

RAISING THE AGE OF SALE OF TOBACCO

CHECKLIST FOR EMPLOYERS

From Monday, 1st October 2007 the law for selling tobacco will change. From this date, it will be illegal to sell tobacco products to anyone under the age of 18 (an increase from 16).

There are a number of things you can do to ensure you and your staff are ready for the change in law:

- Clearly display the correct signage on or near your shop counter where it is visible to customers. This should deter under-aged customers from attempting to buy in the first place and will help you remind them that you and your staff are simply following the law.
- Tell your staff about the change in the law and train them to always ask for proof of age if they are in any doubt about a customer's age. Make sure your staff understand that they could be personally liable if they sell tobacco products to anyone under the age of 18.
- Keep a record of any staff training you carry out regarding the change in law and ask your members of staff to sign to say that they have understood it. This should then be kept on file for reference.
- Set up a refusals register to record when you or any member of staff have refused to sell to a young person. This should detail the date and time of any incident, the product being purchased, reason for refusal, and a brief description of the customer. Make sure this refusals register is always available for your staff to refer to.
- You should also be prepared to support and be sensitive to staff if they do encounter abusive or threatening behaviour.
- You may wish to consider ways in which you can share intelligence about troublesome individuals with other businesses in the area.
- If you employ under-18s in your business, it is not illegal for them to sell tobacco products, provided of course that the customer is not under-age. However, they are likely to find it difficult to refuse to sell to their own age group. Leaving them unsupervised is therefore seen as poor employment practice and is not recommended.
- If you have an EPOS system, it may be possible to use it to remind staff of the change in law and how to comply with it via a prompt.

GUIDANCE FOR STAFF

From Monday, 1st October 2007 the law for selling tobacco will change. From this date, it will be illegal to sell tobacco products to anyone under the age of 18 (an increase from 16).

If you are in any doubt about a person's age, always ask for photo ID. Valid proof of age documents include passports, photo driving licences, or accredited proof of age cards such as a Citizencard, Portman 'Prove It' Card or Validate Card. On all proof of age cards, look for the 'PASS' hologram logo.

If you are still in doubt, the sale should not be allowed to take place. Remember, you could be personally liable if you do sell to someone under the age of 18.

With any sale you refuse because a customer is under-age, or does not have valid proof of age, make sure you record the details on the refusals register that your employer will have set up.

There are some 16 and 17 year olds who will be unhappy about the change coming in on 1st October. To avoid potential conflict with customers when refusing a sale:

- Be tactful and polite. Refusal can be embarrassing. Apologise and don't antagonise them or get annoyed yourself.
- Remain calm and don't raise your voice, even if they do. If they get angry, stay professional and stand your ground.
- Explain that it is against the law for you to sell tobacco products to them - it's nothing personal.
- Always keep the counter between you and the customer.
- In a situation where a customer becomes violent and you are in need of emergency assistance, call the police.
- Ensure that you have somewhere to escape to in the case of a serious incident.
- Report any incident to the police.
- If you are unsure about any of the above, speak to your employer/manager.

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