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Management Policy

Guide to Good Practice & Training Document

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Management Policy to ensure Good Practice

Management team

There should be a clear structure of line management for the premises that can create an effective management of the premises to meet the standards required by Law, support the Licensing Objectives and also create growth of the business to benefit the owners.

The Management Team shall consist of;

Managing Director/Director: This position of ownership has an overall responsibility for the company, this role involves direct liaison the General Manager/Manager appointed and the Management Team as a whole. The MD will normally be responsible for the design and concept of the premises, the continued growth of the business and development of new aspects of the business. The MD/Director has responsibility to ensure that employees at all levels do not put the company business at risk and can be held to account by Responsible Authorities. It is the responsibility of the MD/Director to ensure that the premises is safe for the staff and patrons, to ensure that all risks assessments are in place and Managed appropriately at the required periods, including Fire Risk Assessments and Health and Safety Risk Assessments.

General Manager/Manager: The General Manager/Manager has overall responsibility for the day to day management of the business. This role involves liaison with all staff, as well as the Police, Council Officials, Neighbours, Customers and the Managing Director/Director. The GM/Manager has responsibility for the financial control of the business, the customer experience, the marketing and promotion of the business, the smooth operation, development and improvement of the business, and the continued training and development of the staff. The GM/Manager has the additional responsibility for ensuring implementation of the Management Policy and promoting Good Practice among the staff. The GM/Manager should initiate all disciplinary procedures where considered necessary in a fair and open way. The protection of the Premises Licence against breaches by staff members should be paramount. This role has responsibility for stock controls being in place and undertaken regularly. The General Manager/Manager has responsibility to ensure the day to day effective management and actions taken in respect of risks assessments, are in place and Managed appropriately at the required periods, including Fire Risk Assessments and Health and Safety Risk Assessments.

Designated Premises Supervisor: The Designated Premises Supervisor has a vicarious liability for all sales of alcohol that take place on the premises made by any member of staff and the DPS can be either the owner of the business, a Manager or any other person who has consented to accepting the responsibilities that the position of being the Designated Premises Supervisor holds. The Designated Premises Supervisor has to hold a current Personal Licence. Additionally, it is suggested that there be one (1) other members of staff to receive training and pass the Personal licence Holder's Course to support the role of the DPS and to ensure that all sales of alcohol that are made, are made with the knowledge of at least one Personal Licence holder authorising the sale. It is recommended that a written consent authorising sales be present and displayed at the premises during all the times that the premises are operating under the authority of the Premises Licence.

All other operational staff: Are to ensure that customers have a good experience of service from the premises, stock shelves, promote goods for sale and support the Management Team by applying Good Practice to all the work undertaken. They have responsibility to report any issues of Health and Safety concerns to their Manager and support the Management Team in their efforts to support the Licensing Objectives by which the Premises Licence is bound.

Employees

We recognise that our employees are the most important assets to the Company and that they are the main contributor to the success of the business. We are committed to develop the knowledge and skills of our employees to achieve their full potential and to meet the needs of our customers. You are required to attend regular staff meetings and training sessions. Important information will be passed on at these meetings. It is up to you to make sure that you are kept fully informed if for any reason you have been unable to attend.

Basic induction and on the job training will be provided for all employees. Performance will be reviewed on a regular basis to assess further training and career development needs.

Disciplinary & Grievance Procedures

To help and encourage employees whose performance has fallen below the standards required in regards to conduct, attendance, performance and observation of the Law, we will use all endeavours to remain fair and give consistent treatment to all employees by offering opportunity to improve conduct or performance when possible.

Disciplinary action.

No formal disciplinary action will be taken until a full investigation has taken place, except in the instance of Gross misconduct which has put the Premises Licence at risk from action by any of the Responsible Authorities. The Management reserve the right to suspend any employee on full pay, pending an investigation. At each stage of the disciplinary procedure, the individual has the right to be accompanied by a work colleague.

Stages of the Procedure.

1. **Verbal warning** – if conduct or performance does not meet the accepted standard, the first stage of the disciplinary procedure will be to issue a verbal warning. The warning will be recorded on your personal file and retained for a period of 6 months.
2. **Written warning** – if the offence is a more serious one or if further offences occur after a verbal warning has been given, a written warning will be issued. The warning will give details of the complaint, the improvement required, the timescale and the action liable to be taken in the event of any further misconduct

or failure to meet the required standards. A copy of this warning will be recorded on your personal file and retained for a period of 12 months.

3. **Final written warning** – if there is failure to improve conduct or performance is still unsatisfactory or if the misconduct is sufficiently serious to warrant only one written warning but insufficiently serious to justify dismissal, a final written warning will be given. The warning will give details of the complaint, will warn that dismissal will result if there is no satisfactory and maintained improvement or a similar offence is committed over a 12 month period.
4. **Dismissal** – if conduct or performance is still unsatisfactory or there is a repeat in disciplined conduct, the Company may have no alternative but to dismiss you from your employment. Any deliberate or negligent act which in the opinion of the Company is detrimental to the good conduct of the business or puts the Premises Licence at risk from action by a Responsible Authority will be considered as Gross Misconduct and may result in instant dismissal.

Dismissal with notice: will normally follow previous warnings. However, if your first offence is of a very serious nature, the Company may deem it unacceptable to continue to employ you.

Dismissal without notice: (Summary Dismissal) will follow an act of Gross Misconduct. Please note that in the event you are summarily dismissed, your contract of employment is immediately without contractual notice or payment in lieu of notice.

Examples of behaviour or conduct, which could amount to an act of Gross Misconduct. This list is not exhaustive and the Company reserves the right to define the type of behaviour that would be classed as Gross Misconduct.

- Contravention of Licensing Laws and Regulations.
(this includes under age sales, sales of contraband alcohol or cigarettes, sales after permitted hours, etc)
- Disregard for Regulatory Reform (Fire safety) Order 2005 obligations and Regulations
(this includes failure to keep on the premises a Fire Risk Assessment, carrying out any actions required or recommended by that Fire Risk Assessment which could put the safety of any person at risk, etc)
- Disregard to responsibilities under Consumer Protection Laws
- Disregard to Trade Descriptions Act or other similar enactments
- Disregard for Health & Safety responsibilities.
(this includes responsibilities to your own safety as well as your colleagues)
- Disregard for Food Hygiene Regulations.
(this includes any action by you that could harm others by the failure to implement adequate Food Safety management)

- The unauthorised possession of property or monies and theft from the Company, it's employees, customers.
- The forgery or falsification of records
- Any act of violence or aggression while on duty or on the company premises
- Being under the influence of alcohol on duty
- Possessing, taking or using drugs which are prohibited by law
- Betting , gaming, touting or the private sale of goods on the Company premises.
- Smoking on the premises

The Four Licensing Objectives

All employees must be aware of and support the Management in their efforts to adhere to the four licensing objectives. As this is a licensed premise, we have very serious responsibilities under the Licensing Act 2003. They are;

1. The Prevention of Crime and Disorder
2. The Prevention of Public Nuisance
3. The Protection of Public safety
4. The Protection of Children from Harm

It is an offence to;

1. Sell alcohol, cigarettes to a person under the age of 18 years
2. Sell alcohol to a person who is drunk
3. Sell alcohol after permitted hours
4. Sell alcohol or cigarettes that have not had duty paid on them
5. Keeping of smuggled goods
6. Exposing alcohol for unauthorised sale
7. Keeping alcohol on display for an authorised sale
8. Allowing disorderly conduct on licensed premises
9. Obtaining alcohol for a person who is drunk

The above offences can be committed by either;

- The premises licence holder for the specific premises
- The designated premises supervisor for the premises
- Any personal licence holder employed by the premises
- Any person employed by the premises in any capacity giving him, or her, the ability to carry out or prevent the offending conduct, whether paid or not.

Duty to refuse service

The premises licence holder and staff are required to take appropriate steps to prevent drunkenness and disorderly conduct. Failure to do so may result in offences. Further, these offences apply to sales made for consumption on premises or off premises.

- Knowingly selling alcohol to any person who is or appears to be drunk
- Serving alcohol to a companion of a drunken person for consumption by the drunken person
- Allowing the sale of alcohol to a person who is drunk
- Obtaining alcohol for a person who is drunk

Disorderly Conduct

Knowingly allowing disorderly behaviour on licensed premises is an offence for licence holders employed by the premises. One tool available to employees to minimize this problem is the ability to ask any person who is drunk or appears to be drunk to leave the premises. If that person fails to leave, an offence is committed and premises staff may ask for assistance from the police to remove the individual.

Smuggled Goods

Keeping smuggled goods of any kind on licensed premises is an offence. Further, it may be committed by any member of staff, paid or unpaid, with the authority to prevent the offence. On conviction, the court may require the forfeiture of the smuggled goods as well as imposing other penalties.

Responsible promotions

Licensed premises are required to operate promotional activities in a responsible manner. Failure to do so may result in a formal review procedure being initiated by the Licensing Authority. Such a process is initiated when relevant representations are made to the authority indicating the promotions appear to be undermining the four licensing objectives.

If the licensing authority finds that the promotions are not responsible and appropriate, conditions may be attached to the premises licence restricting promotions.

Managing Conflict on Licensed Premises

From time to time any retail outlet staff will be called upon to manage difficult situations. By the very nature of the product they sell, licensees and their staff, more so than most, may find themselves in a potential conflict situation. This instruction is designed to help people manage those difficult situations before they get out of hand.

Repeated acts of violence within licensed premises may result in the revocation, suspension or refusal to renew a liquor license. In addition all licensees have a duty to ensure the safety of their staff and customers.

The key to avoiding conflict is to recognize potential conflict situations, understand how

to assess those situations and know how to take positive action.

- Identify potential conflict situations and how to react in such a way that the situation will not escalate.
- Consider customer service skills, professionalism, attitude and appearance, together with policies, procedures and values.
- Examine the responsibilities of the manager and licensee towards the health and safety of patrons as well as staff and take a few minutes to discuss the legal issues surrounding the admittance and/or ejection of customers, refusal of sales, including the lawful use of force when necessary.
- Anger is born from frustration so we consider what are known as common 'triggers' and 'inhibitors' - what are common flashpoints, what, in a premises selling alcohol, is most likely to lead to frustration and subsequently anger, if not managed properly. Conversely, what inhibits people from becoming angry and resorting to violence - and how can we manipulate those inhibitors to our advantage?

Legal status to work

Under the Immigration and Asylum Act 1996, we must confirm that you have the legal right to work in the United Kingdom. Proof of your right to work in the UK must be produced prior to commencement of employment. Your employment will be terminated immediately should you lose the right to work in the UK.

Declaration of Manager/employee

I hereby state that I have read and understood the above information contained in this Management Policy. I understand my responsibilities related to all matters relevant to my position in the company and that I consent to abide by this policy with a view to protecting the premises licence and promoting the business of the owner.

Name (print) _____

Signature _____

Position in Company _____

Date _____