

2014-02-11

Reducing Conflict and Violence in Hospitality Establishments.

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Recommended Citation

Murphy J. (2014). Reducing Conflict and Violence in Hospitality Establishments. *Food & Bev Live 2014* Citywest Conference Centre, Dublin, DOI: 10.21427/D7X768

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Food & Bev LIVE 2014

***Reducing Conflict and Violence in
Hospitality Establishments***



Best practices and policies to protect your customers and staff members

Presentation Overview

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- Introduction
- Irish Legislation in this Area
- Origins of Violent Acts
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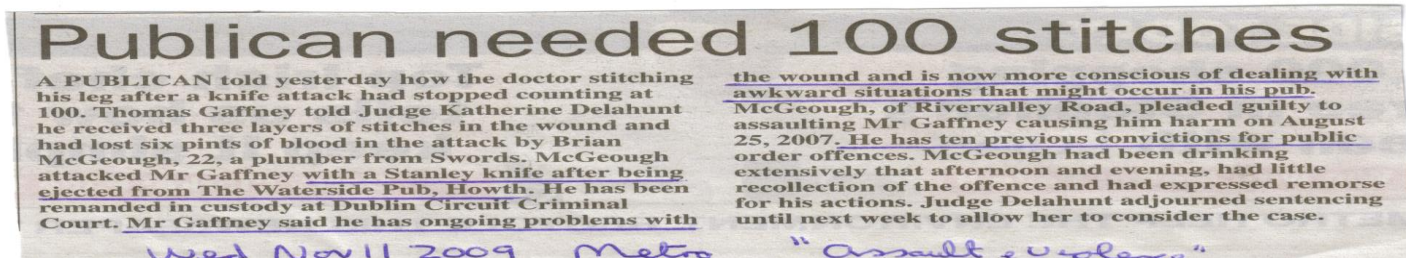
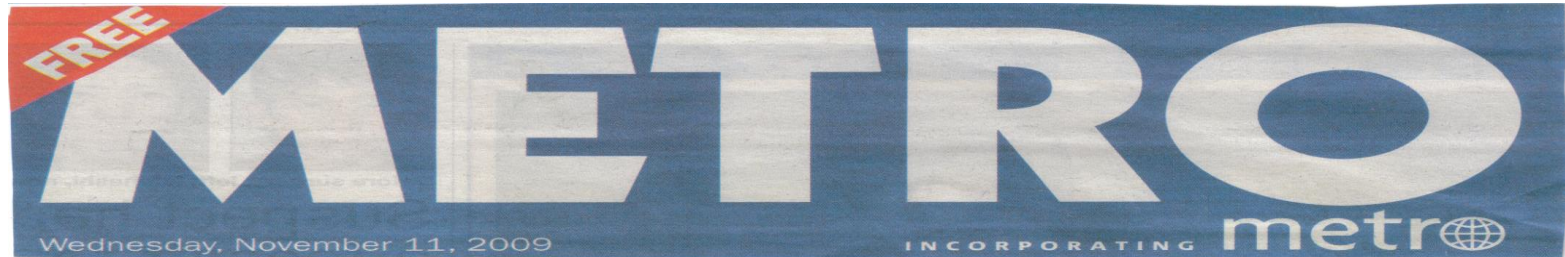
Conclusion

References



Reducing Conflict & Violence in Hospitality Establishments – James Murphy Lecturer & Author (DIT).

Rationale



The Dublin South Central bar which was **fined €30,000 damages and legal costs** because its staff had failed to strictly enforce a barring order against a violent customer, who subsequently **assaulted another customer**. The trial judge stated in the judgement that *'if someone is barred from a pub then the publican must be in a position to effectively bring into effect that barring'*.

The sales manager **awarded €25,000** by the President of the Circuit Court for cuts which required 35 stitches received to his arm arising from pushing and jostling during the celebrations of an Ireland world cup football match. The trial judge stated that **'too many people had been allowed into the premises and that there was no proper collection of glasses, on a number of occasions patrons had to hand glasses back to bartenders'**.

Introduction

- Bar owners and staff members have to be **more concerned** about **safety and security** issues.
- This is the result of a variety of factors, most notably recent **legislative changes** at national and international level and the subsequent high **costs of assaults** (including costs relating to litigation and compensation).
- **Poor health, safety and security standards** place staff members and customers at risk of serious injury if not death; employers suffer in terms of lost productivity and potentially higher premiums' and the morale of the staff, as well as the industrial relations climate in the bar, can be adversely affected.
- At a minimum, bar owners should have a **practical understanding** of the local and national legislation in this area.
- They should also **ensure, if necessary by enforcement** that their staff members to follow proper safety and security standards.

Irish Legislation in this area

Criminal Justice (Public Order) Act 2003: the act gives the Gardai power to apply to the District Court, to seek the closure of licensed and catering premises, if there has been **disorder** on the premises or **loud noise** and if it is likely to recur. First offence: Closure period not exceeding 7 days, Second and subsequent offences: closure period not exceeding 30 days. Breaches of closure orders: fine €3,000 and jail sentence not exceeding six months.

Intoxicating Liquor Act 2003 to combat drunkenness and disorderly conduct:

- Drunken Persons if a licensee is convicted of serving a drunken person or of permitting a drunken person to be on a premises, a District Court may impose temporary closure and a fine; First offence: €1,500 fine and closure period not exceeding 7 days, Second or subsequent offences: €2,000 fine and closure period not exceeding 30 days.
- Disorderly Conduct Section 7 of the Act provides that a licensee must not permit disorderly conduct on licensed premises, while Section 8 provides that a person on premises must not engage in disorderly conduct. A person who engages in disorderly conduct must leave the licensed premises **upon being requested to do so** by either the licensee or a Garda. The fines and closure are similar to the Drunken person's section above except for the person. If a licensee is convicted of serving a drunken person or of permitting the drunken person to be on s premises the District Court may impose a fine of up to €1,500 for a first offence and up to €2,000 for a second offense) in addition to any penalty imposed make a temporary closure order. A person convicted of disorderly conduct may be fined up to €300 for a first offence and €500 for a second or subsequent offence.

Origins of Violent acts

The majority of violence arises out of attempts to control the behaviour of customers rather than from inter-customer disputes.

- Arising from **refusal to serve** because of disorderly behavior etc.
- Arising from **attempts to eject** customers for similar reasons
- Arising from **intervention** in fights between customers
- Arising from **attempts to prevent** theft, damage etc.
- **Revenge attacks** on managers and staff members
- Arising from **other disputes** such as allegations of short change, quality of products etc.
- **Length of time** of manager and staff in post

Health and Safety

Safety Statements

Every bar owner is obliged to have a safety statement, which must be made known to all employees, this safety statement should;

- specify the manner in which the safety, health and welfare of staff employed shall be secured
- be based on an **identification of the hazards** and an assessment of the risks to which the safety statement relates
- specify clearly the **co-operation required from staff** and the **names of the persons** responsible for safety in the bar.
- It is the duty of every bar owner to make each staff member **aware of the safety statement and allow them access to it.**
- **Staff members have a right to be consulted** in regard to any proposed changes in the safety statement, and to information as to whether the introduction of new technology or changes in the organization of work in the bar will affect their health and safety.
- **Employers must:** provide a safety statement, consult with employees with respect to health and safety, obtain specialist advice on health and safety, ensure a safe working place, safe access and egress, safe systems of work, competent supervision.

Techniques Used for the Prevention of Violence

Preventing and handling aggressive or potentially violent situations in the hospitality industry and especially bars and nightclubs (because of alcohol) is unfortunately a common area of concern.

Techniques used for Prevention of Violence:

Management skills and style: firmness and fairness, set clear and consistent standards, create sociable atmosphere, combine firmness with fairness, be friendly, but professional.

Monitoring and surveillance: know the danger signals, changing behaviours and conduct rowdiness, drunken behaviour and anti-social antics, large groups forming with opposing opinions, use low profile monitoring techniques, covert CCTV cameras, undercover security personnel, management and seniors collect glasses and clean tables combine monitoring with sociability, talking and engaging with your guests relating small stories of current affairs, sport and family events coming up, intervene early but tactfully.

Calming strategies: get away from audience, stay calm, never respond to provocation, use relaxed non aggressive body language be assertive not aggressive.

Control: calm before control be clear about your requirements de-personalize the conflict always allow face saving, the more respect you show the more confused the guest becomes and they are not able to sustain the argument.

Frustration: look at the pub and bar from your customers point of view identify and remove potential sources of frustration through good housekeeping and good customer service. (See layout of premises)

The Police: know your limits, no heroics establish and maintain good relations for advice and information don't expect the police to run your pub for you.

Closing time: have a clear and consistent message (for example last orders do you flash the lights call last orders verbally) maintain a regular routine that everyone understands conduct a gradual wind down be always firm but polite when dealing with the end of the evening session.

Disorderly conduct and crowd control: the total environment you place your customers, active monitoring, prevention, intervention, an integrated approach to create a sociable atmosphere and happy satisfied customers.

Physical Layout of Premises

- (Small diagrams of proper traffic flow due to good, and bad traffic flow due to bad design layout could be utilised to explain the huge influence of premises design and patron contact to the potential for violence and conflict in bars).
- The amount of **patron contact** is influenced by the floor layout. The more places where people are likely to run into each other the greater the chance of violent incidents
- Overcrowding creates greater opportunity for conflict and violence
- The location of the service bars, entrance, restrooms and tables can affect **traffic flows** and crowding
- The bar can be designed to have a **small amount of cross flow** and therefore less opportunity for interactions.

Case example: Toilet Area.



Large Crowds – cross flow.



The Role of Hosts - Private Security

Considerations for Bar Owners

- The use of private security in bars has **increased in recent years** this demand has been brought about by the **anti-social, violent and drunken behaviour** of some customers.
- The majority of **local authorities and government agencies** around the world regulate and license the private security industry in their own country or state.
- For bar owners who use these services you must ensure that you employ a **licensed security contractor or employee**.
- If you contravene this requirement, depending on your local laws, you will be liable to incur a **fine or imprisonment**.

Duties of the Host:

- **controlling, supervising, regulating** or restricting entry to the bar or premises
- controlling or **monitoring the behaviour** of persons therein
- **removing persons** from the bar or premises because of their behaviour.

License and Registration

- Issued to individuals who offer private security services to bars are **backed by a recognized qualification** which ensures that all those working in the industry have been **trained to a high standard**.
- Applicants are usually **vetted by the local police** force before any license is issued.
- Government authorities will usually maintain a **register of both contractor and individual license holders** on their website, these registers are a useful tool for bar businesses and the public who can ensure that their private security provider is licensed by checking the details on the register.
- **Fines** can be imposed on bar owners who **engage unlicensed private security providers**.

Violent Conduct by Hosts

- **Violent conduct** or acts of abuse by your hosts can result sometimes in **criminal convictions** which lead eventually to **bad publicity** for your bar. This type of behavior **can turn people away** from supporting the bar.

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Conclusion / Further Reading & Resources

Conclusion

Reducing Conflict & Violence in Hospitality Establishments

- Safety and security for your hospitality establishments involves **training programs** which are meant to teach staff members how to handle the risks and responsibilities involved in carrying out their duties.
- Bar owners must also **implement strict measures** to prevent acts of violence, anti social behaviour and drunkenness in the bar to safeguard their staff members against harassment, intimidation or ill-treatment from customers or other employees.
- Safety and security policies can help **cover all the risks** which staff members, customers and the bar premises might encounter in it's daily operations.

Further Reading & Resources

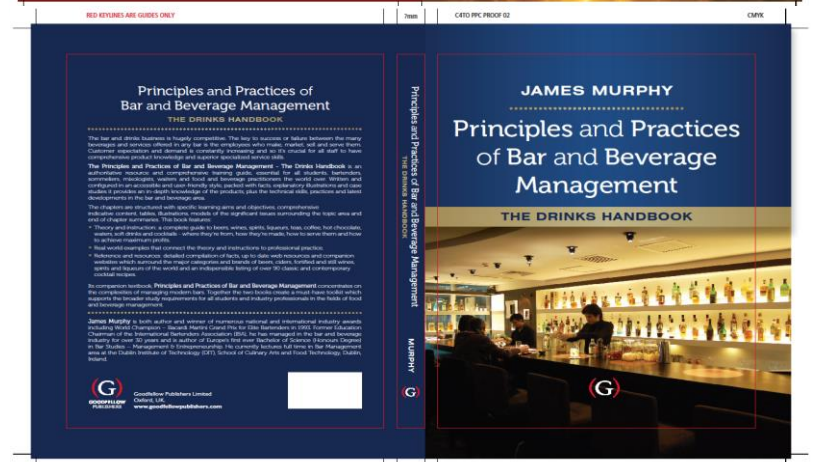
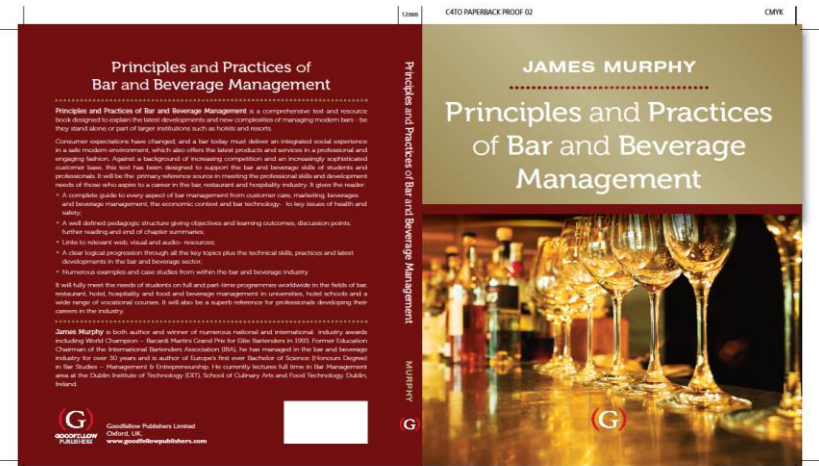
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<http://www.goodfellowpublishers.com/academic-publishing.php?promoCode=&partnerID=&content=story&storyID=316&fixedmetadataID=211> P.P.B.B.M – D.H Book

Training & Skills Development

The Dublin Institute of Technology, School of Culinary Arts & Food Technology, Cathal Brugha Street, Dublin 1. (Full / Part-time courses)



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Copies of the various Irish Licensing Acts can be purchased from the Government Publications Sales Office, Sun Alliance House, Molesworth Street, Dublin 2. Tel 01-6776579.

Web resources

- www.iso.ch International Standards Organisation.
- www.who.int/en/ World Health Organisation.
- http://www.erb.ie/Resources/Documents/Sample_Health_Safety.pdf Sample safety and security statement.
- http://www.mmu.ac.uk/humanresources/health/policy/accident_report_form.pdf Sample accident report form (UK).
- <http://www.hse.gov.uk/risk/casestudies/pdf/pub.pdf> Sample risk assessment form for bars.
- www.hsa.ie Health and Safety Authority (HSA).
- www.who.int/violenceprevention Centre for Public Health, Faculty of Health and Applied Social Sciences, Liverpool John Moores University.