

# **Towards best practice for safety in licensed venues**

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## **Towards best practice for safety in licensed venues**

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# Introduction

## ● Message from the Executive Director

The Office of Liquor and Gaming Regulation (OLGR) is committed to working with the liquor industry in encouraging and assisting licensees to not only meet the legal requirements for safety in their venues, but to exceed them.

*Towards best practice for safety in licensed venues* is a comprehensive guide outlining risk management practices and procedures. It includes information on legislative obligations and suggestions for adopting best safety practices. The publication is compiled in a consistent and easy-to-follow format with each chapter including a summary on what the law says, a brief topic overview, best practice suggestions, implementation ideas and a list of additional resources.

While there is an emphasis on processes and procedures for higher-risk venues, the strategies outlined in this guide can be used and adapted by the majority of licensed venues.

OLGR has consulted with a wide range of stakeholders in the development of this guide, including representatives from the liquor industry, the security industry and the Queensland Police Service. Given the dynamic nature of the liquor industry, this reference source will be regularly evaluated and adjusted to reflect industry changes.

*Towards best practice for safety in licensed venues* is to serve as a guide only. Providing a safe environment is not only a statutory obligation but is good for business. Licensees are encouraged to consider the practices outlined in this document when developing risk management procedures for their premises.

**Michael Sarquis**

Executive Director, OLGR

## ● Feedback

OLGR welcomes feedback from industry, licensees and other interested parties to help ensure that this guide is a useful, up-to-date resource and serves as a key source for information on best safety practices in Queensland's licensed venues.

We welcome your comments on the best practices outlined in this guide, including where you think it could be improved or expanded. If you have examples of licensed venues who have instituted effective safety measures that could contribute to the further development of best practice principals for safety in licensed venues, please let us know.

If you would like to provide any feedback, you can do so by filling in the [form on our website](#). Alternatively, you can send us an email at [communications@olgr.qld.gov.au](mailto:communications@olgr.qld.gov.au)

## ● Legal obligations

Licensed venues may be subject to different legal standards under the *Liquor Act 1992* and *Liquor Regulation 2002*, including specific conditions that are imposed upon their liquor licence.

*Towards best practice for safety in licensed venues* has been designed to be consistent with those legal standards, and in parts, to exceed them.

However where any practice suggested in this document may be in conflict with, or inconsistent with, the legal standards take precedence. Where doubt exists, licensees and other affected persons should seek their own legal advice.

# Chapter 1 – Risk management and safety audit

Risk management is a business process that helps a venue to identify risks to the safety of patrons and staff and implement strategies to address these risks. Risk management principles are central to good management practices.

For a licensed venue, a risk-based approach involves:

- accepting that risks to the safety of patrons and staff do exist and can have serious consequences for patrons, staff and the venue
- prioritising risks by considering the chances of an event or incident occurring and its consequences
- implementing management practices and procedures to prevent the event or incident from occurring or to minimise the consequences
- regularly assessing whether those strategies are working and are providing a safe environment for patrons and staff.

*Towards best practice for safety in licensed venues* provides suggestions on how a risk management process can be developed and implemented in your business.

## ● What the law says

### *Liquor Act 1992 and Liquor Regulation 2002*

- A safe environment for patrons and staff has to be provided and maintained.
- Liquor is to be served, supplied and promoted in a way that minimises harm arising from its use and preserves the peace and good order of the neighbourhood.
- Prohibition on practices encouraging rapid or excessive consumption.
- Licensees also have a range of other statutory obligations, for example, *Workplace Health and Safety Act 2011*, *Fire and Rescue Service Act 1990*.

## Overview

- Knowledge and application of risk management principles are essential to meet statutory obligations.
- Licensees should be aware of new and existing risks and take appropriate steps to address them.
- Incident prevention should be included in your business practices.
- A risk management approach:
  - is good for licensees
  - helps a business to meet its objectives and legal obligations
  - reduces the chances of unwanted and costly impacts on business.

## ● Best practice

- Adopt a risk management approach to venue safety.
- Establish a risk profile for your venue by undertaking periodical venue safety audits that identify risks and how successfully you are addressing them.
- Where the nature, size or incident history of your business warrants, engage a person qualified in risk management and experienced in undertaking risk assessments.
- Implement management practices and procedures that will address safety risks specific to your venue (See Chapter 2 – Management plan).
- Review incidents that occur, consider their cause, how well they were handled, whether they could have been prevented and take appropriate action.

### Remember

- Where these best practice principles are inconsistent with a legal standard under the Liquor Act or Liquor Regulation that specifically applies to your venue, including a condition of licence, then you are obligated to follow that legal standard.

## ● Implementation

Instil a risk management culture:

- Implement comprehensive ID checks of staff at the recruitment stage, including photographic checks.
- Provide basic risk management training to venue management and key staff.
- Encourage staff to identify and report potential and existing safety concerns.
- Form a risk management committee or nominate a staff member to whom safety concerns and risks can be reported.
- At management meetings:
  - include venue safety and risk review as standing agenda items
  - have all incidents reported and review their handling and outcome
  - address poor skill or behaviour levels by security or other staff.

A risk management expert can help:

- brief and/or train management and staff on risk management principles
- prepare and/or assist with a safety audit
- undertake an initial risk assessment and prepare a risk register
- develop, document and implement practices and procedures on venue safety.

Periodical venue safety audits should:

- be conducted at higher-risk sites every six months and at other sites annually, at a minimum
- be coordinated by the licensee
- address all aspects of the venue's business
- be documented to assist with implementation of changes
- consider the [No More Risky Business Safety Audit](#) model.

When conducting the venue safety audit:

- include security and other staff
- consult your security firm for suggestions
- talk to local licensees and/or the local liquor accord and identify problems and solutions
- talk to Queensland Police and Fire and Safety Services about issues specific to your locality or premises.

## ● Where to go for more information

### Other chapters of this document

- [Chapter 2 – Management plan](#)

### OLGR resources

Website: [www.olgr.qld.gov.au](http://www.olgr.qld.gov.au)

For general information:

- [Liquor licensing](#)
- [Liquor compliance](#)

To access fact sheets, guides and forms, conduct a search of our online database at: [publications search](#)

### Industry associations

If you are a member, your association may have information about the subject discussed in this chapter.

- Queensland Hotels Association: [www.queenslandhotels.com.au](http://www.queenslandhotels.com.au)
- Clubs Queensland: [www.clubsqld.com.au](http://www.clubsqld.com.au)
- Restaurant and Catering Queensland: [www.restaurantcater.asn.au](http://www.restaurantcater.asn.au)
- Cabarets Queensland: (07) 3369 6969

### Workplace Health and Safety Queensland

[www.whs.qld.gov.au](http://www.whs.qld.gov.au)



# Chapter 2 – Management plan

A management plan sets out safety practices and procedures to address risks specific to a venue. When developing a plan, it is important for licensees to consider their current management practices and procedures, and how these can be improved.

*Towards best practice for safety in licensed venues* offers an example of a standard management plan, with suggestions for implementation and review.

## ● What the law says

### *Liquor Act 1992 and Liquor Regulation 2002*

- If you apply for a new licence, a licence transfer or changes to an existing licence you must have harm minimisation and venue safety practices and procedures in the form of a Risk Assessed Management Plan (RAMP).
- These practices and procedures must be implemented by the venue and complied with by staff.
- A RAMP needs OLGR approval initially and when any change is made.
- A RAMP must be available for inspection by an investigator or a patron on request.
- Other licensees are not subject to these provisions.

## ● Overview

- A management plan is essential for the efficient and effective implementation of harm minimisation and venue safety strategies.
- A house policy is a brief version of a management plan currently used by some venues to explain their client service standards, responsible service of alcohol practices and expectations of patron behaviour.
- A more detailed form of a management plan is a RAMP which is being progressively rolled out as new licences or changes to existing licences are approved.
- The RAMP was introduced as a specific harm minimisation measure.
- Venue management should be encouraged to prepare and implement a management plan that equates to the standards set for a RAMP.
- Voluntary management plans do not require OLGR approval.

## ● Best practice

- Develop a management plan that describes the venue's management practices and procedures for harm minimisation and safety strategies.
- As a minimum standard, ensure that your management plan addresses each of the matters that are prescribed for inclusion in a RAMP.
- Ensure staff follow the venue's practices and procedures when undertaking their duties.
- Keep venue practices and procedures under review and regularly update where necessary.
- Actively promote your venue practices and procedures in the interests of venue safety.

### Remember

- Where these best practice principles are inconsistent with a legal standard under the Liquor Act or Liquor Regulation that specifically applies to your venue, including a condition of licence, then you are obligated to follow that legal standard.

## ● Implementation

### *Content*

- Use the RAMP format as a checklist because it includes practices and procedures that are common to most venues.
- Be sure to include other practices and procedures that you use in your venue.

### *Implement*

- Use the management plan as a staff manual.
- Explain the content during staff induction.
- Reinforce the need to follow practices and procedures at staff training sessions.
- Make sure staff can access and refer to the management plan at all times.

### *Promote*

- Promote key aspects of your management plan.
- Refer to key aspects of your commitment to safety in the venue's signage, advertising and website.

### *Review and updates*

- Periodic safety audits should be undertaken to update and evaluate safety measures and procedures.
- Management should regularly discuss how management practices and procedures are working.
- Encourage staff to raise concerns and identify possible improvements in venue safety and business operations generally.

## ● Where to go for more information

### Other chapters of this document

- [Chapter 1 – Risk management and safety audit](#)
- [Liquor licensing](#)
- [Liquor compliance](#)

To access fact sheets, guides and forms, conduct a search of our online database at: [publications search](#)

For example:

- RAMP guideline
- RAMP fact sheet
- Patron and customer safety
- Patron safety and you (licensee) fact sheet

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- Queensland Hotels Association: [www.queenslandhotels.com.au](http://www.queenslandhotels.com.au)
- Clubs Queensland: [www.clubsqld.com.au](http://www.clubsqld.com.au)
- Restaurant and Catering Queensland: [www.restaurantcater.asn.au](http://www.restaurantcater.asn.au)
- Cabarets Queensland: (07) 3369 6969

# Chapter 3 – Patron bans

Patron bans can be court ordered, venue specific or involve a group of venues.

Court ordered patron bans provide the courts with powers to ban people from specified licensed premises or specified areas around the licensed premises for a period of up to 12 months or as a condition of bail. Courts were equipped with the powers as a result of changes to legislation that came into effect in December 2010.

*Towards best practice for safety in licensed venues:*

- gives an overview of the law
- provides guidance to licensees currently exercising their right to impose bans or contemplating doing so
- suggests a possible method to be used for deciding and imposing bans in an effective and fair way.

## ● What the law says

### *Penalties and Sentences Act 1992 and Bail Act 1980*

- Courts may ban persons from specified premises or areas around licensed premises following violent incidents in or around licensed premises or as a condition of bail.

### *Liquor Act 1992 and Liquor Regulation 2002*

- Courts may impose civil banning orders that relate to stated licensed premises, stated classes of licensed premises or stated events that are located or take place within prescribed drink safe precincts.
- Licensees may refuse entry to or remove persons who are minors or who are unduly intoxicated or disorderly.
- As the above provisions do not limit their lawful rights, licensees may ban persons for a temporary or specified period.

### *Associations Incorporation Act 1981*

- Club committees are given powers to suspend or terminate membership of disorderly patrons, either under the club's constitution or the Model Rules.

### *Queensland Anti-Discrimination Act 1991*

- The Act protects everyone from unfair discrimination, sexual harassment and vilification.
- Persons cannot be banned on discriminatory grounds.

### *Privacy Act 1988 (Commonwealth)*

- The Act sets principles about the collection, use and disclosure of personal information, for example, how is personal information about a banned person stored?

## ● Overview

- Generally, three levels of bans can be imposed:
  - court imposed bans as discussed above
  - venue bans—a licensee bans a person from their venue
  - group venue bans where licensees collaborate on local safety issues and each licensee imposes bans that prevent a person from entering any licensed premises in the specific district or town.
- A venue placing a ban on a person, when it can be justified, is a legitimate risk management approach.
- Natural justice, procedural fairness and privacy rights should apply to bans.
- Fair and efficient banning policies and procedures may be a deterrent to potential troublesome patrons.

## Best practice

- Impose bans on patrons when it is in the best interests of venue safety or of the individual(s) concerned.
- Procedures for imposing and enforcing a ban should be formalised and be consistent with the principles of natural justice.
- Group venue ban arrangements should adopt similar formal processes.
- Venues must not discriminate when imposing a ban and management should be familiar with the relevant law.
- Patrons should be informed of the venue's banning practices and procedures including, where applicable, group venue ban arrangements.
- Where applicable, patrons should be informed that group venue bans involve the personal details of the banned person being given to other venues.

### Remember

- Where these best practice principles are inconsistent with a legal standard under the Liquor Act or Liquor Regulation that specifically applies to your venue, including a condition of licence, then you are obligated to follow that legal standard.

## Implementation

Inform patrons of your banning policy prior to their entry by:

- incorporating the banning policy within the displayed conditions of entry or other signage at the door
- promoting the policy in venue advertising or on the venue's website.

*Develop a model to achieve consistency and fairness, for example, classifying incidents*

Category*	Duration of ban*
Relatively minor	No ban, for example: entry refused, asked to leave, banned for the day
Unacceptable	1 to 12 months
Serious	1 to 5 years
Extreme	5 years or more

\* These are examples only. Adopt or adjust as you see fit.

- When deciding on the category of an incident, consider the circumstances and review the evidence available including:
  - level of violence or injuries suffered/gravity of crime
  - level of risks and abuse that patrons or staff were exposed to
  - CCTV footage and details reported in the incident register
  - extent of property damage
  - previous history of poor or unacceptable behaviour/intoxication
  - whether staff conduct contributed to the incident.

*Develop standards for the implementation of a ban*

- Limit and manage the authority and actions of staff to impose bans, for example:
  - head of security or approved manager to issue bans for lower category incidents
  - licensee or approved manager to issue other bans
  - all bans to be reviewed by management
  - ban notice to be issued in duplicate and, if possible, copy given to patron.
- A ban notice should include the name of venue, name of patron, reason for ban, the time period of the ban, and the position and contact details of the venue's representative.
- Establish a ban register (using the functions of an ID scanner, where applicable) to enable a ban to be enforced. A ban register should include:
  - name and, where possible, a photo (for example, from a CCTV or ID scanner)
  - duration of the ban
  - reason for the ban.
- Keep personal information on banned persons secure as per your privacy policy.

## ● Implementation (continued)

### *Requests for information about or a review of a ban*

- Request to be handled by the licensee or senior venue management.
- Wherever possible, include a person not involved in the incident or the imposition of the ban.
- Set a timeframe which ensures a prompt response.
- Subject to the nature of the request, a response may include:
  - providing a copy of the ban notice where previous service was not possible, to clarify why the ban was imposed
  - reconsidering the incident and its classification
  - reviewing the evidence relied on
  - checking any possibility of mistaken identity or improper use of complainant's identity
  - considering contrary evidence or defence offered.

## ● Where to go for more information

### Other chapters of this document

- [Chapter 4 – Accords and community relationships](#)
- [Chapter 8 – Privacy policy](#)

### OLGR resources

Website: [www.olgr.qld.gov.au](http://www.olgr.qld.gov.au)

For general information:

- [Liquor licensing](#)
- [Liquor compliance](#)

To access fact sheets, guides and forms, conduct a search of our online database at: [publications search](#)

For example:

- Parliamentary inquiry into alcohol-related violence—a summary of legislative and other issues including an explanation of banning legislation
- Patron bans fact sheet

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- Restaurant and Catering Queensland: [www.restaurantcater.asn.au](http://www.restaurantcater.asn.au)
- Cabarets Queensland: (07) 3369 6969

### Anti-Discrimination Commission Queensland

You can access publications and other information about the rights of a patron to be treated fairly at: [www.adcq.qld.gov.au](http://www.adcq.qld.gov.au)

# Chapter 4 – Accords and community relationships

A liquor accord is an entity that considers liquor-related issues and implements harm minimisation initiatives in the local area. It involves liquor licensees voluntarily participating with police, local businesses, community groups, government agencies and other interested stakeholders.

*Towards best practice for safety in licensed venues* promotes the concept of liquor accords and other community consultation strategies, and identifies the type of issues that can be addressed for the benefit of the community as a whole.

## ● What the law says

### *Liquor Act 1992 and Liquor Regulation 2002*

- The Act recognises liquor accords and their objective of minimising alcohol-related disturbances or public disorder.
- Licensees are not compelled to join accords or to develop other business or community relationships.

## ● Overview

- Contact with stakeholders, including local residents and businesses, regulators and the police, is unavoidable.
- Accord membership builds positive relationships between licensees and local police, businesses and community organisations.
- Consultation with people who are interested or affected by your business may:
  - avoid problems and help find solutions
  - provide efficiencies in venue safety
  - help you to meet your legal obligations.

## ● Best practice

- Join and promote your local liquor accord.
- Discuss and promote your venue's safety practices and procedures with police, OLGR and your local council.
- Be open to the concerns of local residents and businesses and commit to working toward solutions.
- Continue to evaluate, improve and expand these relationships.

### Remember

- Where these best practice principles are inconsistent with a legal standard under the Liquor Act or Liquor Regulation that specifically applies to your venue, including a condition of licence, then you are obligated to follow that legal standard.

## ● Implementation

### *Accords or other inter-venue consultation*

- If a liquor accord does not exist in your area, seek support for one to be formed.
- Accords should prepare a formalised accord document that is signed by all the participants.
- The Australian Competition and Consumer Commission (ACCC) has granted conditional approval for a pro-forma liquor accord arrangement that could be included in the document.
- A copy of pro-forma arrangement can be found:  
[http://www.olgr.qld.gov.au/resources/liquorDocs/Liquor\\_accord\\_pro-forma\\_arrangement.pdf](http://www.olgr.qld.gov.au/resources/liquorDocs/Liquor_accord_pro-forma_arrangement.pdf)
- Personally and actively support your local liquor accord by:
  - promoting its objectives and encouraging membership
  - assisting with administrative functions
  - regularly attending meetings.
- Register to receive the [Queensland Liquor Accords e-newsletter](#).
- Engage in patron flow management including an alert system for disruptive individuals or groups, for example, radio-link communication.
- Use similar standards and procedures for banning patrons.
- Explore the possibility of sharing security resources.

### *Local police and police task forces*

- Initiate meetings about long and short-term safety issues.
- Promote and discuss your venue's commitment and strategies in venue safety.
- Accurately report and record incidents in the incident register.
- Ensure access to the incident register, CCTV recordings, ID scanner reports and other evidence is prompt and efficient.
- Reach agreement on how incidents and criminal activity will be reported.
- Consider joint activities to promote safety, responsible consumption and harm minimisation.

### *OLGR*

- Prepare for pre-arranged visits by OLGR inspectors.
- Alert OLGR where a safety concern has occurred and a complaint is likely.
- Seek meetings on liquor compliance concerns.
- Seek advice from OLGR fact sheets, guides and other publications produced for the assistance of licensees.
- Subscribe to the OLGR e-newsletters, [Responsible Service](#) and [Queensland Liquor Accords](#).

### *Local council*

- Discuss options about transport and patron dispersal.
- Clarify footpath dining, littering and other ordinances.
- Access council website for guidelines.

### *Local residents and businesses*

- Develop a formal complaint handling process that:
  - treats each complaint or inquiry seriously
  - follows a set process and responds promptly.
- Be receptive to community feedback.
- Ensure noise levels are not unreasonable for neighbouring residents.
- Make community relationships a duty of a specific staff member.



## ● Where to go for more information

### Other chapters of this document

- [Chapter 13 – Post-incident management](#)

### OLGR resources

Website: [www.olgr.qld.gov.au](http://www.olgr.qld.gov.au)

For general information:

- [Liquor licensing](#)
- [Liquor compliance](#)

To access fact sheets, guides and forms, conduct a search of our online database at: [publications search](#)

For example:

- FAQs about accords
- Starting an accord
- Details of current accords

### Industry associations

If you are a member, your association may have information about the subject discussed in this chapter.

- Queensland Hotels Association: [www.queenslandhotels.com.au](http://www.queenslandhotels.com.au)
- Clubs Queensland: [www.clubsqld.com.au](http://www.clubsqld.com.au)
- Restaurant and Catering Queensland: [www.restaurantcater.asn.au](http://www.restaurantcater.asn.au)
- Cabarets Queensland: (07) 3369 6969



# Chapter 5 – Venue lighting and facilities

A venue's layout and facilities need to be considered in terms of achieving the desired atmosphere without endangering the safety of patrons and staff.

*Towards best practice for safety in licensed venues* suggests elementary standards for lighting and maintenance of facilities that would support a venue's security and safety initiatives.

## ● What the law says

### *Liquor Act 1992 and Liquor Regulation 2002*

- Premises need to be suitable for the type of business conducted under the licence.

### *Fire and Rescue Service Act 1990 and the Building Fire Safety Regulation 2008*

- A legal obligation is placed on the owner and the occupier of a building to ensure the safety of any person in the building in the case of fire or other emergency. See Chapter 7 – Fire and emergency planning.

### *Workplace Health and Safety Act 2011*

- As an employer, a licensee must implement and review measures that will prevent risks to staff in the workplace.

## ● Overview

- The environment in and around a venue may impact on venue safety.
- Lighting levels set to create ambience and character should not compromise the safety of patrons and staff.
- The provision of adequately lit, well-appointed and maintained facilities may:
  - encourage good patron behaviour
  - deter unnecessary and unwanted incidents
  - be more efficient in the use of security resources.
- Information has been drawn mainly from *Design Guidelines for Licensed Venues* (Department of Justice, Victoria). See reference in 'Where to go for more information' at the end of this chapter.

## ● Best practice

- Lighting throughout the venue should be sufficient at all times:
  - for accurate observation and assessment of levels of intoxication
  - so that patron activities and interaction with staff can be observed.
- Lighting should be complementary to CCTV coverage and should not adversely impact on its efficient operation.
- Modify the layout of any part of the venue not conducive to normal surveillance.
- Develop a maintenance program that addresses issues in and around the venue that are problematic to a safe environment.
- Conduct a periodical safety audit that includes premises layout, facilities and maintenance.

### Remember

- Where these best practice principles are inconsistent with a legal standard under the Liquor Act or Liquor Regulation that specifically applies to your venue, including a condition of licence, then you are obligated to follow that legal standard.

## ● Implementation

### *Lighting*

- At entries and exits lighting levels should be maintained to ensure:
  - identifications can be properly checked and verified
  - CCTV and ID scanners function efficiently.
- Lighting must be of a sufficient level so that:
  - signs of intoxication can be detected
  - age of patrons can be reasonably assessed
  - anti-social or other unacceptable behaviour can be observed and addressed
  - criminal activity is able to be detected and reported
  - patrons and staff can move around the venue safely
  - emergency or evacuation procedures are not jeopardised.

### *Entries, exits and queuing*

- Keep free of congestion to enable easy, safe and quick entry and exit.
- Be able to facilitate emergency access for ambulance and police.
- If possible, have internal queue areas to avoid likely conflict with passing pedestrians.

### *Footpaths, laneways, car parks and public spaces*

- Security staff should be alert to any area where passive surveillance is limited.
- Check that machinery, signage and furniture do not obstruct clear lines of vision.
- Ensure that walkways are signed.
- Keep clean and maintained to develop a sense of pride and discourage vandalism.
- Restrict entry to private laneways and storage and rubbish areas with secure gates.
- Install bins, ashtrays and other covered receptacles to limit littering.

### *Patron activity areas*

- Resolve congestion points that present real opportunities for incidents, for example, try layout changes, increased lighting or opening out space.
- Keep areas clean and fresh, and remove or replace damaged or vandalised furniture.
- Manage items that may be used as weapons, for example, ensure that pool cues are not left lying around and conduct regular collections of glasses and bottles.

### *Rest rooms/toilets*

- Minimise waiting period times by increasing the ratio of toilets to patrons, having one long sink rather than individual sinks and installing mirrors away from sinks area.
- Reduce the opportunity for anti-social behaviour by:
  - undertaking specific security measures to monitor use of facilities
  - considering having a toilet attendant as a friendly supervisor
  - avoiding floor-to-ceiling doors
  - installing doors that may be removed easily and quickly in emergencies
  - replacing/fixing damaged toilets and surrounds immediately
  - avoiding creating areas conducive to drug concealment, collection or use.

## ● Where to go for more information

### OLGR resources

Website: [www.olgr.qld.gov.au](http://www.olgr.qld.gov.au)

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- Clubs Queensland: [www.clubsqld.com.au](http://www.clubsqld.com.au)
- Restaurant and Catering Queensland: [www.restaurantcater.asn.au](http://www.restaurantcater.asn.au)
- Cabarets Queensland: (07) 3369 6969

### Other resources

[www.justice.vic.gov.au](http://www.justice.vic.gov.au)

Liquor licensing publications: *Design guidelines for licensed venues*

# Chapter 6 – Designated outdoor smoking area

The creation of a designated outdoor smoking area (DOSA) at a venue places specific legal obligations on a licensee.

*Towards best practice for safety in licensed venues* gives an overview of the obligations and offers suggestions for addressing risks consistent with the way a DOSA is intended to operate by law.

## ● What does the law say?

### *Tobacco and other Smoking Products Act 1998*

- A DOSA is a dedicated outdoor licensed area where a person may take a drink and have a cigarette break before returning to their group or companion.
- While drinks taken into the DOSA may be consumed, the supply of alcohol, food or entertainment to a person in a DOSA is prohibited.
- If you choose to have a DOSA, you need an up-to-date Smoking Management Plan (See ‘Where to go for more information’ at the end of this chapter for a plan template).

## ● Overview

- A DOSA should be managed so that it is used only as intended by law.
- The DOSA should be kept clean and presentable.
- A common complaint is when excessive noise emanates from a DOSA.
- A DOSA is not a de facto beer garden.

## ● Best practice

- Keep patrons aware of the purpose and the permitted use of a DOSA.
- Manage the DOSA to avoid risks to the safety of patrons and staff such as loitering, overcrowding or boredom.
- Where a DOSA becomes a prominent factor in the venue’s risk profile, ban the consumption of alcohol after 6 pm or make it a permanent ‘smoking only’ area.

### Remember

- Where these best practice principles are inconsistent with a legal standard under the Liquor Act or Liquor Regulation that specifically applies to your venue, including a condition of licence, then you are obligated to follow that legal standard.

## ● Implementation

- Encourage patrons to return to other areas once they finish their cigarettes.
- Have signs which tell patrons about the purpose of the DOSA.
- Reduce the opportunity for patrons to observe or hear entertainment.
- Provide furnishings consistent with its intended legal use.
- Allocate security staff to assure compliance with the law and to monitor patron behaviour.

## ● Where to go for more information

### OLGR resources

Website: [www.olgr.qld.gov.au](http://www.olgr.qld.gov.au)

For general information:

- [Liquor licensing](#)
- [Liquor compliance](#)

To access fact sheets, guides and forms, conduct a search of our online database at: [publications search](#)

### Industry associations

If you are a member, your association may have information about the subject discussed in this chapter.

- Queensland Hotels Association: [www.queenslandhotels.com.au](http://www.queenslandhotels.com.au)
- Clubs Queensland: [www.clubsqld.com.au](http://www.clubsqld.com.au)
- Restaurant and Catering Queensland: [www.restaurantcater.asn.au](http://www.restaurantcater.asn.au)
- Cabarets Queensland: (07) 3369 6969

### Queensland Health

[www.health.qld.gov.au](http://www.health.qld.gov.au)

Relevant Queensland Health publications:

- Hotels and clubs information booklet
- Smoking management plan template

# Chapter 7 – Fire and emergency planning

A safe environment for patrons and staff must include a commitment by venue management to the prevention of fire and other emergencies. It is also important for staff to be prepared when emergencies occur unexpectedly.

The Queensland Fire and Rescue Service (QFRS) website is a valuable source of information for licensees on lawful obligations under building fire safety legislation. It also provides management tools to assist with compliance, training and administration of emergency procedures.

## ● What the law says

### *Liquor Act 1992 and Liquor Regulation 2002*

- Orders can be issued to venues to take steps to comply with fire safety laws.
- Venues can be ordered to close if considered unsafe including inadequate fire prevention equipment.

### *Fire and Rescue Services Act 1990 and the Building Fire Safety Regulation 2008*

- A legal obligation is placed on the owner and the occupier of a building to ensure the safety of any person in the building in the case of fire or other emergency.

## ● Overview

- Prevention of an emergency, and readiness in the event of a fire or other emergency, are critical elements of venue safety.
- Fire and emergency planning priorities include:
  - having an evacuation plan
  - providing training
  - conducting drills
  - undertaking regular fire equipment and safety checks.
- Venue management processes should include compulsory fire safety and other emergency measures.
- Useful and practical information can be accessed via the QFRS website ([www.fire.qld.gov.au](http://www.fire.qld.gov.au)).

## ● Best practice

- A current fire and evacuation plan should be in place, and reviewed annually.
- An evacuation training program should ensure that all staff receive instruction and undertake practice on evacuation procedures on a timely basis, as set by the law.
- A daily fire safety and evacuation check should be undertaken immediately when the premises are occupied by staff and before the entry of patrons.
- Be aware of the maximum number of occupants for the venue determined by QFRS or the Building Code of Australia and ensure patron numbers do not exceed that limit.
- Be familiar with and use the QFRS website to confirm compliance with legal obligations in a critical aspect of venue safety.

### Remember

- Where these best practice principles are inconsistent with a legal standard under the Liquor Act or Liquor Regulation that specifically applies to your venue, including a condition of licence, then you are obligated to follow that legal standard.

## ● Implementation

### *Management*

- Licensee and management should be familiar with the QFRS website.
- Use the fire safety management tool and supporting advisory notes and templates to manage and meet legal obligations.

## ● Implementation (continued)

- Delegate to a person or a position the tasks of:
  - reviewing fire and evacuation planning, instruction and training
  - maintenance, repair or replacement of fire safety installations
  - undertaking and recording of a daily fire safety and evacuation check
  - keeping records and paperwork.
- Delegations should be limited and under the supervision of management.

### *Training*

- General and first response training should be incorporated into staff induction and training programs.

### *Basic daily check*

- At a minimum the check should ensure that:
  - all evacuation routes both within and outside the venue are clear of obstructions
  - exit doors are unlocked, able to be opened or are opened in the locked position
  - all fire/smoke doors are undamaged
  - evacuation signs are securely fastened
  - exit and emergency lighting is working
  - any new staff, including replacement crowd controllers, have been given general evacuation instructions and first response evacuation instructions prior to commencing employment.

### *Crowd numbers*

- A manual or automated counting system should be implemented to ensure maximum occupancy levels set by the QFRS are adhered to.
- Staff should be clearly instructed and supervised to ensure the integrity and accuracy of the counting system.
- Admittance must be refused to prevent overcrowding.

## ● Where to go for more information

### OLGR resources

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- Cabarets Queensland: (07) 3369 6969

### Queensland Fire and Rescue Service

[www.fire.qld.gov.au/buildingsafety/legislation.asp](http://www.fire.qld.gov.au/buildingsafety/legislation.asp)

Relevant Queensland Fire and Rescue Service publications:

- Fire safety management tools
- Fire safety documents and other information templates



# Chapter 8 – Privacy policy

A licensed venue may be subject to legal obligations under Commonwealth law when collecting, using and retaining personal information from patrons.

*Towards best practice for safety in licensed venues* assists licensees to understand the scope of these laws and provides some ideas about implementing policies and procedures to address privacy obligations. Privacy and protection of personal information is an issue that patrons are becoming increasingly interested in.

## ● What the law says

### *Privacy Act 1988 (Commonwealth)*

- Businesses with an annual turnover of more than \$3 million, including clubs, are required to comply with the Act.
- It requires personal information obtained by businesses to be collected, used and disclosed in accordance with 10 National Privacy Principles (NPP).
- The Act defines what is considered personal information.
- It gives individuals the right to complain if they think their personal information has been mishandled, to access their personal information and have it corrected.

### *Liquor Act 1992 and Liquor Regulation 2002*

- CCTV provisions are mandatory for some venues and offer examples of the application of privacy principles:
  - Patrons are to be informed that CCTV is installed.
  - Recordings made are to be kept in a secure place.
  - The venue must limit access to CCTV operations and recordings.
  - A timeframe for destroying CCTV recordings is set.

## ● Overview

- Personal information of patrons is often collected by licensed venues in the normal course of business, for example, for competitions, promotions or membership.
- Specific personal information is collected and stored by an ID scanner.
- If a venue imposes a patron ban, personal information is needed to make the ban effective.
- The community is becoming more aware of privacy laws and increasingly concerned about possible misuse of their personal details, for example, identity theft or unsolicited contact of patrons by venue staff.
- Good privacy practices can be beneficial to a venue and can lead to increased consumer confidence and trust.

## ● Best practice

- Commit your venue to conforming to the national privacy principles when collecting, using and managing personal details of patrons, regardless of whether the Act applies to your business.
- Develop and maintain a privacy policy.
- You should inform patrons of:
  - the purpose for collecting their personal details
  - how their personal details will be used, managed and kept secure
  - how, and to whom, privacy concerns can be raised and promptly addressed.
- Ensure employees are aware of the venue's privacy policy and of the responsibilities that apply.

### Remember

- Where these best practice principles are consistent with a legal standard under the Liquor Act or Liquor Regulation that specifically applies to your venue, including a condition of licence, then you are obligated to follow that legal standard.



## ● Implementation

A privacy policy should include:

- your organisation's name
- position title and direct contact details for inquiries or complaints
- your primary purpose for collecting the information
- to whom access to the personal information will be given
- assurance the information will be kept confidential and secure from misuse
- assurance the information will be retained only for as long as necessary
- assurance the information will be accessible to the individual upon request.

### ***Management***

- Nominate a person to be the privacy contact for the venue.
- Regularly review the implementation of the privacy policy and ensure:
  - there is limited access to the secured area where the information is stored
  - the personal details are not being used for anything other than their primary purpose, unless the patron has consented otherwise
  - ID scanner operations are password protected and CCTV system operations are secure
  - redundant information is destroyed.

### ***Staff***

- Staff induction and training sessions should include information on the privacy policy and their obligations in dealing with confidential personal information.

### ***Patron information and inquiries***

- Display privacy policy or a summary of this policy at each entry point.
- Signage should include contact details for the privacy manager.
- Promote the privacy policy on the venue website.
- Ensure staff at entry points are informed and able to handle basic questions about the venue's privacy policy.
- Set a timeframe and a process to ensure that specific privacy concerns, including access to or the correction or destruction of information, are handled promptly.

## ● Where to go for more information

### Other chapters of this document

- [Chapter 4 – Venue imposed bans](#)
- [Chapter 17 – ID scanners and relevant procedures](#)
- [Chapter 18 – CCTV systems](#)

### OLGR resources

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- Cabarets Queensland: (07) 3369 6969

### Office of the Privacy Commissioner

Website: [www.privacy.gov.au](http://www.privacy.gov.au)

Relevant publications:

- Definition of personal information
- Plain English summary of NPP
- Guide to privacy for small businesses
- Getting started with meeting the NPP and some compliance tips
- Information Sheet 20 – 2007 Scanning proof of identity documents
- Information sheet 30 – 2010 ID scanning in pubs and clubs

# Chapter 9 – Engagement of a security firm

Venues often engage a security firm to provide appropriately licensed personnel to avoid, reduce or address violent or otherwise poor patron behaviour.

*Towards best practice for safety in licensed venues* encourages licensees to adopt more demanding criteria when choosing a security firm and suggests ways to create and implement an appropriate selection process.

## ● What the law says

### *Liquor Act 1992 and Liquor Regulation 2002*

- Licensees must maintain a safe environment for patrons and staff.

### *Security Providers Act 1993 and Security Providers Regulation 2008*

- Security provider licences are to be held by the security firm and its proprietors.
- A security firm must be a member of an approved security industry association.
- Crowd controllers who work for a security firm must be licensed.
- Licence applicants must meet 'appropriate person' tests, including criminal record check.
- Licensed security firms and their crowd controller staff are bound by codes of practice, which set ethical and professional standards.

## ● Overview

- Engaging a security firm to provide specialist security staff and services is a legitimate, acceptable and commonly used practice.
- Employing a security firm does not absolve the licensee of the legal obligation to provide venue safety.
- Competent security staff and appropriate procedures are critical to venue safety.
- Security services and standards should remain subject to the direction and scrutiny of the licensee.
- The process of selecting a licensed security firm should be thorough.
- A security firm should not be appointed on price alone.

## ● Best practice

- Adopt a recruitment strategy to help appoint the best available security provider.
- Put the onus on the security firm to demonstrate that it can provide sufficient, competent and skilled crowd controller staff, when required.
- Set standards of service delivery and ethical and professional behaviour that need to be met by the security firm and its staff.
- Retain managerial control over security standards and operations and regularly review and evaluate performance and strategies.

### Remember

- Where these best practice principles are consistent with a legal standard under the Liquor Act or Liquor Regulation that specifically applies to your venue, including a condition of licence, then you are obligated to follow that legal standard.

## ● Implementation

### *Applicant pool*

- Advertise and require written applications, and create a competitive and diverse applicant pool.

### *The security firm*

- Examine the reputation, character, experience and qualifications of the firm and each partner/director as a provider of security services, for example:
  - an outline of their security experience and other employment history
  - character and employment references
  - industry and other educational qualifications.
- Check the current legal status and professional approach to business matters, such as:
  - company incorporation and business name certificates, and list of directors
  - current security provider licences, Responsible Service of Alcohol (RSA), security training certificates, thorough ID checking of security staff
  - workplace policies and practices, work cover and public liability insurance
  - premises, facilities and work environment
  - understanding of, and commitment to, the Security Providers Code of Practice and the Crowd Controllers Code of Practice.
- Confirm the capacity of the firm to provide you with suitable crowd controllers, including:
  - details of their recruitment strategy and their current staffing levels
  - process used for validating the identity of staff
  - their ability and procedures for providing last minute replacements
  - what initial and ongoing security training is given
  - the training content and professional and ethical standards set for staff
  - whether their training is consistent with the Crowd Controllers Code of Practice.

### *Set standards that need to be met*

- Security firm and employed crowd controllers are to undertake venue induction.
- The security firm should agree to work with the venue on staff induction and probation.
- A crowd controller cannot start until induction is successfully completed.
- Every crowd controller is to serve a period of probation and be approved by the venue.
- Security services are to be in accordance with venue practices and procedures.
- Minimum ethical, professional and other standards are to be as per codes of practice or the higher standards set by the venue.
- All crowd controllers are to have a current certificate in RSA.
- Crowd controllers must have the ability to:
  - communicate easily with all patrons and other venue staff
  - follow directions
  - maintain confidentiality in terms of any personal information about a patron
  - provide accurate verbal and written reports on any incident
  - meet other standards or skills that you require.
- Put the engagement of a security firm in writing to cover aspects such as:
  - type and level of services to be provided including regular reporting on venue safety and security issues
  - a guarantee for the work to be provided
  - the costs of the services and price review arrangements
  - process for dealing with disputes of any kind about the provision and conduct of services.

## ● Where to go for more information

### OLGR resources

Website: [www.olgr.qld.gov.au](http://www.olgr.qld.gov.au)

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- Restaurant and Catering Queensland: [www.restaurantcater.asn.au](http://www.restaurantcater.asn.au)
- Cabarets Queensland: (07) 3369 6969

### Queensland Office of Fair Trading

Website: [www.fairtrading.qld.gov.au](http://www.fairtrading.qld.gov.au)

For general information:

- [Licence check](#)
- [Legal requirements](#)
- [Security Providers \(Crowd Controller Code of Practice\) Regulation 2008](#)
- [Security Providers \(Security Firm Code of Practice\) Regulation 2008](#)

# Chapter 10 – Crowd controllers: Employment and conduct standards

Crowd controllers are hired to perform a specific role that requires a constant presence and frequent interaction with patrons. They must have the capacity to act professionally and competently at all times. Venues should ensure the crowd controllers are aware of their duties and the standards expected of them.

*Towards best practice for safety in licensed venues* contains ideas for the management of crowd controllers through a selection, induction and appraisal process. It also advises conduct standards are at least equal to those set by the crowd controllers code of practice under the security provider laws.

## ● What the law says

### *Liquor Act 1992 and Liquor Regulation 2002*

- A current certificate in RSA is required if duties include collecting glasses.

### *Security Providers Act 1993 and Security Providers Regulation 2008*

- A crowd controller's licence is needed and applicants must meet 'appropriate person' tests and have completed an approved security training course.
- Licensed crowd controllers must comply with the crowd controller code of practice.
- A licensed premise that engages a crowd controller must maintain a crowd controller register to record crowd controllers on duty and any incidents that occur. Crowd controllers must sign in and out of each shift.
- Crowd controllers must identify themselves while working by wearing the prescribed identification on their clothing at chest level.

### *Workplace Health and Safety Act 2011*

- As an employer, a licensee must implement and review measures that will prevent risks to staff in the workplace.

## ● Overview

- Crowd controllers implement a venue's safety practices and must interact with patrons to do so, including controlling patron entry and addressing poor behaviour.
- Given their role, venues should insist on high standards of competence and conduct for crowd controllers, whether they are employed directly or through a security firm.
- Demanding higher standards should improve the efficiency of security operations.

## ● Best practice

- Apply the crowd controller code of practice as a minimum standard of conduct, competence and ethical behaviour for the venue's crowd controllers.
- Alternatively, adopt higher standards to reflect your venue's specific values, practices and procedures ensuring these standards are not inconsistent with those set by law.
- Set a selection process and basic criteria for persons to be employed as crowd controllers.
- Venue induction should be undertaken before a crowd controller commences employment.
- Continuing employment should be subject to a period of probation and ongoing performance, suitability and training needs appraisals.
- Apply these measures whether employing crowd controllers directly or through a security firm.

### Remember

- Where these best practice principles are inconsistent with a legal standard under the Liquor Act or Liquor Regulation that specifically applies to your venue, including a condition of licence, then you are obligated to follow that legal standard.

## ● Implementation

- Set minimum criteria that are not negotiable, such as:
  - licensed as a crowd controller
  - holder of current training certificate in RSA
  - understanding of crowd controller code of practice and other venue policies
  - a non-aggressive nature and negotiation skills
  - ability to communicate with patrons, fellow security officers and other staff
  - able to write accurate accounts of incidents
  - able to take direction and be supervised
  - other criteria as required by venue.
- Set other criteria to meet your needs, for example:
  - previous experience in security
  - experience in operations and use of ID scanner
  - ability to use communication equipment.

### *Selection process*

- Interview all prospective crowd controller employees and check identification.
- Assess against your selection criteria.
- Disclose the need for induction, a probation period and performance review.

### *Induction*

- All prospective employees to undertake induction, with no exceptions.
- Inductions to be conducted by the licensee, approved manager or head of security.
- Attendee to be briefed on all practices and procedures adopted by the venue, including privacy obligations.
- Code of practice adopted by the venue to be discussed in detail.

### *Probation*

- Set a minimum probation period.
- Set minimum number of hours to be undertaken during the probation period or extend probation.

### *Appraisal of conduct, competence and ethical standards*

- Duties for each crowd controller should be clearly defined and supervised.
- Arrange for performance reviews to identify where skills can be improved through training.
- Report serious or poor performance issues, including non-compliance with code of conduct or venue practices, to management and address immediately.

## ● Where to go for more information

### OLGR resources

Website: [www.olgr.qld.gov.au](http://www.olgr.qld.gov.au)

For general information:

- [Liquor licensing](#)
- [Liquor compliance](#)

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### Workplace Health and Safety Queensland

For information about your risk management requirements under workplace health and safety laws go online at: [www.whs.qld.gov.au](http://www.whs.qld.gov.au)

### Industry associations

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### Queensland Office of Fair Trading

Website: [www.fairtrading.qld.gov.au](http://www.fairtrading.qld.gov.au)

For general information:

- [Licence check](#)
- [Legal requirements](#)
- [Security Providers \(Crowd Controller Code of Practice\) Regulation 2008](#)
- [Security Providers \(Security Firm Code of Practice\) Regulation 2008](#)



# Chapter 11 – Crowd controller numbers

There are laws in place for minimum crowd controller numbers that apply to some venues. *Towards best practice for safety in licensed venues* explains the legislative standards for crowd controller numbers and gives some ideas on what to consider when determining security staff numbers.

## ● What the law says

### *Liquor Act 1992* and *Liquor Regulation 2002*

- Brisbane venues that trade past 1 am are set minimum security staff numbers:
  - one staff member for each 100 patrons or part thereof up to 500
  - an additional staff member for each 250 patrons or part thereof.
- Some other late trading venues have had those minimum numbers imposed through licence conditions.
- Other venues have no minimum crowd controller numbers imposed.
- Licensee required to maintain a safe environment in and around licensed premises.

## ● Overview

- Crowd controller numbers should be determined on a needs basis.
- Additional staff should be engaged for special occasions or when changes and additions to venue operations and services are implemented.

## ● Best practice

- Determine crowd controller resources on known risks and the proven adequacy of past staff levels.
- Subject to risk assessment, adopt legislated crowd controller numbers as your minimum standard.
- Regularly assess the adequacy of security resources and adjust accordingly.

### Remember

- Where these best practice principles are inconsistent with a legal standard under the *Liquor Act* or *Liquor Regulation* that specifically applies to your venue, including a condition of licence, then you are obligated to follow that legal standard.

## ● Implementation

- Consider:
  - the venue's specific type (for example, late trader) and risk profile
  - type of entertainment and when it is provided
  - the demographics of patrons
  - number and severity of incidents experienced in the past
  - complaints from local residents or businesses
  - standards suggested through accords or other local collaboration
  - whether past incidents could have been prevented or better handled.
- Adjustments should be considered:
  - when changes are made to entertainment type, venue capacity or layout
  - for peak periods, holidays, special promotions or events
  - due to recent incidents or trends experienced by the venue or the locality
  - when complaint numbers from local residents or businesses increase
  - when supervision of patron dispersal post closing time is needed to minimise adverse impact on the amenity of the community.

## ● Where to go for more information

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For example:

- Fact sheet – Liquor licences in the Brisbane City Council area

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# Chapter 12 – Supervision of crowd controllers

Venues often rely on crowd controllers understanding their role and undertaking their duties in a competent and professional manner to ensure the safety of patrons and staff. The licensee generally sets out the way in which crowd controllers should operate for their venue.

*Towards best practice for safety in licensed venues* urges licensees to ensure that crowd controllers are supervised and directed at all times. This publication also provides examples of the duties that should be delegated to a supervisor so security resources are put to best use and regularly evaluated.

## ● What the law says

### *Liquor Act 1992 and Liquor Regulation 2002*

- Licensees are not compelled to appoint a head of security.
- Licensees must maintain a safe environment for patrons and staff.

## ● Overview

- Given the critical role of security in venue safety, the work of crowd controllers should be closely supervised.
- A supervisor should be responsible for allocating duties and ensuring that they are carried out in the manner and to the standards expected by the licensee, for example:
  - duties are clearly defined and properly allocated
  - autonomy and discretion are limited
  - staff conduct meets venue standards at all times.
- Benefits of adequate supervision of security activities include:
  - best use of resources
  - deficiencies in staff competence can be identified and addressed
  - the appeal and reputation of venue can be enhanced
  - timely and efficient management of incidents.

## ● Best practice

- Ensure the crowd controller duties are clearly defined and allocated accordingly.
- Limit the autonomy of crowd controllers by having their work supervised at all times.
- Appoint a head of security for this purpose or nominate a person to assume the supervisory responsibility during each shift.

### Remember

- Where these best practice principles are inconsistent with a legal standard under the Liquor Act or Liquor Regulation that specifically applies to your venue, including a condition of licence, then you are obligated to follow that legal standard.

## ● Implementation

### *Minimum requirements*

- The head of security or nominated supervisor should have a complete understanding and knowledge of:
  - the venue's practices and procedures
  - any past history of incidents
  - the venue's emergency plan and layout
  - the area immediately surrounding the venue, including the proximity of residential and business properties and other licensed venues
  - existing public transport and taxi services.

## ● Implementation (continued)

### *Possible responsibilities of head of security or nominated supervisor*

- Shift management duties include:
  - security staff administration including rosters, timesheets, adherence to dress standards and uniform and the wearing of security identification badges
  - liaison with security firm or otherwise arranging for late replacements
  - determining each shift's security tasks, priorities and strategies
  - allocating and directing duties
  - monitoring performance, ability and competence.
- Training register and employment eligibility as a crowd controller involves:
  - completing details of the prescribed entries in the training register with a copy of current certificate
  - monitoring currency of training certificate (RSA) and crowd controller licences
  - ensuring staff induction has been undertaken
  - supervising during probation period.
- Incident management requires:
  - timely completion by staff of entries into the incident register
  - coordinating the removal of persons with the approved manager
  - communicating with police and other venues during shifts.
- Reporting to approved managers and licensee includes:
  - informal but immediate advice of incidents to approved manager or licensee
  - appraisal of performance and recommendations on staff training needs and suitability of employment
  - reporting at end of probation period with recommendations as to suitability
  - reporting to management on security resources, practices and procedures as required.

## ● Where to go for more information

### Other chapters of this document

- [Chapter 11 – Crowd controller numbers](#)
- [Chapter 13 – Post-incident management](#)

### OLGR resources

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# Chapter 13 – Post-incident management

Post-incident management is a description of the management practices and procedures adopted by a venue following an incident that has impacted on the safety of patrons and staff.

*Towards best practice for safety in licensed venues* reviews the legal obligation of venues to record certain incidents. It also outlines the advantages of extending this process to other incidents and suggests how this could be achieved.

## ● What the law says

### *Liquor Act 1992 and Liquor Regulation 2002*

- Brisbane venues authorised to trade beyond 1 am must keep an incident register and record details that are prescribed of any incident where a person is injured or removed from the venue.
- Other venues throughout the state may have had this requirement imposed as a condition of licence.
- Unlike the incident register under the Security Providers Regulation, recorded incidents are not limited to those involving crowd controllers.

### *Security Providers Act 1993 and Security Providers Regulation 2008*

- Any liquor licensee who engages crowd controllers must keep a register and enter prescribed details about the crowd controllers employed for each shift including personal details, hours of work and ID number.
- The register is also to record all incidents involving a crowd controller where a person is injured or removed.

## ● Overview

- Licensees have legal obligations to record certain incidents.
- Complete and accurate incident reporting should be adopted by a licensee.
- Reporting should not be limited to incidents involving injuries to, or removal of, persons.
- Limiting the nature of incidents to be recorded does not provide an overall picture of the risks to the safety of patrons and staff.
- A more comprehensive incident reporting regime can be valuable in managing risks and improving current practices and procedures.

## ● Best practice

- Ensure there is no exception to the mandatory recording of incidents as set by either the liquor laws or the security providers laws.
- Extend the recording of incidents to any incidents relevant to the safety of patrons and staff.
- Review patterns and frequency of incidents to identify common themes or risks.
- Review the handling and outcomes of all incidents and take appropriate remedial action to improve venue safety, where necessary.
- Establish protocols for reporting all incidents of a criminal nature to police.
- Pursue effective incident management standards with other licensees in your locality through a liquor accord or other consultation.

### Remember

- Where these best practice principles are inconsistent with a legal standard under the Liquor Act or Liquor Regulation that specifically applies to your venue, including a condition of licence, then you are obligated to follow that legal standard.

## ● Implementation

### *Content and details to be entered in incident register*

- Where a person is injured or where a person is removed from the premises, adhere to mandatory requirements and include:
  - date and time of incident
  - description of where incident occurred
  - details of the incident
  - description of each person involved, including name if possible
  - name of each staff member involved
  - action resulting from the incident, for example, person removed, ban imposed
  - details of any injuries sustained
  - details of action taken by crowd controller or staff member involved
  - signature of each crowd controller or staff member involved.
- Where drug possession, use or supply or other criminal matters are detected, complete as much of the mandatory details as possible.
- For all other incidents not involving removal or injury, for example, enforcing RSA obligations, refusing entry or asking a person to leave for any reason:
  - enter a daily summary of these incidents for management information
  - exercise discretion and include more details where necessary, for example, some threat was made, a complaint is likely.

### *Report criminal matters to the police*

- Discuss your incident reporting standards with local police.
- Make arrangements for contacting the police in an emergency.
- Settle on a preferred method of reporting incidents to the police.

### *Supervision of incident register and standards of entries*

- Delegate to the appointed or nominated head of security.

### *Review by management*

- All incidents should be reviewed in terms of how well they were handled and to confirm or adjust any action that has been taken or recommended.
- Ensure follow-up action is completed, for example, police report, issue of banning order.
- Regular appraisals of the performance of crowd controllers should be undertaken.

## ● Where to go for more information

### OLGR resources

Website: [www.olgr.qld.gov.au](http://www.olgr.qld.gov.au)

For general information:

- [Liquor licensing](#)
- [Liquor compliance](#)

To access fact sheets, guides and forms, conduct a search of our online database at: [publications search](#)

For example:

- Fact sheet – Liquor licences in the Brisbane City Council area

### Industry associations

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- Cabarets Queensland: (07) 3369 6969

# Chapter 14 – Managing the entry of patrons

Determining the eligibility, and managing the entry, of patrons is critical to a venue maintaining a safe environment.

*Towards best practice for safety in licensed venues* discusses the need for patrons to be informed about the venue's entry conditions. There are also suggestions for standards and processes that can be applied to the venue.

## ● What the law says

### *Liquor Act 1992 and Liquor Regulation 2002*

- There is no requirement to have or to display conditions of entry.
- Brisbane venues authorised to trade past 1 am must operate CCTV and record patrons entering and exiting the venue and their interaction with venue staff.
- Other venues in the state may have had those CCTV conditions imposed on their licence.
- Venues must display details about the licensed premise, for example, name and trading hours.
- Minors and intoxicated and disorderly persons may be refused entry.
- Documents falsely representing a person as 18 years or older should be confiscated.
- A licensee's lawful rights to remove persons or to refuse their entry are not limited by the provisions of the Liquor Act.

## ● Overview

- Promote the venue's commitment and expectations on venue safety at the entry.
- A venue's entry requirements should be displayed for the information of patrons.
- Entry requirements need to be applied consistently.
- Entry management can send a positive and welcoming message to patrons, discourage poor behaviour and prevent undesirable patrons from entering.

## ● Best practice

- Display conditions of entry and other major elements of venue safety practices and procedures at each entrance.
- Implement identification checks and other entry procedures that comply with legal obligations and venue safety policies and standards.
- Ensure staff are properly instructed on entry procedures and that all interaction with patrons meets legal, ethical and professional standards.
- Regularly review the content, number and position of signs to make them more effective in informing patrons about venue safety and about their own responsibilities.
- Ensure that the physical aspects of each entry and exit are conducive to orderly and efficient management of patron activity and movement.

### Remember

- Where these best practice principles are inconsistent with a legal standard under the Liquor Act or Liquor Regulation that specifically applies to your venue, including a condition of licence, then you are obligated to follow that legal standard.

## ● Implementation

### *Managing signage*

- Review the effectiveness of current signage.
- Improve signage, for example:
  - combine signage
  - use digital displays
  - use symbols such as ID scanner or CCTV
  - keep signage visible and accessible to patrons.



## ● Implementation (continued)

- Improve content by:
  - keeping to a minimum
  - including contact details for seeking further information.
- Signage management should be addressed in the periodical safety audit in order to address the effectiveness of the signage. See [No More Risky Business](#).

### *Conditions of entry*

- Signage should clarify for patrons their obligations in order to enter and remain on the premises.
- Signage should clarify that non-acceptance of entry conditions may result in refusal of entry.
- Entry conditions should be applied consistently and without discrimination by all staff at all entries.
- Discretion to exempt people from meeting the venue's stated entry standards should be limited. For example, by the licensee, an approved manager or the head of security.

### *Entry procedures*

- IDs to be thoroughly examined for authenticity and proof-of-age.
- IDs improperly presented as evidence that the person has attained 18 years of age should be confiscated and forwarded to OLGR.
- Conform to standards suggested for ID scanners or metal wand searches (Refer to Chapters 17 and 19).
- Staff should be aware of people who are banned from the venue.
- Monitor patrons for signs of intoxication or anti-social behaviour.
- Proactive queue management, including informing patrons of waiting times and entry requirements.
- Where a pass out system applies, entry procedures should apply on re-entry.
- A system to record crowd numbers to meet imposed maximum numbers for Queensland Fire and Rescue Service (QFRS) purposes should be in place.

### *Staff responsibilities*

- Crowd controller code of practice standards or higher venue standards should apply, for example, courtesy, diplomacy and non-abuse of power.

## ● Where to go for more information

### Other chapters of this document

- [Chapter 5 – Venue lighting and facilities](#)
- [Chapter 16 – ID scanners and related procedures](#)
- [Chapter 17 – CCTV systems](#)
- [Chapter 18 – Metal detection wand](#)

### OLGR resources

Website: [www.olgr.qld.gov.au](http://www.olgr.qld.gov.au)

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- [Liquor compliance](#)

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# Chapter 15 – Alternatives to regular glass containers

An incident involving the use of glass is a potential risk faced by all licensed venues.

*Towards best practice for safety in licensed venues* overviews the related legislative provisions and, given the serious consequences of a glassing incident, the need for the licensee and venue management to keep the issue under constant review.

## ● What the law says

### *Liquor Act 1992 and Liquor Regulation 2002*

- The Act does not generally prevent the use of regular glass, although a licensed premise or a stated part of a licensed premise may be classified as 'high risk'.
- A classification may be imposed if one or more glassings or an unacceptable level of violence has occurred at the premises in the past year.
- As a consequence of classification, regular glass containers must not be used in beverage service to patrons nor left or placed in areas accessed by patrons.
- A condition of licence may also be imposed restricting the use of regular glass.

## ● Overview

- The term 'glassing' is used to describe the use of any regular glass container in an act of violence causing an injury or licensed premises.
- The consequences of a glassing can be dire for the victim, the perpetrator and even the venue.
- Proactively ceasing the use of regular glass containers should be considered on a risk basis.

## ● Best practice

- Continually monitor the likelihood of any risk associated with the use of regular glass containers.
- Establish a timetable to phase out regular glass containers, giving priority to any area that is demonstrated or assessed to be of high risk.
- During the phasing out period, practices that lessen the chances of a glassing should be actively implemented and closely supervised.

### Remember

- Where these best practice principles are inconsistent with a legal standard under the Liquor Act or Liquor Regulation that specifically applies to your venue, including a condition of licence, then you are obligated to follow that legal standard.

## ● Implementation

- Closely supervise and ensure continual collection of empty glasses and bottles by staff.
- Commit to the phasing out of regular glass containers by commencing negotiations with a supplier of non-regular glass products, where necessary.

## ● Where to go for more information

### OLGR resources

Website: [www.olgr.qld.gov.au](http://www.olgr.qld.gov.au)

For general information:

- [Liquor licensing](#)
- [Liquor compliance](#)

For example:

- Bans on regular glass products in high-risk venues

To access fact sheets, guides and forms, conduct a search of our online database at: [publications search](#)

### Industry associations

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# Chapter 16 – ID scanner systems and related procedures

*Towards best practice for safety in licensed venues* describes the management practices and procedures necessary to preserve the integrity of an ID scanner as a patron identification system and its value for security purposes. More detailed information on the use of ID scanners is available in the [ID Scanner Guide](#).

The need for licensees to understand their privacy responsibilities and how these should be met is addressed.

Suggested standards and practices include:

- privacy obligations
- features and requirements of the system from both privacy and operational perspectives
- staff responsibilities, training and knowledge.

## ● What the law says

### *Liquor Act 1992 and Liquor Regulation 2002*

- There is no requirement for ID scanners to be used nor is any impediment stated.

### *Privacy Act 1988 (Commonwealth)*

- The national privacy principles are relevant to the use of ID scanners.

## ● Overview

- The purpose of an ID scanner is to remove anonymity thereby encouraging positive patron behaviour and deterring poor behaviour.
- ID scanners have limitations—rigid operational procedures are required for scanners to be an effective identification measure.
- An effective ID scanning process can support a fair and equitable banning policy.
- The value of an ID scanner is enhanced when CCTV is also in use.
- The acceptance of ID scanners by patrons relies on assurances that personal details are collected, used and protected in accordance with the national privacy principles.
- A well-managed ID scanner system can build trust in the venue's management of safety.
- [ID Scanner Guide](#) is available from the OLGR website.
- The Office of the Privacy Commissioner has issued an information sheet to help meet privacy laws (Refer to the 'Where to go for more information' section of this chapter).

## ● Best practice

- Appropriate safeguards to address privacy issues should be in place where an ID scanner is used.
- Implement procedures to preserve the integrity of the ID scanner as an effective identification measure and to protect the personal details collected against misuse.
- Patrons should be informed about the use of ID scanners and how their personal information will be managed and stored.
- Staff should receive appropriate training in their operational responsibilities and their obligations under the venue's privacy policy.
- Customer service staff, rather than crowd controllers, should be assigned ID scanning duties to instil confidence and trust.
- Operate a CCTV system to strengthen the benefits of an ID scanner as an identification measure.
- Staff should have rudimentary training in the venue's privacy policy.

### Remember

- Where these best practice principles are inconsistent with a legal standard under the Liquor Act or Liquor Regulation that specifically applies to your venue, including a condition of licence, then you are obligated to follow that legal standard.

## ● • Implementation

- Refer to [ID Scanner Guide](#).

## ● Where to go for more information

### Other chapters of this document

- [Chapter 9 – Privacy policy](#)

### OLGR resources

Refer to [ID Scanner Guide](#).

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For general information:

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- [Liquor compliance](#)

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- Restaurant and Catering Queensland: [www.restaurantcater.asn.au](http://www.restaurantcater.asn.au)
- Cabarets Queensland: (07) 3369 6969

### Office of the Privacy Commissioner

[www.privacy.gov.au](http://www.privacy.gov.au)

Relevant publications:

- Information Sheet 20 – 2007 Scanning proof of identity documents
- Information sheet 30 – 2010 ID scanning in pubs and clubs

# Chapter 17 – CCTV systems

*Towards best practice for safety in licensed venues* describes the management practices and procedures necessary to support a CCTV system in a licensed venue. More detailed information, including standards set by legislation for some licensees on the use of CCTV systems, is available in the [CCTV Guide](#).

Subject matters include:

- overview of legislative obligations
- camera type, number and positions
- recording quality and storage
- privacy obligations including the security of, and access to, recordings, their retention and destruction.

## ● What the law says

### *Liquor Act 1992* and *Liquor Regulation 2002*

- CCTV has to be operated by venues located within the Brisbane City Council area that are authorised to trade past 1 am.
- Other venues in the state may be subject to those requirements, as a result of conditions of a licence.

These venues must:

- install and operate CCTV at each entry and exit point
- record patrons entering and exiting and their interactions with staff at these points
- inform patrons of CCTV operations through signage
- ensure the recordings are embedded with the recording time and date
- allow only the licensee or approved manager to operate, access or view recordings
- make recordings available for inspection or viewing by police and OLGR investigators
- operate CCTV from 8 pm to one hour after close of business
- cease liquor service and the business if CCTV is inoperative after 1 am
- keep recordings for a minimum period of 28 days (the retention period)
- within 30 days after the retention period, the licensee or an approved manager is to delete the recordings unless an incident that is required to be recorded in the incident register has occurred
- otherwise, the recordings are to be deleted not earlier than one year after the retention period.

## ● Overview

- CCTV is used as a deterrent to anti-social behaviour and criminal activity.
- CCTV is an effective surveillance tool which helps a venue and the police to respond to an incident.
- The effectiveness of CCTV as a surveillance tool is enhanced when the venue uses an ID scanner because, for example, a name can be put to a face.
- Licensees should obtain expert advice when considering the selection, installation and maintenance of CCTV systems.
- Privacy considerations need to be addressed.
- [CCTV Guide](#) is available from the OLGR website.

## ● Best practice

- Appropriate safeguards to address privacy issues should be in place where CCTV is used.
- Implement operational procedures to preserve the integrity of the CCTV as an effective surveillance measure and to respect the privacy rights of patrons.
- Patrons should be informed about the use of CCTV. This is a legislative obligation in some licence conditions.
- Staff with responsibilities in CCTV operations should receive appropriate training about their duties and relevant privacy obligations.

### Remember

- Where these best practice principles are consistent with a legal standard under the Liquor Act or Liquor Regulation that specifically applies to your venue, including a condition of licence, then you are obligated to follow that legal standard.

## ● Implementation

For this purpose, a venue required by legislation or by conditions of licence to operate CCTV will be referred to as a 'regulated venue'.

- A 'regulated venue' must operate CCTV in accordance with the legislated and prescribed standards but may also refer to the [CCTV Guide](#) for best practice purposes.
- While the [CCTV Guide](#) recognises and incorporates the legislative requirements, if there is any confusion or inconsistency, a regulated venue should follow the legislated standard.
- A venue other than a regulated venue should refer to the [CCTV Guide](#).

## ● Where to go for more information

### Other chapters of this document

- [Chapter 9 – Privacy policy](#)

### OLGR resources

Refer to [CCTV Guide](#).

Website: [www.olgr.qld.gov.au](http://www.olgr.qld.gov.au)

For general information:

- [Liquor licensing](#)
- [Liquor compliance](#)

To access fact sheets, guides and forms, conduct a search of our online database at: [publications search](#)

For example:

- Liquor licences in the Brisbane City Council area

### Industry associations

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- Cabarets Queensland: (07) 3369 6969

# Chapter 18 – Metal detection wands

Venues introducing the metal wand search should have the necessary controls in place, including staff training. *Towards best practice for safety in licensed venues* suggests ways for managing metal wand searches as a condition of entry while respecting the rights of patrons.

## ● What the law says

### *Liquor Act 1992* and *Liquor Regulation 2002*

- The Act and Regulation contain no provision relative to the use or need for metal wands.
- The use of metal detection wands is not prohibited.

## ● Overview

- Metal detection wands may enhance security by detecting weapons and foil-wrapped drugs. They may also deter criminal or anti-social behaviour.
- Due to their perceived intrusive nature, a decision for their introduction and continued use should be risk based.
- Timely information and strict procedures are required to protect the rights of patrons.
- Where dangerous or prohibited articles are discovered, entry should be refused rather than involving the venue in confiscation or other complex actions.
- Staff should be well trained and closely supervised.

## ● Best practice

- Base the introduction of metal detection wand searches on risk assessment.
- Inform patrons as early as possible of the need to submit to a voluntary metal detection wand search.
- Inform patrons of the consequences that may apply for not agreeing to do so or for failing the search.
- Implement procedures that preserve the integrity of the search and respect the privacy and rights of patrons.
- Limit the extent to which a patron is asked to reveal an article, the nature or content of which is not obvious or easily explained.
- Regularly monitor and evaluate the effectiveness of metal detection wand searches and compliance with venue procedures.
- Metal detection wand searches should only be conducted by licensed crowd controllers under close supervision.

### Remember

- Where these best practice principles are inconsistent with a legal standard under the *Liquor Act* or *Liquor Regulation* that specifically applies to your venue, including a condition of licence, then you are obligated to follow that legal standard.

## ● Implementation

### *Managing issues at entry*

- Metal wand searches should be integrated and consistent with other entry procedures.
- When a condition of entry, the exercise of discretion to excuse a patron from a metal detection wand search should be limited and only exercised by the licensee or a person authorised by the licensee.
- Any unauthorised departure from the application of conditions of entry should be immediately addressed by the security supervisor.
- All patrons are to be treated in a non-discriminatory way.
- Lighting and other conditions should be conducive to these searches.
- Hours of operation of a metal wand should be based on risk assessment.

### *Information for patrons*

- Display the need and the voluntary nature of this search at each entry in the conditions of entry.
- Use signage at each entry symbolising a metal wand search.
- Make the consequences for failing or not agreeing to the search clear to patrons.
- If a pass out system applies, patrons should be aware that a further metal wand search is necessary on re-entry.
- Inform patrons queuing for entry of this search and other entry conditions.
- Information on metal detection wand searches should be included in media, house promotions, RAMP, advertising and on venue website.

### *Procedures*

- The same procedures should apply at each entry.
- No physical contact is to occur between staff and patron at any time.
- Metal detection wand search should be undertaken after ID check and ID scanner procedures, if in use.
- Provide opportunity for voluntary disclosure of detected item.
- Limit the voluntary disclosure processes to emptying pockets, removing belt, opening bags or other actions that can be quickly and easily performed at the entry.
- Decisions about refusal of entry should be decided by head of security or approved manager.

### *Incident reporting*

- Record in the incident register matters arising from metal wand searches.
- Report possible criminal offences to police.

## ● Where to go for more information

### OLGR resources

Website: [www.olgr.qld.gov.au](http://www.olgr.qld.gov.au)

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