



Night Time
Industries
Association

Promoting safety and wellbeing at night

Acknowledgement of Country

The board and staff of the NTIA acknowledge that we are on unceded land of the Gadigal People of the Eora Nation. We pay our respect to Elders past, present and future and are privileged to celebrate a living culture of over 60,000 years.

Foreword

Safety must underpin all facets of the night-time experience. Whether someone is inside a venue or outside a venue, safety is an important consideration. Safety isn't just important for patrons - it's vitally important for night-time economy workers too.

Residents, patrons, venue staff, and performers each have a unique perspective about what is and isn't safe. Creating a safe environment at your venue involves considering these different views and implementing a security management plan and operational plan that responds to your operating conditions as well as the expectations of your patrons, staff, and the community.

This guidebook explores the key considerations for providing a safe venue. It includes tips on how to prevent anti-social behaviour and harassment within your venue, as well as steps to manage it if it happens.

Night-time workers are an integral part of the night-time economy. This guidebook provides useful resources and key employment considerations for night-time industries operators.

The guidebook also considers safety beyond the venue boundaries and opportunities to work with neighbouring businesses, councils and stakeholders to help make an area safe.

Finally, the guidebook considers the role lighting can play to create safe spaces and encourage patron wayfinding and pathway patterns.

I hope this guidebook serves as a useful resource.

Regards,

Mick Gibb



Mick Gibb
CEO - Night Time Industries Association





Rules & Regulations



Night Time Industries Association

Venues operate within the context of certain prescribed rules and legislation that govern the issue of safety for patrons and staff. This includes minimising risks for patrons to ensure they can enjoy a safe night out. It also includes safe work practices that govern the safety and wellbeing of staff.

There are three primary regulatory and enforcement authorities that govern a venues' responsibilities towards the safety of patrons:

- Local Council,
- Liquor and Gaming NSW, and
- NSW Police Force.

Local Council

Local councils impose restrictions and requirements on venues which are outlined in their plans of management and/or Development Approval. This may include limits on the number of patrons inside the venue, a minimum number of security staff relative to crowd size, or requirement to encourage patrons leaving the venue to move in a particular direction (i.e. towards public transport, away from nearby residential areas, etc.). Venues should consult with their local council to ensure they are aware of their responsibilities.

Liquor and Gaming NSW

Liquor and Gaming NSW issue a venues' liquor licence. Liquor licences are governed by the Liquor Act 2007.¹ The Act regulates the control and sale of liquor "in a way that is consistent with the expectations, needs, and aspirations of the community." This includes minimising harm associated with "violence and anti-social behaviour."

Under the Act, venues' have obligations towards patrons such as access to free water and the responsible service of alcohol by staff. The Act also empowers venues "to remove and ban problematic patrons" from venues. In 2020 the Act was amended to recognise the importance of developing the live music industry, arts, tourism and cultural sectors. In May 2023 there were over 19,000 liquor licences issued in NSW.²

Liquor and Gaming NSW also administer liquor accords, which are voluntary partnerships to reduce alcohol-related violence and antisocial behaviour (Liquor Accords Strategy 2023-2025; page 5). Liquor Accords are defined as: "partnerships among licensed venues, community members, local businesses, local councils, police and government departments that work together to develop practical solutions to address alcohol-related issues, anti-social behaviour and violence in local areas."³

¹ [Legislation.nsw.gov.au/view/whole/html/inforce/current/act-2007-090](https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-2007-090)

² [Liquorandgaming.nsw.gov.au/resources/liquor-licence-data](https://liquorandgaming.nsw.gov.au/resources/liquor-licence-data)

³ [Liquorandgaming.nsw.gov.au/operating-a-business/running-your-business/liquor-accords](https://liquorandgaming.nsw.gov.au/operating-a-business/running-your-business/liquor-accords)

NSW Police

NSW Police is responsible for maintaining public order. For night-time economy operators this means you will interact with police from a compliance perspective. Police have a role to play in monitoring a venues' compliance with the Liquor Act 2007 in relation to responsible alcohol service, including avoiding the provision of alcohol to minors, as well as ensuring venues operate within capacity limits and approved trading hours.

Venues also rely on the support of police in the event of incidents of violence, harassment, or anti-social behaviour. The support can be to report the incident for appropriate follow up by police or request assistance. Police are a key ally for venues to draw on in the event of incidents of violence, harassment, or anti-social behaviour. Venue operators should make an effort to be informed of the relevant legislation as it relates to issues of safety, such as the Crimes Act 1900 which includes a definition of "Assault occasioning actual bodily harm."

As a new operator, you will need to consult with the above authorities to inform you about the requirements for your venue.

Worker Safety

In addition to the rules governing licensed premises, all employers are responsible for providing a safe workplace for staff. It is beyond the scope of this guide to cover these responsibilities in detail. Selected examples and resources are provided below to introduce this topic to new entrants into the market.

Providing a safe workplace for staff involves eliminating or reducing risk. Risk may include the potential to slip on a wet surface, trip on an electrical cord or frayed carpet, or fall on the way down the stairs. Business operators must always aim to eliminate these risks or minimise them as far as is reasonably possible.⁴

Another risk relates to electrical safety. Venues must ensure electrical work is only carried out by licensed and registered electricians. They must ensure power circuits are protected and provide enough socket outlets to avoid overloading.⁵

Many venues provide food services. Venue operators must be aware of guidelines for food preparation, and the potential risks for staff with issues such as managing hot surfaces, handling knives and sharp objects, as well as exposure to chemicals such as cleaning products.⁶

The above examples are not intended to be comprehensive. Business owners must also consider WorkCover and public liability insurance, training or support for staff performing manual tasks, providing appropriate personal protective equipment (if required), and policies for dealing with bullying in the workplace. For more information on your obligations and best practice checklists, visit Safe Work Australia (www.safeworkaustralia.gov.au).

⁴ safeworkaustralia.gov.au/safety-topic/hazards/slips-trips-and-falls

⁵ safeworkaustralia.gov.au/system/files/documents/1702/electrical-risks.pdf

⁶ safeworkaustralia.gov.au/safety-topic/industry-and-business/food-services/managing-risks

Key Considerations

Safety must be a group mindset

As a leader of a night-time venue, it's important to develop a clear vision for what safety means for your venue – and commit the resources required to achieve it. As mentioned in the previous section, there are minimum safety requirements to achieve. Making sure that all staff are aware of safety as a key priority will help them comply with regulations. A vision statement can be a good starting point and can be as simple as “We will make the safety of anyone that enters the venue our top priority.”

This vision for safety has to be shared across all levels of staff; from management, to frontline staff, to the security team. It needs to be clearly understood what it means in practice and what role everyone has to play in achieving it. For instance, security guards must understand that safety at the venue isn't just making sure intoxicated people don't enter, it's how their actions and attitudes as security guards make a diverse array of patrons feel welcome. No patron wants to feel intimidated or afraid of the security inside a venue.

Key to actioning the vision is developing the processes and systems that each facet of the venue's workforce will need to follow. This should be in plain English and written as direct actions. In some cases, these actions will be easy to include as they could be conditions on a DA or liquor licence. For example, conducting bathroom walk-throughs every hour. In other areas, it may be separate processes about managing how staff respond to patron complaints of harassment or how patrons are made to feel welcome inside the venue. Some considerations could include:

- **Do you expect to have a long queue outside on Friday and Saturday? How will this be managed and by whom?**
- **How will you respond to a patron who reports an incident of harassment?**
- **When will a harassment allegation be referred to Police, and who is the appropriate staff member to do so?**
- **How are you catering to patrons living with a disability and ensuring they feel welcome and safe inside your venue?**



Managing safety inside your venue

Situational awareness

The ability to read a room and an individual's behaviour is a skill set that many hospitality and security workers develop over time. It is a vital component of creating a safe venue as staff need to be consistently gauging what is happening inside the venue and whether or not it is creating a safe or unsafe scenario. There are two key components to this skill set.

Firstly, venue operators should train staff to understand what are the indicators that a situation may become unsafe. For example, this could include noticing that a group of women have changed tables away from another loud and boisterous table. While a direct response may not always be needed, having the awareness of the situation places it on the team's radar for that night.

Secondly, everyone working in the venue must be sharing information and know their roles and responsibilities. There is little value in a bartender noticing the group of women moving tables to avoid loud behaviour if that information isn't shared with the rest of the team. Once that information is shared all team members must know their role. For instance, the security guard could have a discreet word with the boisterous table about reducing the volume while other bar staff could keep a clear eye on their alcohol intake.

The key point is to have a shared vision of safety across the management, bar staff, and security team so you can work together to identify and prevent anti-social behaviour or harassment.

Safety for all people

Regardless of who the patron is, the starting assumption should always be that all people are treated in the exact same way without any comment. This is particularly poignant when seeking to determine if a patron is intoxicated. In some cases people living with a disability may present with speech or mobility challenges that could be misconstrued as intoxication. If a patron appears to need help due to a perceived disability, apply maximum discretion when asking if they require assistance. Similarly, if someone is challenged on their movement or appearance and asserts disability, then the balance of doubt should lean towards their telling the truth. If venue staff remain doubtful of intoxication, handle with the utmost discretion and implement clear processes for handling those sorts of situations, and for escalating them in a measured and respectful manner.

Fundamentally, people from all walks of life want to be treated with the same level of respect and recognition. This is a key starting point in creating a safe and inclusive environment.



Managing harassment complaints made by patrons

Unfortunately, there may be instances where a patron feels harassed or targeted by another patron. It is important venues have a plan in place to manage these complaints appropriately. This requires planning, training and discretion. Some key steps to consider include:

- Separate the two parties. Take the parties to different locations where they will both be safe. This should be a quieter place such as an office. It should be a space with CCTV cameras.
- Request the names and contact number of both parties. You cannot force them to share this information, but it is important to request it should a complaint escalate.
- Listen to all parties. Give both parties the opportunity to share their experience. Be an impartial listener while they are speaking. You can reserve judgements for later when it's time to decide what action is required. For now you just want to hear their version of events.
- Decide what action is required. You have to make a determination about what to do based on the information you have obtained. Some claims of harassment will result in de-escalation strategies or the alleged perpetrator being removed from the venue. It also may result in them being banned from the venue.
- Serious instances should be reported to the police. The police are equipped to investigate and take the necessary steps to enforce the law. Be proactive in your communications with the police. Let them know how you are handling these situations and keep them informed. It can also help to consult with Police on how they would like you to notify them of these matters and how you can help them.
- Record the details on your incident register or digital incident register.

Managing safety outside your venue

Managing the Line

For some venues, managing the line up of patrons waiting to enter can be one of the biggest safety challenges. Actively managing your line can include;

- Visual checks and walking up and down the line to identify any patrons demonstrating anti-social behaviour and make an early decision on whether or not to refuse them entry. The longer people are waiting in line the more likely they are to respond negatively to being refused (i.e. being told after being in line for 5 minutes vs 30 minutes).
- If your line is longer than you'd like, then consider suggesting other venues in the area for patrons to visit. Some venues even have a 'call back service' where they offer to call those patrons when a space becomes available.

Pride of Ownership

Ensure your security or front of house staff are keeping the area around your venue clean. This includes;

- Keeping the pathway accessible for residents or other people passing through.
- Communicating with patrons about expected wait times, as well as informal interactions to gather information on who may cause trouble inside the venue.
- Providing a clean and orderly space. This sends a message to patrons that your venue is well taken care of. The majority of people want to fit in with social expectations, and keeping a clean space demonstrates what those expectations are.
- Communicating respectfully with patrons. It is important that security and door staff provide a welcoming environment for anyone trying to enter the venue. Unfortunately some people will refuse to move on when denied entry, and it's important to inform them of the legal consequences of failing to quit. Having clear processes for staff to manage this situation is key.

Safety After Hours (Staff and Patrons)

Venues can encourage staff to take a collective approach to safety. It's common for staff to leave together as a group, or with at least one other team member. This means they can keep an eye out for each other as they head to a transportation hub or carpark.

In some cases, it may be a patron that needs help getting home safely. Providing a safe space to order a rideshare car or a taxi outside the venue can help people get home safely. Similarly, it can be useful for staff to be ready to answer questions from patrons about where the nearest public transportation hub is. In some rare circumstances, some venues even have a small budget allocated to helping stranded patrons get home. This would generally only be used in exceptional circumstances where a patron has no other means to get home; for instance, a young patron who has become separated from friends, has lost their phone and has no other means of getting home.

Lighting and Safety

Lighting can play an important role in creating safe spaces. Lighting is often thought about in a one-dimensional manner; as a way to deter anti-social behaviour. This leads to the 'spotlight approach' where particular areas are very well lit and others are not. At times this is the appropriate approach; for example, ensuring a stairwell or entrance is well lit. However, the spotlight approach can also lead to unintended consequences such as sharp contrasts with adjacent areas becoming overly shaded or dark.

Lighting can be used to direct the movement of people through a space. Well designed lighting can, for example, form a pathway to guide patrons as they enter a venue to help keep the entrance clear. Lighting outside the venue can guide patrons as they exit the venue towards a space or direction required by your DA. This is particularly useful for venues that have to manage long lines of patrons. When used in combination with street furniture and signage (including along the pavement), lighting can be a useful tool to help achieve your safety objectives. This use of lighting to navigate between spaces can help with wayfinding.

Lighting can also encourage people to linger in place for a longer period of time. This could be ambient lighting to create a certain aesthetic that incentivises people to sit and relax.

Government Initiatives

The NSW Government has two key initiatives that support a safer night-time experience. Launched in 2022 and now in its second year, the Uptown program⁷ helps to fast-track the formation of local business communities and facilitate the growth of their districts into vibrant going out hubs in line with the NSW Government's 24-Hour Economy Strategy for Greater Sydney. More information about the Uptown program is found at the website.

The NSW Government has also commenced a trial of the internationally recognised safety accreditation scheme, Purple Flag⁸. The scheme recognises areas offering a diverse, vibrant and safe night out. To achieve Purple Flag accreditation, areas need to meet a set of criteria, including access to public transport, adequate street lighting and great food and beverage offerings. More information about Purple Flag is found at the website.



Case Study: Club 77's Safety Policy

Club 77 is an iconic nightclub in Darlinghurst with a zero-tolerance approach to harassment to ensure patrons feel safe inside the venue.

Management invests in staff training by bringing in specialised educators as well as internal discussions to communicate Club 77's values. Staff training includes topics such as:

- **Harm minimisation training (education regarding the impacts of drugs and alcohol use, and how this can influence behaviour),**
- **Conflict resolution skills (interpersonal communication skills and support to deal with emotionally charged situations).**

Club 77 Darlinghurst

In addition to staff training, Club 77 created a unique 'Safety Officer' position. The Safety Officer is inside the venue with a fluorescent pink vest so they are easy to find. This makes it clear for patrons where to go if they need assistance, and avoids patrons having to seek out bar staff. The safety officer program and the venue's safety policy is promoted on the website.

Outside the venue, managing the large line is a key priority. Club 77 takes a proactive approach including 30 minute line checks and perimeter walks between 6pm to 10pm.

This increases to 15 minutes line checks and perimeter walks after 10pm to close. The aim is to maintain an orderly line, keep pathways clear, and move on any undesirable patrons. Any anti-social behaviour is identified and logged in an incident register.

The key is having staff actively managing the line and addressing anti-social behaviour before it develops. That's two or three peoples' job on a Friday and Saturday night.

Whenever an alleged incident occurs, Club 77 will always contact police. The manager lets the patrons know that the club will be informing the police, that they may be served with a notice or receive a fine.

As a result of this proactive approach to communicating with police, the club has built up a high level of trust with Police. Club 77 keeps Police informed about what it is doing, what issues they are experiencing, and how they are managing it. Both parties work together to help ensure a safe environment.

Club 77 also has a strong relationship with nearby venues and businesses. The management are part of a group chat with neighbouring venues to share information about safety and anti-social behaviour. For example, if patrons are refused entry or removed from the venue, this information is communicated to other businesses in the area.

This is a great example of considering safety beyond the doors of the venue. It gives neighbouring venues a heads-up about patrons that may engage in anti-social behaviour. It also helps create a precinct approach where patrons begin to understand how anti-social behaviour and harassment is dealt with in the whole area. This collective approach helps ensure issues are dealt with in a coordinated manner – and as a result, the safety of the entire area improves.

Top 10 Tips

1 Be informed

Review DA conditions and Liquor Licence requirements. This provides the context for your approach to safety and wellbeing.

2 Consult with relevant authorities

NSW Police, local council and Liquor and Gaming NSW. They have industry specific experience that can inform your approach and you'll need to establish a working relationship.

3 Manage patrons appropriately

Staff need to develop situational awareness to identify potentially troublemaking patrons and manage them in the right way, including being aware of cultural, disability or other potential sensitivities.

4 Make time to write down your operation plan

Include things like a safety checklist, emergency contacts, and process for dealing with conflicts. These documents can change over time but staff must understand what they need to do and when.

5 Train staff to succeed

Invest in your staff so they are prepared for situations before they arise. You may consider having regular safety meetings to identify issues and opportunities as they arise.

6 Keep accurate records on your incident register

Have an up to date list of banned patrons.

7 Build relationships

Connect with nearby venues and businesses. Consider sharing information about anti-social behaviour, patrons removed from your venue, and staff training programs.

8 Consider opportunities to impact safety beyond the venue's boundary

This may include consistent lighting and managing the movement of patrons as they exit the venue

9 Consider engaging a planner or consultant

Interpreting legislation and public policies can be difficult and time consuming. Working with an expert who can communicate in simple terms what you are required to do – and what the opportunities are – is a worthwhile investment.

10 Encourage staff to leave together or in pairs at the end of the night

Looking out for each other can help ensure everyone gets home safe

Participants

This guidebook was developed by the Office of the 24-Hour Economy Commissioner and the Night Time Industries Association through consultation with industry leaders. Thank you to participants for sharing their expertise.

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