sale if an assistant is aged between 16 and 18.

Lottery tickets – it is illegal for staff under the age of 16 to sell lottery tickets or scratch cards.

General – it is illegal to employ a child under the age of 13. For older children there is a limit on the number of hours and when they can work. Employers must obtain a permit from their local education authority – within Islington please call 020 7527 5833.

Enforcement

Test purchase exercises are regularly carried out across Islington using young volunteers to check that shops are complying with the law. Trading Standards officers work closely with the police and the council's licensing team in taking action when an illegal sale has been made to a young person.

Legal action

General

We will take firm action, including prosecution where appropriate, when:

- traders flout the law or act irresponsibly
- the offender has repeatedly ignored advice
- there is widespread disregard of the law in the area and we need to make other traders and the public aware of the consequences.

You can view the trading standards enforcement policy online:
www.islington.gov.uk/business/regulations/trading_standards



Alcohol sales

When alcohol is sold to someone under the age of 18 the police will issue a Fixed Penalty Notice to the person who sells. If this is the first time it has happened and there are no other problems with your premises, the licensee will be required to attend our Licensing Panel and meet with senior police and council officers. At that meeting there will be a chance to discuss what happened and receive advice on how to prevent further sales.

It is important to attend a Panel meeting when invited. If a licensee does not attend, and has not arranged a new time to attend, your licences may be reviewed without further discussion.

If more sales are made, or if there are other trading problems after the Panel, both the police and trading standards staff can call for a licence to be reviewed. Your licence can then be suspended or removed.

Your licence may also be reviewed if you have sold fake or smuggled goods, so you should only buy alcohol from a reliable supplier.

The advice given in this pack is based on current legislation as of April 2009 and may be subject to revision. If you are in doubt about the law, contact the trading standards team on **020 7527 3198**.



Easy reference guide
on restricted products

It is illegal to sell the following products to anyone under 16:

16 Lottery tickets and scratch cards

Maximum fine: £5,000 and your terminal may be disconnected



16 Aerosol spray paints

Maximum fine: £2,500



It is illegal to sell the following products to anyone under 18:

18 Alcohol

Maximum fine: £5,000. A fixed penalty notice of £80 may be issued and your alcohol licence will be put at risk



18 Cigarettes and tobacco products

Maximum fine: £2,500.

For repeated offences you may be banned from selling cigarettes and other tobacco products for up to 12 months. If you breach the banning order you could face a fine of up to £20,000. You may not split packets and sell single cigarettes to children or adults. Maximum fine: £1,000.

You must display a warning notice advising that "It is illegal to sell tobacco products to anyone under the age of 18". You may be fined £1,000 if you do not display the notice.



It is illegal to sell the following products to anyone under 18:



18 Cigarette vending machines

Vending machines must display a warning notice stating: "This machine is only for the use of people aged 18 or over." You may be fined £1,000 if you do not display the notice.

18 Fireworks

Maximum fine: £5,000.

You must display a warning notice stating that: "It is illegal to sell adult fireworks or sparklers to anyone under the age of eighteen; and it is illegal for anyone under the age of eighteen to possess adult fireworks in a public place."



It is illegal to sell the following products to anyone under 18:



18 Solvents and lighters, including refills (containing butane)

Maximum fine: £5,000

18 Knives and offensive weapons

Maximum fine: £5,000



Other age-restricted products

DVDs, videos and computer games

Maximum fine: £5,000.

It is illegal to sell DVDs, videos and computer games to a child under the age on the box. Make sure your staff look carefully at the rating, which relates to the respective age it is appropriate for.

Ratings are: 12, 15, 18 and R18. R18 is suitable for over 18's and may only be supplied through licensed sex shops.

Take particular care with DVDs and other products supplied free with magazines. Check the age of the buyer before you supply the magazine or newspaper.



Summary of products & ages

Alcohol	18
Fireworks	18
Solvents & lighter refills	18
Tobacco	18
Knives	18
<hr/>	
Spray paints	16
Lottery tickets & scratch cards	16
Petrol	16
DVDs/videos & games	see label on the item