Managing the Responsible Service of Alcohol: Are We Meeting Our Obligations?

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Responsible Service of Alcohol
Are We Meeting Our Obligations

James Murphy, Lecturer & Author, Dublin Institute of Technology
Update on this case (2011): The two bar staff accused of the manslaughter of a customer who died from alcohol intoxication 20 June 2008 (26 year old - Graham Parish) after a 5 day trial at the Nenagh Circuit Criminal Court in May 2011 were acquitted. Despite a finding of gross negligence in the discharge of their duties. The Court directed the jury to an acquittal on the basis of ‘supervening event’ – the fact that the deceased had made a personal decision to consume the alcohol. The two men were charged with common law manslaughter. A civil case for damages has now been taken by the deceased family against the licence holder.
Presentation Overview

- **Introduction** – binge drinking, responsible service.
- **The Law / Rationale for RSA Practices.**
- **Management responsibilities in beverage staff training**
- **Preventing guest intoxication and identifying over consumption – strategies to adopt.**
- **Delaying or suspending service** – techniques to follow.
- **Implementing Your Responsible Service of Alcohol Strategies** – best practices.
- **Conclusion / Further Reading & Resources / Training & Skills Development.**
- **References.**
Introduction

- **Recent research** studies indicate that customers and individuals are drinking no more than their parents were drinking 15 years ago but the frequency, strength of drinks, and amount of drinks consumed per session has increased. These *irrational drinking patterns* have created a *binge drinking* culture.

- **Bar staff** and management have the task of serving and dealing with all types of people from all walks of life and status of society, this is an enjoyable and rewarding part of the job.

- However **there are many occasions** when they have to deal with people who may well have on occasion for various reasons consumed too much alcohol.

- This situation requires considerable *patience, tact, firmness and above all experience*.

- **Alcohol awareness and responsible service** can ultimately lead to informed and wise decision making by all bar staff.
The Law / Rationale for RSA Practices

- **The Laws for Republic of Ireland**: ‘The Intoxicating Liquor Act 2003 set out the legal guidelines to combat drunkenness and disorderly conduct’ it is important that you learn the wider laws which apply to responsible service of alcohol.
  - The **bartender may be held responsible** for injury to others that is caused by an intoxicated customer who has been served unlawfully, **failure to act** responsibly in the service of alcohol can result if negligence is proven against the bar or bartender the court may **allow substantial damages**.
  - Crucial that the bar owner (license holder), their management and staff members to **develop ways to monitor the service of alcohol**.
  - An intoxicated guest’s **normal judgment will be impaired**, therefore, it is up to the bartender, not the customer, to decide on service.
  - Responsible alcohol service practices can also **lead to better business practices** which contribute to **improving the atmosphere** of the bar, ultimately to achieve greater profits.

**Rationale**: Bar owners should improve their RSA practices because they will help them to:
- maintaining a good reputation
- increase customer satisfaction
- decrease damage done to the bar
- avoid potential legal cases
- less police attendance
- morale will increase boosting productivity and reducing staff turnover.
Management Responsibilities in Beverage Staff Training

- Management must clearly state their expectation of staff and give them the authority to make decisions.
- Support staff with (written house policy, staff meetings, an incident log and reviewing particular incidents).

Consider safe transport options
- staff offering to call a friend or family member of a customer;
- staff offering to call a taxi;
- making a phone available and the phone numbers of taxi companies;
- offering to include the cost of mini-buses as part of the costs of a function; and
- starting a designated driver program (DDP)
Preventing Guest Intoxication and Identifying Over Consumption

Strategies to prevent guest intoxication
- Notify management of potential problems (i.e. guests drinking fast).
- Keep track of how many drinks are being consumed and in what time frame.
- Engage you guests in conversations, ask details that would be a good test of mental alertness (i.e. recent news, sports events).
- Suggest selling food (especially high protein food such as fried cheese, potato skins).
- Promote healthy non and low alcoholic drinks / events – attractive signage and price incentives are useful.
- Bar staff can influence a customer’s decision regarding drinks so try to avoid unacceptable serving practices.

Techniques to identifying guest intoxication
- Some people are very clever at hiding intoxication, so how do we identify over consumption, listed below are some of the most signs to help you in your decision making process. These signs much not considered in isolation of each other because rash decisions can also cause you major problems, a person with disability might display some of the signs below;
- A noticeable change in your customer’s behavior, becoming loud (heightened voice volume), erratic, entertaining, animated, boisterous, using bad language, annoying customers, slurred speech, argumentative, mean, obnoxious, over friendly to strangers wants to converse or buy them a drink, sudden quietness.
- A lack of judgment, careless with their money, making silly, irrational or repeated statements, boasts about their financial situation, ‘conquests’, physical or mental strength, drinking faster, complaining about drink prices.
- Clumsiness, losing muscular control, becoming clumsy, spilling drinks and difficulty in picking up change.
- Loss of co-ordination, swaying and staggering, difficulty in walking straight, bumping into furniture.
- Decreased alertness, becoming drowsy (heavy eyelids), delays in responding to questions and paying attention, hearing, concentration and focus ‘glazed eyes’, or becomes detached, brooding.
- The smell of alcohol (an important indication).
Delaying or Suspending Service

When a customer has reached their maximum number of drinks, service can be delayed; if the customer showing signs of intoxication, service of alcohol may be stopped for the duration of the evening. This decision can be easily determined by a customer’s actions.


Tell them Early – quiet discrete word or use other members of a group to warn the offending person
Avoid put-downs – don’t be judgmental, say, “you’re drunk”, scold the customer, appear to be blaming them.
Keep yourself calm – Your tone of voice is very important. You need to have a firm voice without being aggressive. Do not raise your voice. Behavior breeds behavior. You can calm them down if you remain calm yourself.
Ever courteous – Respect breeds respect, staff might say, “I’m sorry, if I served you another drink I’d be breaking the law”; or “I’d lose my job”; or “I’m concerned about your safety”.
Clarify your refusal – Explain why service is being refused, focus on the behavior, not the individual, explain that they are welcome back tomorrow if they behave.
Alternatives offered – Offer to call a taxi, low or non-alcoholic drinks, allow them to “save face” in front of friends.
Report the incident – Make all staff aware of what happened, keep incident logbook near the bar and write what has occurred. If the customer injures a third party, after leaving the premises the record will be important.
Echo – If the customer is a regular, staff can quietly reinforce the message when they return.
Implementing Your Alcohol strategies – Audit Documentation

Table: Self-Audit Documentation for Managing Alcohol Consumption through Responsible Service  (adopt this sample table to suit your premises)

<table>
<thead>
<tr>
<th>SELF AUDIT ITEM</th>
<th>Y</th>
<th>N</th>
<th>ACTION TAKEN</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Signage Compliance</strong></td>
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<tr>
<td>Proof of Age Signs at Entry points</td>
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<tr>
<td>Minors – sell or supply of liquor</td>
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<tr>
<td>“Stop” entry signs to restricted areas</td>
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<tr>
<td>Under 18 – Responsible Adult to authorised areas</td>
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<tr>
<td>Nightclub (if applicable)</td>
<td></td>
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</tr>
<tr>
<td>Guest Register – (if Registered Club)</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>House Policy – as per Practice</td>
<td></td>
<td></td>
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<tr>
<td>Direction in relation to Fail to Leave</td>
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<tr>
<td>Intoxicated Sign</td>
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<tr>
<td>Harm Minimisation Signage – as per Practice Direction</td>
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<td></td>
<td></td>
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<tr>
<td>Signs in well lit area</td>
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<td></td>
<td></td>
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<tr>
<td>Signs not obstructed</td>
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<td></td>
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<tr>
<td>Signage can be easily read by staff and patrons</td>
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</tbody>
</table>

| **Transport Options**  |
| Regular Advertising of Courtesy Bus (if applicable) |
| Taxi (phone, rank) |
| Bus, train |

| **RSA Register**  |
| Is it Up to Date – all staff have RSA Training |
| Available for Inspection |
| In house up to date training |

| **House Policy**  |
| Is House Policy known and understood by all staff |
| Readily available for patrons and staff. |

| **Incident Register**  |
| Do you have one |
| Location easily accessible to all staff |
| Staff trained in completing it. |

| **Security Staff**  |
| Security staff know SOP (standard operating procedure) |
| Security staff completed RSA training |
| All Door staff competent in checking ID |
| All security staff have current licence: Validity of licence checked. |

Evidence of Age
ID Checking guide available for all staff
Staff Fully Trained to check ID
Staff Trained on in house policies dealing with patrons

Refusal of Service
Staff have working knowledge of House Policy
Staff trained in Preventing Intoxication on premises
Staff trained in Identifying Intoxicated Patrons
Staff trained in dealing with Intoxicated patrons
Conclusions

- Managing alcohol consumption through responsible service strategies need to be adopted by all your in-house staff.
- Promote low alcohol and non-alcoholic drinks,
- Always support your bartenders when refusing service and allocate proper access and time for RSA staff training.
- Display your house policy on alcohol in a good vantage point within your premises
- Remember we can all make the differences that count in making our jobs more enjoyable and our bars safer and socially enhanced.

Further Reading & Resources (New Books – Special Exhibition Price Today !!!)

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

- *Irish National Alcohol Awareness Campaign (2001-03)* Phases and Booklets, Irish Health Board.

Web resources

- [www.servsafe.com](http://www.servsafe.com) Serve-safe USA.
- [www.apsad.org.au](http://www.apsad.org.au) APSAD Australia.
- [www.meas.ie](http://www.meas.ie) Mature Enjoyment of Alcohol - Responsible Service of Alcohol in Ireland.