

Working together to keep young people safe

# LANCASHIRE IS A CHECK 25 COUNTY

Guidance for staff to prevent underage  
sales of alcohol & tobacco



[www.lancashire.gov.uk/lancan](http://www.lancashire.gov.uk/lancan)



# Check 25 – Working Together to keep young people safe

Test purchase operations are carried out by Trading Standards or the police to check that you are following a Check 25 policy. This means anyone who looks under 25 should be asked for proof of ID. It is essential that you keep within the law and have systems in place that could act as a legal defence to an underage sales allegation. Underage sales have serious impacts on young people, the community and have consequences for businesses and staff.

Trading Standards have a short online course to support staff working in pubs or retail to help prevent under-age sales.

## Key learning:

- How to prevent under-age sales
- What forms of ID are recommended by Lancashire Trading Standards, Lancashire Constabulary and the Security Industry Authority
- How to make a successful ID checks

On completion of the course, you will receive a certificate (*sent to your email address*) this should be kept by staff at your business as evidence for your due diligence training records. Trading Standards and Licensing Teams will also receive a record that your premises have completed the course.

To log in to the Check 25 course please scan the QR Code.  
(*Register using your email address as your username.*)





## Training Checklist

You should be regularly trained (*we recommend every 6 months*) to ensure:

- You are confident about **WHO** and **HOW** to check 25
- You know about the types of ID that are acceptable – Check 25 recommends PASS approved cards, a passport or driving licence and how to look out for fake ID
- You refresh your knowledge about the law and company policies

### **You should:**

- Display posters to advertise your proof of age policy and to deter potential underage customers
- Keep records of challenged attempts to buy underage products
- Feel supported by everybody working in the business to give you confidence to challenge underage customers
- Have informal discussions about underage sales prevention issues with managers & colleagues
- You know how to look out for fake ID

All posters can be downloaded from [www.lancashire.gov.uk/lancan/check-25/retail-premises](http://www.lancashire.gov.uk/lancan/check-25/retail-premises).

# Due Diligence

## Do you know the penalties for underage sales of alcohol?

- A fine of up to £5,000 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.
- A fine of up to £20,000 for a premise that persistently sells to people underage, (*defined as happening on 2 or more occasions in a 3 month period*)
- Closure orders for a maximum of 14 days following persistent underage sales.
- A fine of up to £5,000 for proxy sales, where a person purchases alcohol on behalf of a minor



It is not acceptable to say “I didn’t know the law”, or “I didn’t understand the law.”

## Everyone who is involved in the sale of underage products is expected to understand their responsibilities.

Your employer should have:

- effective underage sales policies in place to ensure you play your part to prevent age restricted products being sold to children.
- strong policies and procedures so if an underage sale takes place at your business this can protect them and you (*it may significantly reduce the sanction you receive for having made an underage sale*).

## Responsible Retailing Checklist

To ensure you don’t make a sale you should:

- Look at every customer – CHECK 25.
- Ask for ID if you are in doubt as to the customer’s age
  - **Do not** ask any other questions such as “How old are you?”

### **The only question you should be asking is to see an approved form of ID.**

- Don’t forget, once the challenge has taken place you **MUST see valid ID before authorising the sale.** Under no circumstances must you ever change your mind and allow the sale without seeing valid ID.
- You can ask for confirmation of their date of birth or other information on the ID to check that it is their own ID and not somebody else’s.
- If it’s a driving licence ask them when they passed their driving test or ask them where they’ve been on holiday if their passport has been stamped
- **If in any doubt always refuse, even with ID.**
- Record all refusals or ID checks in your refusal record book/sheet.

### **Main Reasons for Failing Test Purchases made by Trading Standards**

- Only assessing if a customer appears to be 18 or over – which is extremely risky!  
**Always CHECK 25 to protect yourself and your underage customers**
- Not concentrating, being distracted.

## IDENTIFYING VALID ID CHECKLIST

**Check the photograph** – Is it of the person showing you the card? Is it printed directly onto the card?

**Check the date of birth** - Calculate the age of the person from the date of birth. A handy age verification tool can be found at [dob-verification-sheet.pdf](#)

**Check the document** – Make sure it's not been tampered with or altered or a fake

**The only official documents you should accept are passports, driving licences and PASS cards.**

**Check the person** – if you are still unsure about a person's age, **your legal responsibility is to refuse to sell.**



## PASS Card information for staff

**1** Check the photo – is it in colour and does it match the cardholder?

**2** Check the rose watermark pattern is present

**3** Check the hologram – is it a genuine 3D PASS hologram?



**4** Check the card – is it smooth to the touch or has it been tampered with?

**5** You can also check the ultra violet security features under ultra violet light

**6** Check the person – are you satisfied?



# Proxy Sales

It is illegal to sell alcohol or tobacco to a person who you know is going to supply it to a person under-age, this is called a 'proxy sale'.

A common approach to identifying and preventing proxy sales across all age restricted products should be adopted. It can be very difficult to know if an adult intends to buy an age restricted product for or on behalf of someone who is underage. Therefore, you are only expected to act when you suspect a proxy sale is taking place.

## Note:

- Just because a customer is accompanied by someone who is clearly underage, that does not mean you should suspect them of being a proxy purchaser
- If you see the adult asking the child what restricted product they want, or if the child's behaviour suggests the product is for them – then you should refuse the sale
- Try, as far as possible, to monitor what is happening outside your business, especially, if young people are hanging around. If you see what looks like an adult being asked to buy a product by a person outside the business, refuse the sale to that person.

## Selling Alcohol to Someone Who Is Drunk

- It is illegal to knowingly sell alcohol, or attempt to sell alcohol, to a person who is drunk. It is also illegal to allow alcohol to be sold to someone who is drunk.
- Breaking the law could result in a fine. If the convicted person is a personal licence holder, they could lose their licence.
- It is also an offence for a person to knowingly get, or try to get, alcohol for a drunken person on a licensed premises.

## Signs to look out for

- Unsteady on feet, bumping into things, glazed eyes, smell of alcohol on breath, being propped up by friends, falling asleep, slurred words.
- Loss of some normal coordination such as struggling to pick up change or taking cards from a wallet or purse.
- Can't find the right words to use, communicating by gestures such as pointing.
- Staff should be trained to give them knowledge & confidence to deal with drunken customers. Training should include how to spot early signs of customers becoming drunk and the potential dangers of mixing popular caffeine based drinks with alcohol. Drinkers may take more risks, as an increased state of alertness may make them less aware of how drunk they actually are.



# Personal Safety

When carrying out a refusal you should always consider your own personal safety. This does not mean you can ignore your legal responsibility to make challenges and undertake refusals.

## Safety Tips Checklist:

- Explain why you are refusing the sale, that you are following your company policy and the law. Act consistently and fairly. You can do this by always asking for ID, all the time, every time, explain why you are refusing the sale.
- Before you refuse or ask for ID remove the product from the counter and take one step back before you inform the customer you are refusing the sale.
- Ensure you always appear calm, positive and professional, this way you can reduce the likelihood of a potential conflict situation occurring.
- Be pleasant and helpful – maintain eye contact. If you avoid eye contact you may seem nervous and therefore not in control; this must be natural eye contact, not staring.
- Do not appear aggressive. Some customers may be excitable, drunk, be affected by prescription drugs or have a medical condition unknown to you, but whatever the situation they are more likely to respond aggressively if you appear aggressive towards them.
- If you need to be more assertive raise the level of your voice, but do not shout and always avoid using sarcasms or offensive tones in your voice. Never talk down to the customer.
- Your decision is final. Once you have decided to refuse the sale do not let anybody persuade you to change your mind. Other colleagues should not interfere or overturn your decision.
- If you feel intimidated call for assistance and support from a colleague. Always help each other out. If you see a colleague who could do with your help, offer it. Just your presence next to your colleague could make all the difference.
- If a violent or potentially violent incident occurs always inform your manager/ owner of the premise of the incident.
- Call the Police if the customer becomes aggressive.



# Vulnerability Awareness Training For Pubs and Clubs

A good working relationship and clear communication between management, bar staff and door staff can help prevent your customers from coming to harm and enjoy their night out in a safe environment.

Our short on-line training course has been designed to support you in your duties around preventing crime & disorder, public nuisance, public safety & the protection of children from harm.

We highly recommend that you enrol yourself and all staff members onto this short course. You will receive a certificate on completion of the course, *(sent to your email address)*.

This should be kept by staff at your business as evidence for your due diligence training records.

Trading Standards and Licensing Teams will also receive a record that your premises have completed the course.

To log in to the Vulnerability Awareness course please scan the QR Code  
*(Register using your email address as your username)*  
QR code from front of booklet

## For more information

Guidance on underage sales

Email: [Check25@lancashire.gov.uk](mailto:Check25@lancashire.gov.uk)

