

The Retail of Alcohol Standards Group

RASG

Retail of Alcohol
Standards
Group

Best Practice for Rapid Delivery Services Delivering Age Restricted Products



2023 Edition

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Introduction from the Chair



Welcome to this best practice guidance for Rapid Delivery (RD). It should helpfully steer you to understand some of the policies and practices you should be thinking about putting in place to ensure that as an industry we are selling alcohol in a socially responsible manner.

The Retail of Alcohol Standards Group (RASG) has always been at the forefront for developing industry guidance, to stay ahead of our ever-changing world to which legislation cannot always keep up. Ensuring that children do not get hold of alcohol to consume is at the heart of what we do. Balancing the need of convenience in our busy lives and the welcoming of Rapid Deliveries to help us should not be at the expense of ease at which children can get hold of alcohol.

It is always good to see that many businesses already have strong policies and processes in place to ensure that deliveries are not made to children.

This guidance is to help and support you to consider any changes you may need to make to your organisation to help prevent minors from obtaining alcohol, and other age restricted products.

Yours sincerely,

A stylized white signature of Hardish Purewal.

Hardish Purewal
Chair, Retail of Alcohol Standards Group

About RASG

RASG is a panel of UK retailers committed to promoting the responsible retail of alcohol both in store and online. We share our expertise and work with government, local government representatives, industry bodies, trade associations and other interested parties. We keep abreast of legal requirements, trends and changes to offer practical advice and develop guidance and best practice to aid all retailers in operational compliance.

RASG was established in 2005 to tackle underage sales and underage drinking. We developed and launched the ID scheme 'Challenge 25' in 2006 and established the first Community Alcohol Partnership, a localised scheme within a community to reduce alcohol harm among young people, in 2007.

In 2019 membership of RASG was extended to include online specialist alcohol retailers while 2022 saw the first membership of a rapid delivery business. The decision to extend membership was a much needed, crucial move to ensure that RASG remains up to date and vigilant in identifying issues that affect all retailers in today's market, whether operating off- or- online.



Rapid delivery (RD) of groceries, household products and other goods, including age restricted products such as alcohol and tobacco, have significantly increased in popularity over the past few years and are no longer a niche category in the UK grocery sector. This surge in growth, teamed with the ability of consumers to access age restricted products within as little as 15 minutes, led to questions about whether current age restriction rules in England and Wales were effective for this sector.

To help determine this a working group was established, drawing on the expertise of members of the UK Government's Expert Panel for Age Restrictions. The Expert Panel for Age Restrictions supports the Office for Product Safety and Standard (OPSS) and other government departments to implement age restriction laws, policy and guidance that work well in practice to protect people under 18 years of age from harm. Panel members include representatives from local and national regulators, retail trade associations, the primary authority network, age verification providers, lawyers and those that work in this regulatory field.

The Working Group was asked to examine the role of RD with a view to ensuring that age restricted products, such as alcohol and tobacco, are not sold or delivered to minors. Members of the working group included representatives from both industry and enforcement bodies, such as police and trading standards.

The working group defined RD services as being those that deliver small quantities of food items and everyday products in the shortest possible time. These services tend to operate in urban areas with the unique selling point of these businesses being speed and accessibility.

This Best Practice Guidance is for those businesses that offer RD. It does not apply to same day deliveries or deliveries over 24 hours, where time is not so critical and there is a reasonable delay between placing an order and making a delivery.

Ordering goods via RD includes both a sales and delivery element. However, while the legal requirement to prevent the sale of age restricted products is referenced, the focus of this best practice is on checks made at the point of delivery of the age restricted products. Despite this focus, it is important to note that sales of age restricted products can be minimised, or prevented, by carrying out additional age verification checks prior to delivery i.e. online age verification checks. In relation to alcohol, this is confirmed in [Home Office statutory guidance \(2018\)](#) which states, "Licence holders should also consider carefully what steps are appropriate to ensure that age verification takes place before the alcohol is served (i.e. physically delivered)".

This guidance recommends that any online age verification checks that are completed in addition to doorstep checks should be done to the standard BSI PAS 1296:2018 or equivalent.

In addition to age verification, RD should consider only delivering goods to a fixed residential or business postal address and leaving the goods with the purchaser only.

Within this guidance, we recognise the importance of social responsibility and the duty of society to protect children from harm. As such, recommendations to support social responsibility are included. The recommendations made are equally applicable to start-ups and emerging RD services, as well as those already established within this sector.

This best practice guidance is not a legal document and is not a substitute for the law. It has been produced by members of the Expert Panel on Age Restricted Sales and the Retail of Alcohol Standard Group. It can be distributed freely. The contents of this guidance are not protected and so all or part of it can be used to form the basis of informal or assured advice for individual businesses or business sectors.

While businesses in the RD sector are encouraged to consider and implement the recommendations contained in this guidance, delivering in accordance with the recommendations does not confer immunity from enforcement action should offences be committed. Businesses must ensure that they are aware of, and comply with, the legal requirements expected of them contained in legislation applicable to the age restricted products that they offer for delivery.

Within this best practice various recommendations are provided. These recommendations relate to specific matters that businesses should address when providing RD of age restricted products. Each matter in question is dealt with in a separate chapter. These chapters relate to “Policies and Procedures”, “Training”, “Identification - Physical and Digital”, “Refusals’ logging and management of refusals” and “Auditing”.

Following the recommendations in this guidance does not guarantee that a defence of ‘taking all reasonable steps and exercising all due diligence’ will be satisfied. What would be considered as ‘reasonable steps’ can only be decided by a court and will vary from business to business. Factors such as a business’s size and resources available to them may be factors in determining what is ‘reasonable’ for them.

When trying to satisfy a reasonable steps and due diligence defence, it is crucial that businesses take positive steps. For specific advice relating to your business model and the goods you deliver, we recommend speaking to your local authority. Assured, binding advice may be provided for those businesses that form Primary Authority Partnerships with a trading standard authority. Please note that the police are not bound by statutory assured advice.

RD businesses deliver small quantities of food items and everyday products in the shortest possible time. They operate in urban areas and typically focus on providing deliveries that have not been planned in advance, catering to those who, for example, find themselves out of a certain ingredient that is needed for dinner. The unique selling point of these services is speed and accessibility.

RD offers consumers:

- Convenience, enabling consumers to order groceries on-demand in just one click.
- Speed, with deliveries promised to be with you in 15 – 20 minutes.



Every business and business model are unique. Research into RD identified several business models and while this best practice will not go into detail on all the models identified it does identify the two main types:

1. Those that offer a delivery service only.
2. Those that sell and deliver goods.

Depending on the business model, delivery operatives can be employees¹, self-contracted² or workers³. This guidance is applicable to all delivery operatives regardless of their employment status.

In relation to alcohol, businesses that offer a delivery service only do not require a premise licence. In this case, liability for underage sales of alcohol lie with the business that sold the alcohol and puts their licence at risk.

Those businesses that both sell and deliver alcohol must ensure that they comply with the legal requirements within the Licensing Act 2003⁴, their premises licence conditions, the mandatory conditions and the overall licensing objectives.

For businesses that are legally required to hold a premise licence, the penalties of underage sales are two-fold:

1. Potential prosecution for breaching legislation; and
2. A review of the business's premise licence for breaching licence conditions and the licensing objectives.

¹ An employee is someone who works under an [employment contract](#). [Employment status: Employee - GOV.UK \(www.gov.uk\)](#)

² A person is self-employed if they run their business for themselves and take responsibility for its success or failure. [Employment status: Self-employed and contractor - GOV.UK \(www.gov.uk\)](#)

³ A person is generally classed as a 'worker' if they have a [contract or other arrangement to do work or services personally for a reward: their reward](#) is for money or a benefit in kind; they only have a limited right to send someone else to subcontract the work; their employer has to have work for them to do as long as the contract or arrangement lasts; they are not doing the work as part of their own limited company in an arrangement where the 'employer' is actually a customer or client. [Employment status: Worker - GOV.UK \(www.gov.uk\)](#)

⁴ The Licensing Act 2003 only applies to England and Wales. In Scotland and Northern Ireland, we would urge businesses to seek advice from your local authority and police.

Legislation and age restricted products in scope

The table below references the age restricted products that may be delivered by RD, the minimum purchase age for these goods and a link to the relevant legislation for the goods.

The most common age restricted products are listed below.

Age restricted products in scope of this guidance		
Goods	Minimum Purchase Age	Legislation
Aerosol paint	16	Anti-social Behaviour Act 2003
Alcohol	18	Licensing Act 2003
Christmas crackers	12	The Pyrotechnic Articles (Safety) Regulations 2015
Knives / axes / blades	18	Criminal Justice Act 1988 Offensive Weapons Act 2019
Lighter refills containing butane	18	The Cigarette Lighter Refill (Safety) Regulations 1999
Lottery draw-based and instant-win (such as scratch cards and online instant win) games	18	National Lottery Regulations 1944 as amended by the National Lottery (Revocation and Amendment) Regulations 2021
Nicotine inhaling products	18	The Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015
Party poppers and similar low-hazard low-noise fireworks (category F1) (except Christmas crackers)	16	The Pyrotechnic Articles (Safety) Regulations 2015
Tobacco	18	Children and Young Persons Act 1933 as amended by Children and Young Persons (Sale of Tobacco etc) Order 2007
Video recordings	Age stipulated on product	Video Recordings Act 1984
Video games	Age stipulated on product	Video Recordings Act 1984

For most of the age restricted products supplied by RD it is an offence to sell to a person below the minimum purchase age. For some there is an offence of supplying, while for alcohol, there is an offence of selling alcohol to a person under 18, delivering alcohol to a person under 18 (when not at the purchaser's home or place of work) and for a person to buy alcohol for a person under 18.

All businesses are unique and as such, internal policies and procedures will differ. Despite this, there are some basic recommendations that all business models can follow to ensure that they set the tone of the business in the eyes of their delivery operatives and potential customers. The following recommendations will help to reduce the likelihood of an underage sale and age restricted products being delivered to minors.

This guide previously identified the two main types of RD businesses currently available – those that both sell and deliver products and those that only deliver.

If a business undertakes both the sale and delivery of the age restricted products, they should have policies that relate to both. Obviously, it follows that businesses who operate a delivery only model will have policies and procedures relating to delivery and not to sales.

On Delivery:

- Businesses should consider only employing delivery operatives that are 18 years and over. This will be in line with how face to face sales of age restricted products are made.
- Businesses should consider offering delivery operatives training in conflict management. This would help them to confidently identify and manage any potential conflict.
- Businesses should not deliver alcohol to any intoxicated customers.
- Businesses should consider including reference to the fact that underage deliveries and deliveries to intoxicated customers may constitute gross misconduct with potential loss of employment.

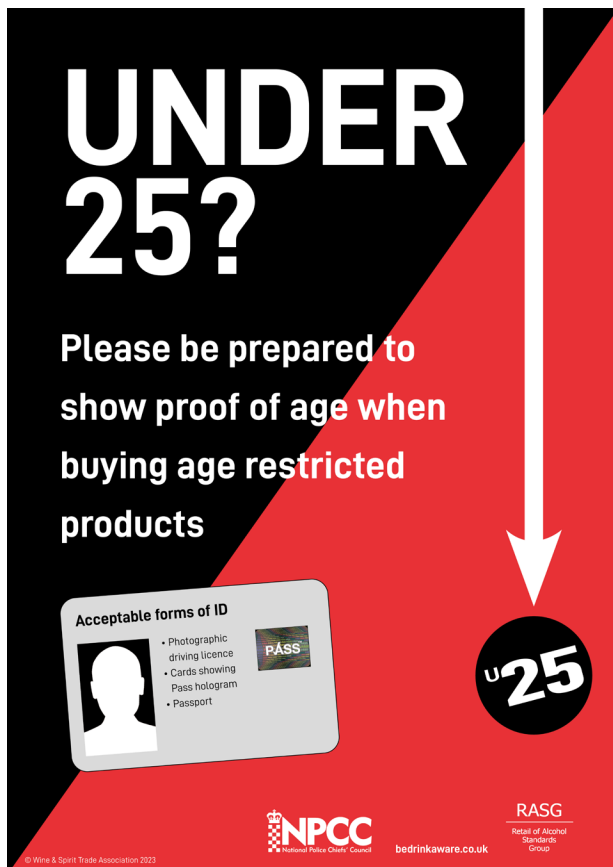
Information for customers:

- When placing an order for age restricted products, customers should confirm that they are 18 years or older. It is also best to promote Challenge 25 at the point of ordering.
- Terms and conditions on websites should be clear about the businesses' policies on selling (if relevant) and delivering age restricted products to minors and to people that are, or seem to be, intoxicated. Customers should be made aware that deliveries will not be made to minors and that if delivery staff are unsure of a person's age, the delivery will not be made.
- Terms and conditions on websites should be clear that deliveries of age restricted products will not be left with neighbours, in a safe place or in a storage locker (or equivalent).
- Consider pop up messages when age restricted products are added to the basket – this can be either at the time of selecting the products or at the checkout page.
- Consider signposting to 3rd party support services, particularly if delivering alcohol, tobacco products or gambling services. Crimestoppers, for instance, may be particularly useful for individuals under pressure from others to undertake certain activities (e.g. purchase a knife).
- Consider drafting a policy and making customers aware that violence towards delivery staff will not be tolerated and violence or other acts of aggression or intimidation will be reported to the police.

Policies and Procedures

For delivery operatives, consider:

- Providing all delivery operatives, irrespective of employment status, with training on delivery of age restricted products.
- Having an age verification policy such as Challenge 25, written in clear language that clearly explains to delivery operatives the business's policy when delivering age restricted products. This policy should clearly detail the circumstances when deliveries can and cannot be made. Instructions should be clear as to what delivery operatives should do with age restricted products should they come across a situation where they believe that a delivery should not be made.
- Having a policy regarding the welfare of their delivery operatives, particularly in the instances of refusals to do with intoxication.
- Having procedures in place to prevent delivery operatives being disincentivised from making a refusal e.g. hubs to drop off goods that are not delivered. There should be no penalty for the delivery operative in terms of payment if deliveries are refused.
- Consider adopting Challenge 25 for all age restricted products. This singular approach to age verification can help reduce confusion for delivery operatives who would more easily understand that, for all age restricted products they would need to ask for identification if, on delivery, the recipient looked younger than 25.



Challenge 25 Poster (English)



Challenge 25 Badge (English)



Challenge 25 Thin Landscape Poster (English)

UNDER 25?

Please be prepared to show proof of age when buying age restricted products

Acceptable forms of ID

- Photographic driving licence
- Cards showing Pass hologram
- Passport

U25

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The poster features a black background with a diagonal red section. A large white arrow points down from the top right towards a circular 'U25' logo. A graphic of an ID card is shown, listing acceptable forms of identification. The RASG logo and website are at the bottom right.

Challenge 25 Age Restricted Products Poster (Scottish)

O DAN 25 OED?

Byddwch yn barod i ddangos prawf oed wrth brynu cynhyrchion sy'n cael eu cyfyngu ar oedran

Mathau o brawf adnabod sy'n dderbyniol

- Cardiau gyda logo PASS
- Trwydded yrru â ffotograff
- Pasport

U25

NPCC
National Police Chiefs' Council

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The poster features a black background with a diagonal red section. A large white arrow points down from the top right towards a circular 'U25' logo. A graphic of an ID card is shown, listing acceptable forms of identification. The NPCC logo and website are at the bottom right.

Challenge 25 Age Restricted Products Poster (Welsh)

Businesses should consider providing all delivery operatives, whether employees, self contractors or workers, with training on policies regarding delivering of age restricted products, refusing to make a delivery and managing conflict. This training should cover scenarios on what to do if delivery operatives believe a customer is intoxicated. The type and format of the training will depend on the business model, products being offered and business resources, but it is recommended that:

- Training include reference to the statutory age limits for age restricted products.
- Training focus on Challenge 25, how to carry out age verification, what identification is acceptable, how to refuse a sale, how to identify intoxicated customers, conflict management and personal safety of delivery operatives.
- Businesses consider a multi-format approach, where possible, e.g. online modules, in person training and on-the-job training/shadowing.
- Training on delivering age restricted products be provided prior to the delivery operatives first delivery and can, as best practice, continue as on the job training.
- Training be provided at regular intervals and in accordance with any specific conditions placed on the premises licence. If this is longer than 6-month intervals, it would be best practice to repeat training every 6 months as a minimum.
- Additional training be provided to individual delivery operatives, in addition to the recommended 6-month intervals if an underage delivery is made.
- Delivery operatives receive training on conflict management and on how to refuse a sale if a customer is intoxicated, for example.
- Training can be carried out in-house or by external providers.
- Training should be documented, whether in hard copy format or digital, and staff may be tested to ensure understanding. Training should be periodically reviewed to ensure that it remains up to date.
- Where possible, businesses should keep record of training as evidence that this has been provided. Delivery staff should be required to sign any training record or validations to confirm that they have received and understood the content. Digital signatures would be acceptable where training is carried out online.
- Where possible, training record should be retained and in a form that can be easily retrieved, if necessary. Contractual terms between parties should include who has access to these records and under what circumstances.

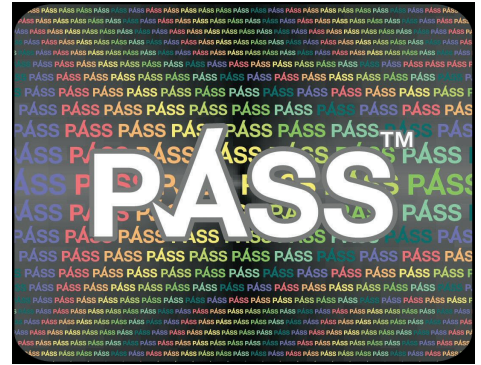
Physical Identification

Examples of the identification that retailers are allowed to accept is set out in the Licensing Act 2003 guidance which states:

“Identification which is accepted as proof of age must bear the holder’s photograph, date of birth, and either a holographic mark or ultraviolet feature. Examples of acceptable ID include photo card driving licences, passports, military identification or proof of age card bearing the PASS hologram, although other forms of ID which meet the criteria laid out above are also acceptable.”

Retailers are responsible for deciding which forms of identification they accept. To prevent fake identification being used, most retailers limit the types of identification that they accept and, in some cases, conditions on specific alcohol licences restrict the types of identification that are acceptable in some stores.

The Home Office has produced guidance to help people to understand the issues surrounding the use of false identification, and to offer tools that can be used to deal with those issues. This guidance includes information on what types of identification are acceptable, ways to determine whether identification is real or false and methods that can be used to determine whether a person using the identification is the person to whom it belongs. The guidance can be found here: [False ID guidance \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk)



Please note: Delivery staff should be aware of the basic principle of Challenge 25 when delivering age restricted products (i.e. if the age of the consumer is in doubt, and no acceptable identification can be provided, the delivery must not be made).

Digital ID

If a customer appears to be under 18, digital identification is not acceptable for the sale or delivery of alcohol as the 2003 Act requires physical proof of age that bears either a holographic mark or ultraviolet feature.

For products other than alcohol, digital identification is a relatively new technology and should only be accepted where there are rigorous mechanisms for the authentication (does it belong to the user?) and validation (is the information accurate?) of the application being used (e.g. a photo of a passport or driving licence on a person’s phone would not be sufficient).

Refusals' logging and management of refusals

Logging refusals will assist a business in proving due diligence and help to monitor delivery operatives' performance. These logs can be paper based or a digital format. These logs should capture the same information that would be captured if the delivery was refused in a store. This would include, but not be limited to:

- the date and time of the refusal.
- details of the product that was not delivered.
- a delivery reference number (or equivalent) to ensure that the refusal can be linked back to the original sale.

Personal data on individual customers, where refusals have been made, should not be retained. Businesses must ensure they are aware of their obligations about personal data under the Data Protection Act 2018 and the UK's implementation of the General Data Protection Regulation.

All refusal logs should be kept for at least 12 months so that they can be made available for inspection by local authority enforcement officers or the police. Having these refusals logs also provides evidence of refusals made by delivery operatives and would help to contribute to any due diligence defence, if needed.

As well as having policies in place, businesses need to be satisfied that these policies work. Having policies in place helps to fulfil the 'reasonable steps' aspect of a defence under the 2003 Act. Ensuring that these policies work demonstrates 'due diligence'.

Where the seller and the delivery business are different, they should aim to work in partnership to ensure that policies are effective. The seller should be able to demonstrate that they are complying with the legislation and licence conditions and the delivery business should comply with the terms stipulated within their contract with the seller.

Businesses involved in the delivery of age restricted products should consider:

- Periodically reviewing and testing their policies and procedures. This can be via in-house audits or by employing external 3rd party auditors, depending on the resources available.
- For all age restricted products, businesses should consider using people under 25 to attempt to buy such products to see if delivery operatives follow their training and the principles of Challenge 25. Please note that people under the age of 18 must not be used to purchase alcohol as offences would be committed by both the business and the young person.
- Keeping up to date with changes in legislation concerning any amendments to age limits for products they deal with.
- Carrying out audits of the training provided, or made available to, delivery operatives to ensure that this is up to date and relevant.
- Conducting audits of delivery operatives' refusal logs. These audits will help to show whether any operatives are not making refusals or not making as many as other operatives on similar routes. If issues are identified, take steps to ascertain why this might be and to determine whether those operatives are correctly following procedure. There are many legitimate reasons why operatives may not make refusals, including the number of hours they worked (this may be significantly less than other operatives that may have made more refusals) the time of day that they work (younger people are more likely not to be in to accept deliveries during school hours) and their delivery route/area (the route may be within an area where the majority of residents are clearly over 25).
- Consider expectations for refusals against companywide averages of similar products by looking at each delivery operative and checking if they were refusing well above or below the average for the type of age-restricted goods concerned. So, a company may find 5% of alcohol deliveries are usually refused overall; someone refusing 1% or 10% should trigger a question as to why.

This guidance has been produced by the Wine and Spirit Trade Association (WSTA) in collaboration with our Primary Authority Trading Standards Partners at Salford City Council, on behalf of the Greater Manchester Regulatory Centre of Excellence, and the Shared Regulatory Services of Bridgend, Cardiff and the Vale of Glamorgan.

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