

## **AFS Response to the Consultation on Draft Regulations relating to the Training of Staff**

**Background information** - As part of the National Licensing Forum, Alcohol Focus Scotland has been pleased to take an active role in helping to create the standards which will govern all training to be delivered under the new Licensing Act.

Unlike the training for Personal Licence Holders, Licensing Standards Officers and Licensing Board Members, the training for staff has not been made a formal qualification. This means that although training for all staff serving alcohol will be compulsory it will not have to be formally delivered or assessed. This was because some in the group had concerns about amount of training that was being imposed under the Act and the burden this could place on the trade during the implementation period. The group agreed to take the 'softer' approach with the understanding that if the trade were found to not be conforming, then the Scottish Executive could at a later date revise the staff training requirement to a mandatory qualification.

Alcohol Focus Scotland had some concerns about the lack of a staff qualification, but took the view that what was most important was that staff should receive adequate training, covering an agreed range of subjects including the law, alcohol, alcohol misuse and best practice in licensing premises. A full staff training specification covering all of these areas was developed by the Training Sub-Group of the National Licensing Forum and accepted by Ministers.

Alcohol Focus Scotland was therefore very dismayed to find that the training content included in the Draft Regulations only covers the parts relating to licensing law and not the full list of areas that had been agreed.

In subsequent discussions with the Scottish Executive, Alcohol Focus Scotland has discovered that Regulations appear to be a rather limited vehicle in terms of what can be included. We understand that because the Regulations are effectively law, all terms included must be precise and limited. With this in mind we are working with the Scottish Executive to come up with suitable terms to represent the missing parts of the original training specification for staff, as developed and agreed by the Training Sub-Group of the National Licensing Forum.

### **Response**

The Draft Regulations contain a list of fourteen 'Matters to be Covered'. We propose that the following should be added:

15. An understanding of the staff member's responsibilities under other legislation relating to their job role
16. Awareness and understanding of alcohol misuse and its consequences to health and society as set out in the Scottish Executive's Plan for Action on Alcohol Problems update.
17. An understanding of units of alcohol and how this relates to the different strengths of alcoholic drinks
18. An awareness of the UK recommended sensible drinking limits for males and females
19. Recognising the stages of drunkenness
20. An understanding of the common causes of conflict, how to prevent conflict and how to manage conflict situations
21. An understanding of the best practice for refusals of service

If it proves to be not possible for all these terms to be added, then Alcohol Focus Scotland feels that the only acceptable option is for the training requirement for staff to be a formal qualification based on the training specification already developed.