



**Submission to Hospitality Standards Institute
on the consultation paper:
“Sale of Liquor Act 1989: Prescribed Qualification for Duty
Managers Holding a General Manager’s Certificate”**

Alcohol Healthwatch is a charitable trust funded by the Ministry of Health. We take a public health approach to addressing alcohol issues regionally and nationally, which includes promoting healthy public policy and practice, as well as providing information, support and co-ordination for inter-agency and community groups.

Alcohol Healthwatch believes having well-trained managers is critical to achieving the aims of reducing intoxication and sales to minors from licensed premises. We therefore welcome the opportunity to submit on this consultation paper.

The consultation document states that submissions have suggested that Unit 16645 is “impractical, time consuming, irrelevant and expensive to train people in”.

Management of the sale of alcohol in such a way as to contribute to the reduction of liquor abuse is a job with a high level of responsibility, particularly when it involves the management of busy on-licensed bars and nightclubs. Failure to manage premises in accordance with the Sale of Liquor Act also carries the potential for large enforcement penalties. Manager’s certificates should not be easy to obtain, and lessening of the training and assessment required to obtain them should be avoided.

Alcohol Healthwatch believes that a practical assessment is a necessary component of such a qualification, as it is for many courses of a similar nature. Such training should include exposure to ideal practices and offer opportunities for best practice to be demonstrated.

We do not believe that the concerns and arguments outlined in paragraph 39 and 40 of the consultation document are substantial enough to warrant excluding the practical unit.

The consultation document does not outline how trainers are “required to break the law to assess it” (paragraph 39 b). We believe the unit’s financial resources component could be readily adapted for junior staff and that the time taken to complete the unit should be viewed as a necessary requirement for any such training (paragraph 39 d & e).

Paragraphs 39 a) and 40 a) & b) suggest there are already statutory requirements for assessing experience and character, and that this may be a substitution for including a practical unit in the qualification. In considering an application for a manager's certificate, licensing authorities must have regard to an applicant's experience. Prior experience of applicants, however, may vary from none to having had experience in premises with poor practice and evidence of this experience is subjective rather than assessed by predetermined criteria. Assessment by licensing agents of "character and reputation" (paragraph 40 b), is again dependent on subjective reports which may have little bearing on management ability. Alcohol Healthwatch believes these statutory requirements for assessment of experience, character and reputation are not a substitute for a practical assessment of host responsibility management under real conditions.

While there are enforcement mechanisms for ensuring staff are well-trained (paragraph 40 d), resources for monitoring and enforcement of licensed premises to ensure a high level of management is maintained are barely adequate. Enforcement proceedings are also expensive and delayed, allowing inept management to continue while hearings are awaited. Alcohol Healthwatch believes there is no substitute for high quality training and assessment at the start of practice as a manager.

Comments on options suggested in the consultation paper:

a) Remove the practical unit as the licensing agencies are separately required to assess relevant experience.

As mentioned above, in the criteria for assessing applications licensing authorities "shall have regard to experience in controlling licensed premises". Presumably this includes references from previous employment. This is not a practical assessment of management skills. It does not contain specific assessment criteria, and is not necessarily related to the performance criteria in Unit 16645, such as the use of effective communication when dealing with intoxicated persons. Prior experience is not a prerequisite for a manager's certificate.

b) Remove the practical unit and replace it with a requirement for a current employer statement...

Again, this is dependent on the quality and truthfulness of the statement tendered and is no substitute for practical assessment of ability to control intoxication and avoid underage sales in licensed premises.

c) Remove the practical unit and invite the LLA to issue a section 96 statement requiring DLAs to verify the candidate's knowledge of the SOL Act and practical skills.

This is impractical due to the current inadequate levels of resourcing of DLAs. It would also require a set of performance criteria and training of DLAs in using these, hence putting the burden of assessment on to local government rather than the manager applicant and/or their employer. If any burden of assessment is placed on DLA's, then licensing costs and staffing would need to reflect this.

d) Retain the unit.

Alcohol Healthwatch supports the retention of a practical unit in this qualification, and for this reason, we favour this option. However, we recognise that there are difficulties with the current unit that need to be overcome and that the unit needs to be made more practical to

assess.

Particular concerns that Alcohol Healthwatch considers remain to be addressed in the unit are as follows:

1. Its relevance to the range of licence types.

It is of concern, as mentioned in the consultation paper, that the practical training unit has not been made relevant for some types of licensed premises, such as mail order, retail and off-licence premises. These licensed premises surely need a different level of assessment as the duty manager of a busy nightclub requires different skills from that of a small grocery off-licence. It may be that the unit is dropped for all but on-licensed managers, and that the practical unit is required to be completed before transition from off to on-licensed employment.

2. Assessment difficulties.

Submissions highlighted the difficulty of creating a realistic environment in which to assess the unit. While ideally the unit would be assessed in an operational bar, the expense of this option and difficulty of assessing dealing with intoxication would be problematic. We therefore suggest that the practical unit be assessed by a method such as standardised multiple choice questions in response to viewing realistic situations presented on video.

3. Content of the unit.

There also does not appear to have been sufficient consideration as to content of the unit. We recommend, for example, that the unit include training in over-sight of server staff training. While ideally all serving staff would be required to undertake some level of training, practical difficulties of requiring this in a transient group are acknowledged. Responsibility of all licensees and managers to undertake a formal training session of all new staff in avoiding sales to minors and sales to intoxicated patrons is paramount. The unit should also include training in fire safety and measures to reduce overcrowding of bars. Alcohol Healthwatch recommend that these are included in the unit before it becomes finalised.

Summary of recommendations

- That some form of a practical unit is retained in the qualification.
- That consideration be given to dropping the unit from off-licence management training.
- That consideration be given to more practical means to assess the unit, such as as standardised multiple choice questions in response to viewing realistic situations presented on video.
- That the unit include training in over-sight of server staff training, training in fire safety and measures to reduce overcrowding of bars.

For any queries on this submission please contact:

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