



Module 4

Refusing service

Start Module



(Note: Click the  button to play the slide.)

Module learning objectives

At the end of **Module 4: Refusing service**, you will be able to:

Explain who should be refused service

Describe how you should refuse service

Explain how you should remove customers from the premises

Describe when you should escalate a difficult situation



Voiceover

At the end of Module 4: Refusing service, you will be able to:

- Explain who should be refused service
- Describe how you should refuse service
- Explain how you should remove customers from the premises, and
- Describe when you should escalate a difficult situation.

Why is refusal of service important?

Who you should refuse service to



How you should refuse service

Refusing service is not just a **legal requirement**, it also helps to meet your **duty of care** to:

The customer

Other customers

Staff



Prevention is always the **best option**

Responsible hospitality practices



Reduce the need to refuse service

Voiceover






It's important for you to understand who you should refuse service to and how you should refuse service.

Refusing service is not just a legal requirement, it also helps to meet your duty of care to the customer you are refusing, as well as the other customers and staff on the premises.

However, prevention is always the best option. Applying the range of responsible hospitality practices you explored in the previous module, will help reduce the need to refuse service.

Who should be refused service?

The licensee, their staff or security can refuse to admit, or ask any person to leave the licensed premises who is:

				
<p>Suspected minors without valid ID</p> <p>Minors who show fake ID</p> <p>Anyone who you suspect may be purchasing alcohol on behalf of a minor</p> <p>If a minor shows you a fake ID, you must contact the police</p>	<p>Use the common behavioural signs and indicators</p> <p>Signs of intoxication can also be signs of a disability, injury, health issue or drug use</p> <p>Use common sense</p>	<p>For example:</p> <p>Behaving in a way that is boisterous, disruptive, argumentative, aggressive or violent</p>	<p>Smokers who smoke within a designated smoke-free area</p> <p>Someone who uses or possesses a prohibited drug while on premises</p>	<p>For example:</p> <p>Minors, customers who have been removed from the premises or barred from the premises</p> <p>Someone whose presence renders the licensee liable to a penalty under the Act</p>

Voiceover

So who should be refused service?

When you are working in a licensed premises, you must identify and refuse service to the following types of customers.

- Minors, suspected minors without valid identification, minors who show fake ID and anyone who you suspect may be purchasing alcohol on behalf of a minor.
- Customers who are showing signs of being intoxicated or drunk. You can use the common behavioural signs and indicators from Module 2 to help you assess the intoxication level of a customer and decide if they are drunk. Remember that many of the signs of intoxication can also be signs of a disability, injury, health issue or drug use. Use common sense and approach the customer in a sensitive, professional and non-discriminatory manner to determine the reason for their signs of intoxication.
- Customers who are showing disorderly behaviour, for example, behaving in a way that is boisterous, disruptive, argumentative, aggressive or violent;
- Customers who are smoking in designated smoke-free areas, and customers who use or possess a prohibited drug while on premises
- Customers who have been refused entry to the premises, for example, minors, customers who have been removed from the premises or barred from the premises, or Someone whose presence otherwise renders the licensee liable to a

penalty under the Act

What happens if you don't refuse service?

Let's watch what happens if you **don't refuse service** to a **minor**.

Video placeholder –
'An expensive afternoon Part 2'
(existing RSA video)

Voiceover

Let's watch what happens if you don't refuse service to a minor.

What happens if you don't refuse service?



You and the licensee can be **fined** and even **prosecuted**

Also the case if you don't refuse service to **intoxicated**
or **disorderly** customers

You are **not** meeting your **duty of care**

You are putting the **safety** of the customer, other
customers and yourself **at risk**

Voiceover

As you saw in the video, you and the licensee can be fined and even prosecuted if you don't refuse service to a minor. This is also the case if you don't refuse service to intoxicated or disorderly customers.

In addition to the penalties you may face, if you don't refuse service, you are not meeting your duty of care. You are putting the safety of the customer, other customers and yourself at risk, by continuing to serve the customer.

How should you refuse service?

Ensure you remain professional and polite while refusing service and reduce the chance of the situation escalating

Click each letter below to find out more.

T

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Voiceover

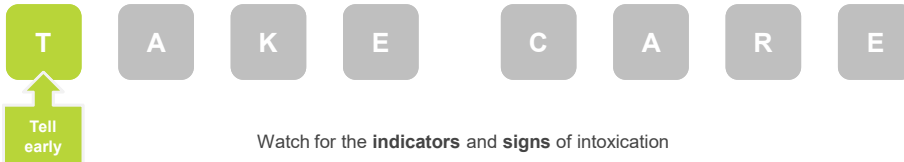
Use the 'Take Care' method when refusing service. This method will help ensure you remain professional and polite while refusing service and reduce the chance of the situation escalating.

Click each letter below to find out more.

How should you refuse service?

Ensure you remain professional and polite while refusing service and reduce the chance of the situation escalating

Click each letter below to find out more.



Watch for the **indicators** and **signs** of intoxication

Identify the signs of intoxication **early**

Offer them food, water or other non-alcoholic beverages to **slow down their drinking**

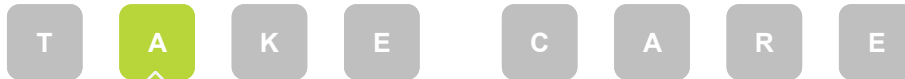
Voiceover

Tell early:

Monitor the drinking patterns and behaviours of your customers and watch for the indicators and signs of intoxication. If you monitor customers throughout your shift, then you will be able to identify the signs of intoxication early and offer them food, water or other non-alcoholic beverages to slow down their drinking.

How should you refuse service?

Ensure you remain professional and polite while refusing service and reduce the chance of the situation escalating
Click each letter below to find out more.



Avoid
put
downs

- | | | |
|---|---|------------------------------------|
| ✗ Act superior or judgmental | ➔ | Puts the customer on the defensive |
| ✗ Say something to embarrass the customer | | Cause them to become argumentative |

Be sure of your **reason** for refusing service and **clearly** tell the customer **why** they are being refused service.
Try to **take them aside** to discuss the reasons for refusal

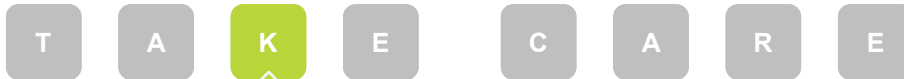
Voiceover

Avoid put downs:

Don't act superior or judgmental towards the customer or say something to embarrass the customer, especially in front of their friends. This automatically puts the customer on the defensive and can cause them to become argumentative. Be sure of your reason for refusing service and clearly tell the customer why they are being refused service. If they are with a group of friends, try to take them aside to discuss the reasons for refusal.

How should you refuse service?

Ensure you remain professional and polite while refusing service and reduce the chance of the situation escalating
Click each letter below to find out more.



Keep calm

Tone of voice is critical

Calm and firm

Don't raise your voice or become aggressive

If the customer raises their voice, keep your voice low and calm

Use open and non-aggressive body language



PAGE NO

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PREVIOUS

NEXT

Voiceover

Keep calm:

Tone of voice is critical when refusing service. Make sure your tone is calm and firm and you don't raise your voice or become aggressive. If the customer raises their voice, keep your voice low and calm. Use open and non-aggressive body language to support your calm tone. For example, keep your arms uncrossed, turn your body to face them and maintain eye contact.

How should you refuse service?

Ensure you remain professional and polite while refusing service and reduce the chance of the situation escalating
 Click each letter below to find out more.

T A K **E** C A R E

Ever
 courteous

- ✓ Always be **respectful** and **polite**
- ✓ Diffuse the situation by **blaming** refusal on the **law**
- ✓ Explain to the customer that you **do not have a choice**



Your behaviour is indicating signs of intoxication. Due to the law, I'm not able to serve you any more alcohol. Is there anything else I can get you?

Voiceover

Ever courteous:

It is important to always be respectful and polite. Diffuse the situation by blaming refusal on the law. Explain to the customer that you do not have a choice.

You could say “Your behaviour is indicating signs of intoxication, Due to the law, I’m not able to serve you any more alcohol. Is there anything else I can get you?”

How should you refuse service?

Ensure you remain professional and polite while refusing service and reduce the chance of the situation escalating
 Click each letter below to find out more.

T A K E **C** A R E

Clarify refusal

- ✔ Be very clear **why** you are refusing to serve
- ✔ Focus on the **behaviour** and **not the person**
- ✔ Point out **signs** or provide information on the **law**



Your behaviour is indicating signs of intoxication. I'd be happy to serve you another time but for now I can't continue to serve you.

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NEXT

Voiceover

Clarify refusal:

Always be very clear why you are refusing to serve the customer - focus on the behaviour and not the person. Point out signs or provide information on the law to reinforce your reasons. You could say "Your behaviour is indicating signs of intoxication. I'd be happy to serve you another time, but for now I can't continue to serve you."

How should you refuse service?

Ensure you remain professional and polite while refusing service and reduce the chance of the situation escalating
Click each letter below to find out more.

T A K E C **A** R E

Alternatives

I'm sorry, by law you have to leave the premises, I can call you a taxi if you like to help you get home.



If the customer is **intoxicated**, or **disorderly**, they **must** leave the premises.
Find an alternative to them staying by offering to call them a cab

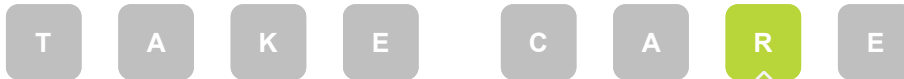
Voiceover

Alternatives:

Explain to the customer that they have alternatives. If a customer is intoxicated, they **MUST** leave the premises. So, you can provide them with appropriate assistance, for example, offer to call a taxi for them or locate their friends to help them get home safely.

How should you refuse service?

Ensure you remain professional and polite while refusing service and reduce the chance of the situation escalating
 Click each letter below to find out more.



Important that **other staff** know **who** has been refused service and **why**
 Then they know **not to serve** that customer alcohol or let their friends purchase for them

Report



Record the details in the **Incident Register** or **Incident Log**

Let other staff know by **telling them** or **radioing** a description of the customer.

Voiceover

Report:

It is important that other staff know who has been refused service and why. Then they know not to serve that customer alcohol or let their friends purchase for them. Record the details in the Incident Register or Incident Log and also let other staff know by telling them or radioing a description of the customer.

How should you refuse service?

Ensure you remain professional and polite while refusing service and reduce the chance of the situation escalating
Click each letter below to find out more.



Have a **quiet word** with them next time

Reinforce that their **behaviour** was the reason and **not them personally**



Welcome back. I know I had to refuse to serve you last time you were in but I did this for your safety. It was your behaviour that was the reason, and not you personally.

Voiceover

Echo:

If a regular customer has been refused service, have a quiet word with them next time they return and reinforce that their behaviour was the reason and not them personally. You could say “Welcome back. I know I had to refuse to serve you last time you were in but I did this for your safety. It was your behaviour that was the reason, and not you personally.”

How should you refuse service?

Let's watch an example of how to **refuse service** to a customer who is **intoxicated**.

Video placeholder –
'Time to Go'
(existing RSA video)

Voiceover

Let's watch an example of how to refuse service to a customer who is intoxicated.

Who should be removed from the premises?

Often the refusal of service will also require the customer to be removed. Any person who is refused entry or asked to leave in the circumstances below can be barred by the licensee indefinitely.



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Voiceover

Often the refusal of service will also require the customer to be removed from the premises, including:

- Customers who are smoking in a non-smoking area, or who are using or possess illicit drugs
- Customers who have been refused entry to the premises,
- Customers who are showing disorderly or aggressive behaviour
- Customers who are intoxicated, violent, quarrelsome or disorderly
- Minors (except for exempt minors)
- Customers who have been banned from the premises.

How should you remove customers?

You can give a customer a **verbal warning** and ask them to leave



Unfortunately you are being disorderly and I will have to ask you to leave this venue

The best way to remove a customer is using **words, not force**.

If they **refuse**, you will need to arrange for the customer to be **removed**

The situation should be handled **efficiently** and with the **minimum** amount of **disruption**

- ✔ Ensure there are sufficient **support staff**
- ✔ Continue to talk **calmly**
- ✔ Decide on a **speedy route** to the exit
- ✔ Ensure the customer **leaves the venue**
- ✔ Only use **necessary** and **reasonable force**
- ✔ Ensure the customer has a **safe way home**
- ✔ **Control** the customer to minimise the danger
- ✔ Record the details in the **Incident Register/Log** and let other **staff know**

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PAGE NO

REPLAY

PREVIOUS

NEXT

Voiceover

Where appropriate, you can give a customer a verbal warning and ask them to leave the premises. You could say “Unfortunately you are being disorderly and I will have to ask you to leave this venue.” The best way to remove a customer is using words, not force.

If they refuse, you will need to arrange for the customer to be removed from the premises. Once the decision has been made to remove a customer, the situation should be handled efficiently and with the minimum amount of disruption to other customers.

Follow these guidelines:


- Ensure there are sufficient support staff available, including security
- Decide on a speedy route to the exit that will be the least disruptive
- Only use necessary and reasonable force to remove the customer and exercise extreme caution. Avoid touching the customer or pushing the customer in the direction of the exit.
- Control the customer to minimise the danger to themselves, staff and other customers
- Continue to talk calmly with the customer
- Ensure the customer leaves the venue and does not remain outside
- Ensure the customer has a safe way home. Offer to call them a taxi or contact

- friends or family to pick them up, and
- Record the details in the Incident Register or Log and let other staff know.

AUSTRALIAN CLUB TRAINING

What are the barring procedures?

May be necessary to impose a **short** or **long term ban** on a customer



Check your **House Policy** for guidelines

Explain to the customer clearly **why** they are being barred and the **duration** of the ban

Use a **similar approach** to when you are **refusing service**

The ban needs to be **enforced consistently** by all staff for the duration of the ban

All details must be recorded in the **Incident Register or Incident Log**

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Voiceover

Sometimes it may be necessary to impose a short or long term ban on a customer, such as for extreme incidents or repeat offenders.

Check your House Policy for guidelines on barring procedures. When barring the customer, use a similar approach to when you are refusing service. Ensure you explain to the customer clearly why they are being banned and the duration of the ban.

The ban needs to be enforced consistently by all staff for the duration of the ban. All details must be recorded in the Incident Register or Incident Log.

What is an offense for a barred person?

If a person is refused entry or ejected from licensed premises, an offence is committed if they:



- Attempt to re-enter the premises within 24 hours
- Re-enter the vicinity of the premises within six hours without a reasonable excuse

- Remain in the vicinity of the premises eg within a radius of 50 metres from the boundary of the licensed premises without a reasonable excuse, such as waiting for transport, fearing for their safety or the person resides in the vicinity

- Under the NSW liquor laws - An intoxicated person **MUST** leave the premises – they cannot stay on the premises

- Maximum of court fine \$5,500

- NSW Police and L&G NSW Inspectors have the option of issuing a \$550 penalty notice

Voiceover

If a person is refused entry, ejected or barred from a licensed premises, an offence is committed if they:

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- Remain in the vicinity of the premises e.g. within a radius of 50 metres from the boundary of the licensed premises without a reasonable excuse, such as waiting for transport, fearing for their safety or the person resides in the vicinity

It's important to note that:

- Under the NSW liquor laws - An intoxicated person **MUST** leave the premises – they cannot stay on the premises
- Maximum court fine \$5,500 applies
- NSW Police and L&G NSW Inspectors have the option of issuing a \$550 penalty notice

What is an offense for a barred person?

IMPORTANT NOTE:

If police are continually called to the same premises to assist in removing drunken patrons or enforcing the fail to leave offence, a disciplinary complaint can be taken on the ground that intoxicated persons have frequently been on the premises, or have been seen frequently leaving the premises.

In these instances, police could obtain evidence to determine whether the patron was intoxicated while alcohol was still being served to that person, and what steps, if any, were taken at the time by staff to remove the patron. This enables police to consider taking disciplinary action against the licensed premises (or its staff) for intoxication offences, or action against the patron for failing to leave.

Voiceover

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What is A Banning Order?

Banning orders

While barring strategies are generally sufficient to deal with disruptive patrons, licensees also have the option to apply for a formal banning order.

These orders can mean that a person who has been repeatedly intoxicated, violent, quarrelsome or disorderly on or in the immediate vicinity of licensed premises can be banned for up to six months from multiple licensed premises.

The Independent Liquor & Gaming Authority determines whether or not to make a banning order. Applications for a banning order may be made by the Secretary, Department of Justice, NSW Police, or a licensee who is a local liquor accord member. A person named in a banning order must not enter, attempt to enter or remain on, the licensed premises.



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REPLAY

PREVIOUS

NEXT

Voiceover

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What is A Banning Order?

Sydney CBD and Kings Cross precincts banning orders

Police can issue a person with a temporary banning order that applies for up to 48 hours, preventing them from entering most licensed premises in the precincts.

Long-term banning orders can be issued by the Independent Liquor & Gaming Authority for up to 12 months in more serious cases.



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REPLAY

PREVIOUS

NEXT

Voiceover

Sydney CBD and Kings Cross precincts banning orders

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Long-term banning orders can be issued by the Independent Liquor & Gaming Authority for up to 12 months in more serious cases.

What is A Voluntary Exclusion?

Voluntary exclusions

The liquor laws allow people with a drinking problem to voluntarily exclude themselves from licensed premises.

The person enters an agreement with the licensee allowing the licensee, or a responsible member of staff, to prevent the patron from entering the licensed premises.

Licensees are obliged to comply with a request for self-exclusion from licensed premises.

Voiceover

The liquor laws allow people with a drinking problem to voluntarily exclude themselves from licensed premises.

The person enters an agreement with the licensee allowing the licensee, or a responsible member of staff, to prevent the patron from entering the licensed premises.

Licensees are obliged to comply with a request for self-exclusion from licensed premises.

What is A Common Law Right To Evict or Exclude?

The liquor laws recognise a licensee's common law right to exclude or evict a person from their licensed premises. Under common law, a patron has an implied licence to enter and remain on the premises – which the licensee can revoke at any time.

Common examples of the use of these rights is through the enforcement of dress codes, voluntary lock outs or barring patrons for behaviour which occurred at another premises or outside the licensed premises. Essentially, licensees can revoke a person's implied common law invitation to enter the premises for any reason, provided it is not discriminatory.

If a patron refuses to comply with a common law request to leave a licensed premises, they are committing an offence under the *Inclosed Lands Protection Act 1901*, and could also be exposed to civil liability for trespass.

Voiceover

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Common examples of the use of these rights is through the enforcement of dress codes, voluntary lock outs or barring patrons for behaviour which occurred at another premises or outside the licensed premises. Essentially, licensees can revoke a person's implied common law invitation to enter the premises for any reason, provided it is not discriminatory.

If a patron refuses to comply with a common law request to leave a licensed premises, they are committing an offence under the *Inclosed Lands Protection Act 1901*, and could also be exposed to civil liability for trespass.

When should you escalate a situation?



Easy to deal with



Difficult to deal with



Never put **your** safety or the safety of **others** at risk

If a situation becomes more than you can safely handle, you must **escalate** it



If you don't feel comfortable **refusing service** to a customer, you can **escalate** it to your **supervisor or manager**



If a customer becomes **violent**, you must get **security** involved. If the violence **continues**, you may need to call the **police**.


Voiceover

Some customers are easy to deal with and others can be difficult to deal with, especially when under the influence of alcohol or drugs.

You must never put your safety or the safety of others at risk. If a situation becomes more than you can safely handle, you must escalate it to the appropriate person.

If you don't feel comfortable refusing service to a customer, you can escalate it to your supervisor or manager, who can use their experience and skills to refuse service.

If a customer becomes violent, you must get security involved. If the violence continues, you may need to call the police.

 AUSTRALIAN CLUB TRAINING

Module summary

Congratulations! You have now completed **Module 4: Refusing service**.

You should now be able to:

RECEIPT

- Explain who should be refused service
- Describe how you should refuse service
- Explain how you should remove customers from the premises,
- Describe when you should escalate a difficult situation

TOTAL

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Voiceover:

Congratulations! You have now completed Module 4: Refusing service.

You should now be able to:

- Explain who should be refused service
- Describe how you should refuse service
- Explain how you should remove customers from the premises, and
- Describe when you should escalate a difficult situation.

Progress Check

Now that you have completed module 4: Refusing service, let's test your knowledge by completing a few progress checker questions.

You must complete all of the questions correctly before you can move onto the next module.

Click 'Next' to begin answering the questions

