

EAST KENT LEASING LIMITED

APPLICATION FOR ADULT GAMING CENTRE PREMISES LICENCE

450 BETHNAL GREEN ROAD

TOWER HAMLETS LICENSING SUB COMMITTEE 19th APRIL 2022

Index

| | | Page(s) |
|----|------------------------------------------------------------------------|-----------|
| 1 | 450 Bethnal Green Road Skeleton | 1 - 9 |
| 2 | Bethnal Green LARA EKL Aug 25th 2021 | 10 - 25 |
| 3 | Jeremy Godden AGC Bethnal Green Witness Statement | 26 - 37 |
| 4 | Stephen Lawrence AGC Bethnal Green | 38 - 41 |
| 5 | Agreed Conditions - 450 Bethnal Green Road | 42 |
| 6 | Correspondence with Licensing Authority Agreeing Conditions | 43 - 47 |
| 8 | Bethnal Green Road Premises Licence Comparison Table | 49 - 50 |
| 9 | Social Responsibility Charter and Code of Conduct | 51 - 60 |
| 10 | Gambleaware Intervention Guide | 61 - 100 |
| 11 | Policies & Procedures | 101 - 175 |
| 12 | Extract of Licence Conditions and Codes of Practice (LCCP) for Arcades | 176 - 221 |
| 13 | AGC - Mandatory & Default Conditions | 222 |
| 15 | GC Guidance to Licensing Authorities | 224 - 234 |
| 16 | Paterson's Licensing Acts 2021 - Extract | 235 - 238 |
| 17 | s153 Gambling Act 2005 | 239 |

TAB 1

LONDON BOROUGH OF TOWER HAMLETS

LICENSING SUB-COMMITTEE

19TH April 2022

APPLICATION FOR ADULT GAMING CENTRE PREMISES LICENCE

EAST KENT LEASING LIMITED

450 BETHNAL GREEN ROAD LONDON E2 0HG

SKELETON ARGUMENT ON BEHALF OF APPLICANT

References to page numbers are to the applicant's bundle, save where stated otherwise.

Introduction

1. This is an application for an adult gaming centre premises licence.
2. If granted, the business will be subject to subject to three sets of legal obligations to support the licensing objectives:
 - Gambling Commission's Licence Conditions and Codes of Practice (**page 176-221**).
 - Mandatory conditions attaching to adult gaming centre premises licences (**page 222**).
 - Proposed licence conditions for 450 Bethnal Green West (**page 42**).
3. The proposed licence conditions are the result of:
 - a detailed local area risk assessment as required by the Gambling Commission's Licence Conditions and Codes of Practice and LBTH's gambling policy (**page 10-25**).

- Discussion and agreement with the licensing authority (page 43-47).
4. None of the other gambling premises in the area are subject to any individual licence conditions. Despite that, none of those licences has been reviewed. In fact, there is no evidence before the Sub-Committee that those premises are harming the licensing objectives. There is therefore no reason to think that the proposed licence, if granted, will cause any greater concern.
 5. The Act requires consultation with expert statutory bodies, who are the Sub-Committee's main source of advice on the matters within their expertise. In this case, it is noteworthy that none of the authorities object to this licence. That includes:
 - the police, who are responsible for crime, disorder and community safety;
 - the child protection authority, which is responsible for child protection and safeguarding;
 - the environmental health authority, which is responsible for local amenity;
 - the licensing authority itself which is the guardian of the licensing objectives and the borough's gambling policy. Conditions have been agreed between the applicant and the licensing authority.
 6. As the Sub-Committee will be aware, the aim to permit in section 153 of the Act is explained by the Gambling Commission's Guidance to Licensing Authorities as follows:

1.20 The Act places a legal duty on both the Commission and licensing authorities to aim to permit gambling, in so far as it is considered to be reasonably consistent with the pursuit of the licensing objectives. The effect of this duty is that both the Commission and licensing authorities must approach their functions in a way that seeks to regulate gambling by using their powers, for example, powers to attach conditions to licences, to moderate its impact on the licensing objectives rather than by starting out to prevent it altogether.
 7. The applicant will seek to demonstrate that:
 - it is a competent operator;

- the premises are suitable for the purpose;
 - provision of gambling in this area is not inimical to the licensing objectives;
 - the conditions, and in particular the individual conditions formulated following the risk assessment process, are suitable and sufficient.
8. In the circumstances, the applicant will invite the Sub-Committee to grant this licence subject to the conditions proposed.
9. These submissions will deal briefly with:
- (1) The suitability of the operator.
 - (2) The suitability of the premises.
 - (3) The area.
 - (4) The conditions.
 - (5) The law
 - (6) The representations

(1) The applicant

10. As the statements of Mr. Godden (**page 26-37**) and Mr. Lawrance (**page 38-41**) show, the applicant is an experienced operator of adult gaming centres, including in London. The applicant is a conscientious, hands-on operator. It has never suffered a licence review.
11. The Sub-Committee will be aware of the Gambling Commission's Guidance that:

5.10 Licensing authorities do not need to investigate the suitability of an applicant for a premises licence, including in relation to crime. The issue of suitability will already have been considered by the Commission, because any applicant (except occupiers of tracks who do not propose to offer gambling

themselves) will have to hold an operating licence from the Commission before the premises licence can be issued.

12. Nevertheless, in the light of the representations raised, the Sub-Committee may be reassured that the applicant is an experienced and competent operator. At very least, it means that if there are any issues, the applicant will deal with them promptly and professionally. The applicant has included extracts from its operating procedures in the bundle, which comply with industry best practice.

(2) The premises

13. The applicant submits that 450 Bethnal Green Road is suitable to be licensed as an adult gaming centre.

14. The premises will be configured to be comfortable, sufficiently spacious for its purpose, well-lit and with good sightlines. The premises will have a CCTV system configured to the requirements of the Police, with external cameras to help security in the immediate vicinity.

15. No reason has been suggested why the premises are not suitable for the proposed use.

(3) The area

16. The applicant has carried out a local area risk assessment, as required, to inform its approach to the protection of the licensing objectives. The risk assessment is a thorough document, conducted by an independent consultant, and has not been criticised in this case.

17. One of the representations states that there is anti-social behaviour in the area. As Mr. Godden explains, adult gaming centres do not contribute to anti-social behaviour and in any event the proposed conditions include adequate protective measures which have satisfied the licensing authority. Furthermore, the Metropolitan Police, which obviously has experience of such premises in the borough and elsewhere, did not object at all.

18. The Sub-Committee is respectfully reminded of the Commission's Guidance , which advises in paragraph 5.34 that:

An authority's decision cannot be based on dislike of gambling, or a general notion that it is undesirable to allow gambling premises in an area (with the exception of the casino resolution powers).

19. As the Sub-Committee will be aware, planning and licensing are separate functions. Licensing is concerned with the licensing objectives. Planning, on the other hand, is concerned with wider matters such as high street character and function, and the density and balance of particular uses. As the report notes, the applicant will still need to obtain planning permission, even if the licence is granted. The grant of a premises licence will not affect the planning determination.

(4) The conditions

20. As the Sub-Committee will be aware, the gambling operation will be subject to the extensive requirements of the Gambling Commission's Licence Conditions and Codes of Practice (**page 176-221**) and Parliament's Mandatory and Default Conditions (**page 222**).

21. In addition to that, the applicant has advanced a list of conditions which have been agreed by the licensing authority.

22. Naturally, should the Sub-Committee consider that further conditions are necessary, the applicant will be pleased to discuss this. As the Gambling Commission advises in its Guidance:

5.31 Licensing authorities should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions.

The law

23. As the Sub-Committee will be aware, each piece of licensing legislation sets out a different approach to the question of grant. The approach relevant to gambling is in section 153 of the Gambling Act 2005:

“In exercising their functions under this Part, a licensing authority shall aim to permit the use of premises for gambling in so far as the authority thinks it:

(a) in accordance with any relevant code of practice [issued by the Gambling Commission]

(b) in accordance with any relevant guidance issued by the Commission

(c) reasonably consistent with the licensing objectives (subject to (a) and (b))

(d) in accordance with the [authority’s statement of licensing policy] (subject to (a) to (c)).”

24. The following points should be noted:

- a. The test is mandatory: *“a licensing authority shall”*
- b. The obligation to *“aim to permit”* where (a) – (d) are satisfied is described by the Gambling Commission in its Guidance as *“the licensing authority’s primary obligation”* (para 7.56).
- c. The *“aim to permit”* is explained in the leading textbook Patersons:

“... it creates a presumption in favour of granting the premises licence since it is only if the licence is granted that the premises may lawfully be used for gambling. But the duty seems to go further than that. The verb ‘to aim’ is defined by the OED as meaning ‘To calculate one’s course with a view to arrive (at a point); to direct one’s course, to make it one’s object to attain. Hence to have it as an object, to endeavour earnestly....’ A person who ‘aims’ to achieve a result will usually take active steps to bring it about. The provision appears to place a duty upon the licensing authority to exercise their powers so far as is lawfully possible to achieve a position in which they can grant the premises licence and thus permit the premises to be used for gambling.”

- d. Conditions should only be added where it is necessary to do so, and even then such conditions need to be proportionate to the circumstances requiring a response, relevant, directly related, fair and reasonable (para 9.31).
- e. As the Guidance states: “*Any refusal should be for reasons which demonstrate that the licensing objectives will not or are unlikely to be met*” (para 5.34). That means demonstrate by evidence.
- f. Conversely, the following considerations are legally irrelevant to the determination of an application for a premises licence:
 - i. A dislike of gambling (para 5.34).
 - ii. A general notion that it is undesirable to allow gambling premises in an area (para 5.34).
 - iii. Moral or ethical objections to gambling (para 5.34).
 - iv. The demand for gambling premises (see s 153 Gambling Act 2005). As such, objections which state that there are enough gambling establishments in a locality may be relevant to planning, but they are irrelevant to licensing.
 - v. Planning considerations (see section 210 Gambling Act 2005), such as the tone or character of the area.
 - vi. Nuisance (see Gambling Commission Guidance para 5.5).

The representations

25. The observations in the preceding paragraph are relevant in this case, since the objections raise matters which:
- are not germane to the gambling licensing jurisdiction (such as demand, the character of the area, the number of gambling uses and the benefit or otherwise of gambling, and/or
 - amount to a dislike of gambling, and/or

- are not supported by any evidence of harm caused by other gambling operations in the vicinity, none of which trade with any conditions, and/or
- are not supported by evidence of harm caused by the applicant's premises anywhere.

26. To the degree that the representations do relate to the licensing objectives:

- they do not provide any evidence which demonstrates that this application will harm the objectives, taking into account:
 - the obligations in the Licence Conditions and Codes of Practice;
 - the mandatory licence conditions;
 - the individual licence conditions;
 - the contents of the risk assessment;
- they are at odds with the expert bodies, who have not discerned grounds to object to this application.

Conclusion

27. In this case, there is no objection by the responsible authorities.

28. This is broadly unsurprising, since the proposal is:

- by an experienced operator which has never experienced a review;
- to fit out, equip, staff and supervise the premises in a manner consistent with the licensing objectives;
- to accept a suite of individual conditions, unlike any other gambling premises in the locality.

29. As the Sub-Committee will be aware, there is no "cumulative impact policy" for gambling. The policy rather requires appropriate information to be provided as to how

the licensing objectives will be met. The applicant has sought to comply with this requirement, and has done so to the satisfaction of the responsible authorities.

30. Accordingly, it is submitted that the test in section 153 is fully met. Conversely, taking into account the competence and track record of the applicant, its legal obligations under the Act, Regulations and codes, and the suite of individual licence conditions to which it is proposing to submit, it has not been demonstrated that the licensing objectives are unlikely to be met.

31. The Sub-Committee is therefore respectfully invited to grant the application as asked.

PHILIP KOLVIN QC
11th April 2022

11 KBW
Temple EC4

TAB 2



LOCAL GAMBLING RISK ASSESSMENT

Premises

Premises Name: Palace Amusements
Premises Address: 450 Bethnal Green Road, Bethnal Green, London
Premises Post Code: E2 0HG
Premises Licence Number: New application
Category of Premises: Adult Gaming Centre

Company

Operating Company: East Kent Leasing Limited
Operating Licence Number: 000-034401-N-315687-010

Assessment Writer

Name of Person Writing this Assessment: Byron Evans
Position within Company or Name of Authorised Agent: Compliance Consultant
Date that Original Assessment was Written: August 25th 2021

LOCAL GAMBLING RISK ASSESSMENT

Requirement to Comply

All non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences

Social responsibility code provision 10.1.1

1. Licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at **each of their premises**, and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy.
2. Licensees must review (and update as necessary) their local risk assessments.
 - a. To take account of significant changes in local circumstances, including those identified in a licensing authority's statement of licensing policy;
 - b. When there are significant changes at a licensee's premises that may affect their mitigation of local risks;
 - c. When applying for a variation of a premises licence; and
 - d. In any case, undertake a local risk assessment when applying for a new premises licence.

Ordinary code provision 10.1.2

1. Licensees should share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise on request.

LOCAL GAMBLING RISK ASSESSMENT

The purpose of this document is to assist staff in understanding and carrying out their responsibilities in running the premises including alerting them to any special problems of which they need to be aware in carrying out their duties.

The Operator

East Kent Leasing Ltd is licensed by the Gambling Commission and is a long standing member of the AGC trade association BACTA. East Kent Leasing is an extremely experienced operator of these types of premises. It is familiar with the guidance and information contained in the London Borough of Tower Hamlets Statement of Gambling Policy updated in December 2019 and the associated Local Area Profile. East Kent Leasing also confirm that they will conform, where appropriate, with the Tower Hamlets Gambling Best Practice Guide, as per Annexe 4 of the Statement of Gambling Policy.

The London Borough of Tower Hamlets

Tower Hamlets is a single tier authority on the east side of inner London covering an area of approximately 19 square kilometres. It extends from Victoria Park in the north, down to the Isle of Dogs in the south and extends from the A12 in the east to Brick Lane and the Tower of London in the west. The Borough has a population of approximately 324,000 which makes it the 11th most populated Borough in the UK (out of 391 Boroughs) and the second most densely populated Borough in the UK. 69% of the Boroughs population is made up of ethnic minority groups.

LOCAL GAMBLING RISK ASSESSMENT

The Local Area

The subject premises are located in the St Peters Ward. Bethnal Green High Road is a linear, non pedestrianised road, running approximately east/west. The subject premises are situated on the south side of the road, approximately 150 metres from Bethnal Green Underground Station (central line).

The subject premises are located 10 metres from a pedestrian crossing and with a bus stop (routes 8, 388 & D3) directly outside. The local area has a wide mix of both independent traders along with national multiples such as Iceland, McDonalds, Tesco Metro, Boots, Nat West and HSBC banks and KFC. The Tesco Metro trades 24/7.

Residential property to both the north & south of Bethnal Green Road is primarily made up of Community and Social Housing.

The premises themselves are rectangular in shape and will operate gaming machines on the ground floor along with a disabled toilet, offices and staff facilities .

No auxiliary activities will be offered other than CAT B3, CAT C and CAT D gaming machines.

East Kent Leasing have read the Tower Hamlets Statement of Gambling Policy and Local Area Profile (which were both updated in December 2019) and have taken into account all relevant information. East Kent Leasing also confirm that they have read the Gambling Best Practice Guide, included at Annexe 4 of the Statement of Gambling Policy and where appropriate will conform with the key points.

We believe this Local Area Risk Assessment (and future updates) identifies all necessary steps required in both complying with the Statement of Gambling Policy and Local Area Profile, upholding the Licence Conditions and Codes of Practice and promoting



LOCAL GAMBLING RISK ASSESSMENT

the 3 Licensing Objectives. The grid matrix at pages 11 to 16 detail how the operator intends dealing with key points identified in the Tower Hamlets Statement of Gambling Policy.

Schools/Educational Establishments:

There are a number of schools, nurseries and other educational facilities close to this part of Bethnal Green Road. This list notes a number of them, but is not exhaustive:

The Hague School, Wilmot Street.
Lawdale School, Mansford Street
Oaklands Secondary School, Old Bethnal Green Road.
Mulberry Academy (previously Bethnal Green Technology College), Gossett Street.
Darul Hadis Latifah School, Cornwall Avenue
Elizabeth Selby Forest Infant School, Old Bethnal Green Road
Bangabandhu Primary School, Wessex Street.
Rangers Kindergarten, Bethnal Green Gardens
Weavers Adventure Playground, Weavers Fields.

LOCAL GAMBLING RISK ASSESSMENT

It is not unusual to see college and school children in this part of Bethnal Green Road shopping after school hours using the bus and train links. The risk of these children gambling is mitigated by the processes noted on page 11 of this Risk Assessment. It should also be noted that there will be no visibility of gambling through the entrance or windows of the proposed premises.

Gambling Premises:

It is noted that the following gambling premises are within a 300 metre radius of the subject premises:-

LBO's:

JenningsBet, 448 Bethnal Green Road.

Ladbrokes, 295 Cambridge Heath Road.

Paddy Power, 398 Bethnal Green Road,

Corals, 333 Bethnal Green Road.

BetFred, 447 Bethnal Green Road.

Adult Gaming Centres:

Admiral, 451-453 Bethnal Green Road - trades 24/7

Cashino, 420 Bethnal Green Road - trades 24/7

LOCAL GAMBLING RISK ASSESSMENT

At the time of this Assessment it was noted that each of the Bookmakers operates a Challenge 21 Age Policy. The Admiral and Cashino AGC's operate a Think 25 Policy. East Kent Leasing, in line with the BACTA charter and the tower Hamlets Statement of Gambling Policy, have elected to operate a Think 25 Policy.

Public Houses & Licensed Premises.

There are a number of pubs and licensed premises within a 300 metre radius of the subject premises:

The Star, The Old George, Bethnal Green Tavern, The Shakespeare, The Salmon & Ball, The Marquis of Cornwallis.

All of these premises operate at least 2 x gaming machines.

It is illegal to consume alcohol on Adult Gaming Centre premises and EKL will not allow access to anyone under the influence of alcohol.

Banks & ATM machines

ATM machines are available widely in this part of Bethnal Green Road outside the TSB, Nat West, HSBC and Halifax banks. There is a stand alone Barclays ATM. There are additional ATM machines outside the Tesco Metro, Falcon Food Express and Post Office.

Pawnbrokers

Cash Converters, 417 Bethnal Green Road.

LOCAL GAMBLING RISK ASSESSMENT

Risks to the Vulnerable

All the above establishments (banks & ATM's, pubs and bars, pawnbrokers, betting shops and AGC's) might potentially have links to people who are vulnerable from gambling related harm such as establishments which provide gambling services to source of funds to gamble such as ATM's or pawnbrokers. Pubs and bars create a risk of customers becoming inebriated and therefore potentially not in control of their gambling. Pubs also offer the ability to play gaming machines.

EKL note that the potential of risk posed from gambling related harm in this area might be higher than normal due to the levels of social deprivation. An element of street drinking and homelessness was noted during this Risk Assessment. However, this potential increased risk will be mitigated by the company's excellent levels of staff training and the procedures identified in pages 11 to 16.

Churches/meeting places for vulnerable people.

At the time of this Assessment the following centres were noted as being in close proximity to the proposed AGC. It is likely that most if not all of these premises will provide services and support for the vulnerable. The list is not exhaustive:

St Johns on Bethnal Green, Cambridge Heath Road
United Reform Church, Pott Street
Praxis Centre for Refugees, Pott Street
Bethnal Green Mission Church
The Garret Centre, Unitarian Church & Mission, Mansford Street
St Matthews Bethnal Green
HM Prison Probation Service, 377 Cambridge Heath Road.



LOCAL GAMBLING RISK ASSESSMENT

Granby Community Hub, Goldman Close – Addiction Support Group.

Oxford House, Derbyshire Street

The Holt Thompson Community House, Mansford Street.

CCTV Systems

A CCTV system of a standard required by the police will be installed on the premises with cameras covering all public areas (excluding toilets). The required customer signage will be in place. The CCTV system will also have the capacity to be viewed remotely by Senior Management.

Door Control

East Kent Leasing realise that management of door control is an important consideration. Decisions relating to the levels of staff and any potential night security required are detailed below:

- Possible external CCTV coverage
- Potential night time Mag lock controls
- SIA registered Night Security will be considered if required via ongoing Risk Assessment
- Door and frontage design will ensure that children or the vulnerable will not be able to see gambling taking place through the windows or doors.



LOCAL GAMBLING RISK ASSESSMENT

Gambling Act 2005 – The Licensing Objectives

The Gambling Act 2005 sets out the three licensing objectives (LO), which are:

- (A) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- (B) Ensuring that gambling is conducted in a fair and open way; and
- (C) Protecting children and other vulnerable people from being harmed or exploited by gambling.

LOCAL GAMBLING RISK ASSESSMENT

| Risk Assessment | LO | Level of Risk | Impact | Control System | Risk Management | Reviewed |
|---------------------------------------------------|-----|---------------|---------------------------------------|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| Children entering site unnoticed or unchallenged. | (C) | Low | Severe to business Severe to child | Interior Design Exterior Design | <p>*Constant & effective monitoring of entrance by floor walkers. Anyone who looks under 25 to be challenged. Staff have uninterrupted visibility of all gaming machines at all times.</p> <p>*Frontage of venue will be designed so as not to be attractive to children. No line of sight into premises from the exterior. Think 25 posters clearly visible from street.</p> <p>* CCTV coverage of entrance linked to office with our Staff able to view/review and we will be able to review remotely. *Staff regularly trained, reviewed and audited on the delivery of the Think 25 policy. Clear & prominent premises signage and machine labelling.</p> | Aug 2021 Aug 2021 |
| | | | | Physical | <p>All of the points listed below are part of our standard operating procedures which are all subject to an internal Audit process and are discussed/reviewed on a regular basis via Management checks: *Think 25 policies will be in place and implemented with Think 25 material displayed. *Use of BACTA's resources for age verification testing. *Use of Citizen Card facility to allow for consistent ID format checks *Regular staff training (quarterly) both in-house and by BACTA. *Adherence to BACTA's toolkit and our staff handbook. *Use of the BACTA tracking system for both successful and unsuccessful Think 25 challenges with *Clear and prominent premises signage along with machine labelling. *Strict implementation of our policy of preventing the wearing of hoods, caps or any material that prevents the Staff present from being able to enact our Think 25 policy *Policies & Procedures in place that are regularly reviewed with outputs captured. * Internal Audit process, review & output(s)</p> | Aug 2021 |

LOCAL GAMBLING RISK ASSESSMENT

| | | | | | | |
|---------------------------------------------------------------------------------|-----|----------|---------------------------------------------------------|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| Potential gambling by vulnerable persons. | (C) | Low | Moderate to business Severe to vulnerable individual | Systems | <p>*Customer interaction procedures & policy are in place following the guidelines & process by BACTA at all times.</p> <p>*All customer interactions recorded in the problem gambling log book which details the action(s) taken.</p> <p>*Logbook, Staff training and Staff development reviewed on a regular basis by the Shop Manager, their senior team and the Operations Management.</p> | <p>Churley Aug 2021</p> <p>Shearway Business Folkestone CT19 4RG</p> |
| Failure to deal with Consumers making complaints about the outcome of Gambling. | (B) | Moderate | Moderate to business Severe to customer | Interior Design Physical | <p>*Conductive for effective monitoring of customers</p> <p>*Internal Audit process, review & output(s)</p> <p>*Preventative machine maintenance (PPM) carried out by our qualified engineer.</p> <p>*Machine turned off immediately should fault be identified</p> <p>*Incident reported to BACTA</p> <p>*Machines only acquired from licensed suppliers.</p> <p>*Customer complaint procedure in place, discussed & reviewed on a regular basis with the Staff present</p> <p>*Machines regularly tested via the internal Audit process</p> <p>*Weekly reviews of Net Win percentages to monitor pay out changes via our (internal) collection process</p> | <p>Aug 2021</p> <p>Aug 2021</p> |



LOCAL GAMBLING RISK ASSESSMENT

| Risk Assessment | LO | Level of Risk | Impact | Control System | Risk Management | Reviewed |
|---------------------------------------------------------------------------------------------------------------------------------------------|-----|---------------|--------------------------------------------|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Failure to deal with consumers making complaints about the outcome of Gambling (continued). | (B) | Low | Moderate to business Severe to customer | Systems | *Complaints procedure & forms available on premises. *Quarterly staff training on company policy. *Registered with ADR Entity – BACTA ADR Service. *Compliant with Company P & P – BACTA Toolkit. | Aug 2021 |
| Failure to provide information to players on responsible gambling. | (C) | Low | Severe to business Severe to customer | Physical | *Stay in Control posters displayed prominently. *Sufficient quantity of posters & leaflets. *Stay in Control leaflets available in racks, discretely located. *Machine labelling displaying National Gambling Helpline. *Staff regularly trained and assessed to ensure full Compliance to GC guidelines and Licence Conditions & Codes of Practice (LCCP) | Aug 2021 |
| | | | | Systems | *Stock control system in place for leaflets. *Ensure adherence with P & P – BACTA Toolkit *Regular audit to ensure systems in place/being used effectively | Aug 2021 |
| Failure to recognise signs associated with problem gambling or substantial changes in gambling style. | (C) | Moderate | Severe to business Severe to customer | Interior Design | *Player positions effectively monitored by the staff along with a Players behaviour. * Clear lines of sight to all machines. CCTV cameras positioning *Location of note changing facilities | Aug 2021 |
| | | | | Systems | *Staffed trained in customer interaction in line with BACTA's Toolkit. *Clear policy to record the procedure/process of customer interaction | Aug 2021 |
| | | | | | *Staff trained to intervene with customers showing signs of a problem; stake patterns, use of local cashpoints and looking for customer behaviour patterns. *Player's spending effectively monitored by Staff and wherever possible recorded into the BACTA log book, which is reviewed on a daily basis | |
| Failure to properly administer the self-exclusion process and maintain its effectiveness thereafter, including breaches and reinstatements. | (C) | Low | Severe to business Severe to customer | Physical | *CCTV and monitor effectively positioned at entrance to benefit identification of known excluders and images on wall in office. * Staff regularly trained on Self Exclusion policy, process and understanding * Internal audit process to ensure full adherence to Gambling Commission policy, process and understanding | Aug 2021 |
| | | | | Interior Design | *Consideration given to internal layout so as to ensure effective monitoring of customers entering the premises and those that might enter in order to gamble on behalf of a self-excluder. | Aug 2021 |

Bojardo House

LOCAL GAMBLING RISK ASSESSMENT

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|--|--|--|--|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| | | | | Systems | <p>*All data subject to quarterly review. <small>Unit H Concept Court, Pokesone</small></p> <p>*Ensure that self-exclusion forms are always available for supply. *File of excluders kept and maintained on premises. *Compliant with P & P and log in BACTA's toolkit. Potential use of new BACTA portal for electronic recording of Self Exclusion data. *Regular internal Auditing</p> | Aug 2021 |
|--|--|--|--|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|

LOCAL GAMBLING RISK ASSESSMENT

| Risk Assessment | LO | Level of Risk | Impact | Control System | Risk Management | Reviewed |
|-----------------------------------------------------------------------------------------------------------------------------------|-----|---------------|-------------------------------------------|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Failure to identify attempts to launder money on the premises (e.g. dye stained notes) and to follow correct reporting procedure. | (A) | Low | Severe to business Low to Customers | Interior Design | *Effective monitoring of customers' behaviour by good lines of sight from staff, and well positioned CCTV. *Pay station and note acceptors regularly inspected. The majority of large hand pays will go through the pay station, so staff can monitor more closely *Weekly collection process in place with cash (notes & coins) identified to each machine present *Staff regularly trained on AML importance, reporting process and potential signs of abuse | Aug 2021 |
| Poor security increasing vulnerability to crime. | (A) | Low | Severe to business Severe to customers | Physical | *Fully compliant with LCCP requirements. *Comply with BACTA's P & P in Toolkit, in particular the reporting procedure to NCA by way of SARs. *AML warnings built into Tito systems. Tito tickets cannot be transferred or used in other premises. *Logbook kept on site detailing any AML activity *Static panic alarms. *Staff provided with personal attack alarms. *Intruder alarm installed and regularly serviced. *Effective CCTV coverage with data stored for 31 days. *Toughened glass windows and door to limit criminal damage. *Mag-lock entrance to be installed for use at night if required. * CCTV recording | Aug 2021 |
| Awareness of heightened local crime in the local area. | (A) | | | Systems | *Staff personal floats will be limited to £100.00. *Regular liaison with local law enforcement agencies. *Log maintained should police be called to assist. *Keep abreast of local crime trends. *Subscribe to BACTA's crime bulletins. | Aug 2021 |
| Awareness of student learning facilities (schools & colleges) in the local area. | (C) | | | Systems | *CCTV cameras will be installed at the front and back of the building to monitor this at all times. *Mag locks will be fitted to the lobby doors for the extra security of our staff and customers. *Regular reviews of Police Crime Stats for local area | Aug 2021 |
| | | | | Systems | * Entrance monitoring given extra resources at certain hours on school/college days given the location of several schools, further education facilities present. *Regular Staff training on Think 25 process | Aug 2021 |

TAB 3

**Application for a Gambling Premises Licence in respect of Palace Amusements, 450 Bethnal Green,
London, E2 0HG**

LONDON BOROUGH OF TOWER HAMLETS LICENSING SUB-COMMITTEE

19TH APRIL 2022 - 1400hrs

WITNESS STATEMENT OF JEREMY GODDEN

I, **JEREMY GODDEN**, OF EAST KENT LEASING LIMITED, 2ND FLOOR, GADD HOUSE, ARCADIA AVENUE, LONDON, N3 2JU **STATE AS FOLLOWS;**

SUPPORTING DOCUMENTS

- (a) Proposed Conditions
- (b) Local Area Risk Assessment

FAMILY BACKGROUND

1. My family has been in the gaming industry for over 40 years. My late father operated various gaming and leisure businesses in the South East of England up to his death in 2012. Prior to his death, I was involved in the operating of all the family's adult gaming centres ("AGC") from the age of 18 at site level. After his death, Jordan Godden (my brother) and myself took full control of all aspects of the operation from compliance to regulation to customer service.
2. I have sat on the National Committee of BACTA (British Amusement Catering Trade Association), which is the trade association for amusements and gaming machines covering family entertainment centres, machine supplies for pubs, clubs and bingo halls, as well as, operators of Adult Gaming Centres, since the age of 20. I am currently Vice-Chairman of The

Seaside Division, having been peer-elected to represent the best interests of amusement arcades in tourist destinations.

3. The Godden Gaming Organisation has two subsidiaries that each have their own operating licence; East Kent Leasing Limited and Rotunda Equipment Leasing Limited.
4. East Kent Leasing Limited, GC Licence No 034401-N-315687-010, was set up on 6th November 2012 when we decided to expand into Greater London. It currently operates 11 premises, including Adult Gaming Centres at 31-33 White Rock, Hastings, 169a Fore Street, Edmonton, 561-563 Hertford Road, EN3 5UQ, 10-12 Chapel Street, Luton and 4 Fish Street, Northampton.
5. The Rotunda Equipment Leasing Limited, GC Licence No 037787-N-318510-007, operates Family Entertainment Centres and AGCs at the Kent Seaside.

EAST KENT LEASING LIMITED

6. The Godden Gaming Organisation Limited is 100% shareholder of East Kent Leasing Limited. Jordan Godden and myself are equal shareholders in The Godden Gaming Organisation Limited.
7. We are a member of BACTA (British Amusement Catering Trade Association).
8. The senior management team is compact, consisting of Jordan Godden, Stephen Lawrence and myself. The compliance policy is dealt with by myself; and all training is done by Stephen and myself. We all take a very hands-on approach. Jordan leads the refurbishment of all our units, I arrange all gaming machines, Stephen Lawrence hires the venue teams. We all ensure

compliance and training is always up to date, visiting sites regularly and understanding any local issues.

9. We have a lot of experience in operating in what could be classed as more challenging areas, and do not have any issues of crime or disorder connected to our premises. We have never had a premises licence reviewed, either by the Police or the Local Authority, and do not experience problems with crime and disorder.
10. The general staffing arrangements for each premises include one venue manager and one venue assistant manager, one supervisor along with three or four shop customer service assistants. This is a similar structure to others in the industry; however, we don't have layers of middle management between the venue and the Senior Management Team.
11. We aim to recruit our management from other AGCs and will not place anyone in a management position unless they have significant prior experience operating within the AGC sector. I am able to offer managers a greater financial package and the lure of working within a family business in comparison to the national operators, which enables us to recruit very experienced people. In today's industry, an individual cannot possibly manage a venue unless they have experience and have trained under another manager. This also allows us to use our managers as part of our training process.
12. A venue is never left without an experienced member of management. That is how all of our venues operate and, if a licence is granted, it will be the same at Bethnal Green. We will move over a manager who is extremely experienced in similar locations to open the premises in Bethnal Green. In the first instance, she/he will be supported by staff who have at least 6 months experience in AGCs and I would expect to visit daily for the first few weeks.

13. Either myself, Jordan or Stephen still visit all of the venues at least twice per week to make sure all our standards are being upheld. In the first month of trading there will be one of us present in the shop with the manager every day.

STAFF TRAINING

14. Staff are initially trained by spending three to four weeks training in an existing venue under an experienced manager. Staff will not be placed at the site in Bethnal Green until they have completed training in an existing venue.
15. We will only open premises with fully trained staff and experienced supervisors. During all hours we are open there will always be at least one senior member of staff.
16. Training on policies and procedures, the licensing objectives and all ancillary legislation is carried out by Stephen or myself who goes to the venues or invites teams to head office and provides training in a presentation format. Further BACTA compliance officers provide training both in person and via Zoom to all operational staff.
17. Refresher training is provided at regular intervals by Stephen Lawrence to the manager and by the manager to the remainder of the team.
18. We operate with a full range of policies and procedures, which are all approved by the Gambling Commission and which promote the licensing objectives, the licence conditions and codes of practice, and all other regulations relating to Adult Gaming Centres. It has never been suggested that our policies and procedures are not adequate.

19. Members of staff are not allowed on the shop floor until they have passed all of their training.
20. Records of staff training are kept on site at each of the premises using the BACTA training log.
21. I have overall control and responsibility for training and ensure that it is conducted as best as it can be. The protection of the vulnerable and prevention of children entering premises is of paramount importance to me and is particularly emphasised in our training. Training is also provided on the presence of drugs and alcohol and hypothetical situations are used to help train staff.
22. All of our Policies and Procedures were initially checked by the Gambling Commission when we applied for and were granted an operating licence.
23. We have never had issues with children entering our premises and we have never received any negative results following Age Verification tests.
24. I cannot stress enough that our premises are not an attraction for those under the age of 18. Neither the atmosphere of the premises nor the products are attractive to children and the staff are always present and trained to prevent under 18s entering.
25. We have operated family entertainment centres at the seaside, and have never had any problems policing the internal entrances to over 18 sections. It is much easier to police the external entrances of AGCs. The customer profile is generally a 50/50 split male and female and after midnight is usually those leaving work and shift workers.
26. There is a range of low staking machines from 10p to £2 and the average stake would be 30p-40p.

27. We also use audits and personal visits to help monitor our venues and to ensure compliance. Both myself and Jordan make frequent unannounced visits to all premises. Stephen conducts monthly site audits in which he checks not only the licensing compliance but also other aspects of the AGC including fire logs. We will also check the CCTV, that the signage is adequate, that the licence is on display- everything that would be looked at during a local authority inspection. The site managers check these things on a daily basis.
28. Equally, we do not have issues with crime and disorder. An AGC is only attractive to those persons who want to come and play the machines. It is not a venue which would attract people otherwise. Our experienced management and fully trained staff ensure that we have no crime and disorder issues.
29. All of our venues have very clear signage on the exterior which is replicated within the venues themselves. There is no smoking, no alcohol and over 18s only. We also have leaflets and posters throughout the venue highlighting the challenge 25 policy and staying in control.
30. In my experience of both my own premises and those of my competitors, these sort of premises just do not attract those under 18 or people who may just want to loiter on the premises. There is no communal seating, no televisions to watch, no places to hang about in the premises, no loud noises or music, no pinball, no jukebox and no video games. In any case, loitering of any kind is not permitted. The premises essentially consist of the gaming machines which customers use. In my experience we don't have any difficulty in any of our locations of children trying to get enter the premises. Of course, the standard of management is extremely high in any event and children wouldn't get past the front door if they did approach. AGCs are

very different to betting offices in that there is no counter or screens that staff are behind. In AGCs they are on the floor walking and monitoring customers.

31. I have experienced that, in both my premises and in others, the moment you walk into premises a member of staff comes straight over to request proof of age if it is required.
32. Many of our sites are and have been and continue to be in busy areas, have fast food restaurants in the immediate vicinity as well as pubs and other common town centre uses. Even if there is a general view that there is crime and disorder in the area, it is not experienced in our venues.

THIS APPLICATION

33. The application is for a 24 hour Adult Gaming Centre and a list of 10 conditions has been proposed by me in addition to the 4 mandatory conditions on all Adult Gaming Centre Premises Licences. There are 10 conditions proposed by us, including conditions relating to the following:

- CCTV - Conditions 1-2
- Underage - Condition 3
- Crime Prevention - Conditions 4-8
- Alcohol & Drug Awareness Conditions 9-10

These 10 conditions have been agreed by the Licensing Authority.

34. The crime prevention measures and CCTV conditions are detailed and specific to this site. This includes the provision of a Maglock. In addition, all staff will be fully trained and the CCTV coverage will be first rate.

35. There are three representations in total: one representation from a Ward Councillor and two local resident representations, which I have considered in full. In the main, these speak about issues in relation to anti-social behaviour and drug issues in the area. These have been considered and conditions tailored accordingly, although it is not something that occurs at our premises.
36. The CCTV proposed will cover both the shop and outside of the entrance. There is a camera at shoulder height at the entrance to all of our premises so even if someone comes in and attempts to hide their identity, for example using a hood or a hat, the camera will capture their faces.
37. All internal doors have electronic releases and none are open to public. There is a maglock on the front door which can be utilised by the staff whenever needed.
38. We have considered the Tower Hamlets Gambling policy in great detail and have made every effort to ensure we know the area. We have produced a detailed risk assessment which will be kept under review and further updated as and when needed.
39. Our company takes the protection of vulnerable people very seriously. All premises display notices promoting safer gambling and stating where and how to get information and help if required.
40. Furthermore, in accordance with our obligations under the Gambling Commission's Licence Conditions and Codes of Practice, staff are trained (and re-trained) to engage in interaction with customers. Customer interactions are three-step; identify, interact, evaluate. These interactions may result in self-exclusion being suggested, and if the customer refuses to self-

exclude but the member of staff still feels the customer is at risk they will bar them. If a customer is self-excluded from this site they are also excluded from all AGCs in the locality, as a result of our membership of the Multi-Operator Self-Exclusion Scheme.

41. We appreciate the need to understand the locality surrounding our premises and always strive to ensure our risk assessment reflects this.
42. Whilst I am not expecting there to be any problems, I have ensured that we are prepared to deal with anything which may arise by including outside CCTV, conducting a detailed and thorough Local Area Risk Assessment and ensuring the trading floor is constantly monitored.

OTHER GAMBLING ACT 2005 PREMISES LICENCES IN BETHNAL GREEN

43. I have looked at the representations from Si Wharton and the other premises referred to in that representation. I note that representation refers to Bethnal Green having a number of betting shops. This application is of course for an Adult Gaming Centre which trades in a different way to a betting shop.
44. The staff in Adult Gaming Centres are not positioned behind counters as they are in betting offices. The staff are based on the shop floor, and therefore mix with and speak to customers at all times. There are no TV screens in Adult Gaming Centres. There is no live sport shown in Adult Gaming Centres, as there is in betting offices, and therefore customers in Adult Gaming Centres only come to our premises to use the machines. There is no cinema-style seating in front of a bank of television screens or otherwise, and the only seating provided in our premises is actually at the machines. For these reasons, Adult

Gaming Centres do not experience the kind of low level disorder issues sometimes experienced by betting offices.

45. The representation refers to seven Gambling Act 2005 premises licences. Five of these premises licences are betting shops. There are two Adult Gaming Centres referred to in the representation, namely: Admiral at 449-453 Bethnal Green Road, and Cashino at 420 Bethnal Green Road.
46. I am aware that none of the other seven premises licence that have been granted contain any additional conditions and that both the Adult Gaming Centres have unrestricted 24 hour licences.

LONDON BOROUGH OF TOWER HAMLETS GAMBLING ACT 2005 POLICY

47. I have specifically considered the London Borough of Tower Hamlets Gambling Act 2005 policy and the Best Practice Guidance in Appendix 4. In particular, my company will implement the following protections:
- A risk assessment has been prepared and will be kept under review.
 - The premises will be laid out in a way which designs out crime.
 - CCTV will be operated inside and out.
 - The premises will be staffed sufficiently to maintain internal surveillance.
 - Age verification signage will be posted.
 - Age Verification measures (Challenge 25) will be implemented.
 - Independent age verification tests will be carried out.
 - Responsible gambling signage and information will be posted and leaflets displayed inside the premises.
 - All staff will be trained extensively in dealing with customers, including vulnerable individuals through one to one training given by senior and shop management. Training will include:

- How to tackle irresponsible gambling.
 - How to promote responsible gambling.
 - Signposting customers to support services with respect to problem gambling, financial management and debt advice.
 - The importance of social responsibility, the causes and consequences of problem gambling, intervention with vulnerable persons, dealing with the exclusion of problem gamblers and escalating them for advice or treatment.
 - Refusing customers entry due to alcohol or drugs, age verification processes, identifying forged ID, and the importance of time and spend limits.
 - Offences under the Gambling Act, the categories of gaming machines, the stakes and odds associated with each machine.
 - Prohibition on encouraging customers to increase the amount or time they gamble, re-gamble winnings and chase losses.
- The premises will hold and maintain a log of any incidents, including any attempts by underage persons to gain access, customer interactions and self-exclusions. This information will be shared with Licensing Officers on request.
 - Staff will be excluded from gambling at the premises.

CONCLUSION

48. My brother and I have spent our whole adult life managing amusement centres and take the greatest care to ensure that we do so in a lawful and responsible manner and in co-operation with our local and national regulators. We hire experienced staff, train them to meet our standards and then monitor their performance to ensure that we are complying with our responsibilities.
49. As a result, we do not experience issues with crime and disorder or underage gambling at any of our other sites, and ensure that our systems and processes, including customer

interaction and self-exclusion, are operated in a proper manner. For these reasons, we were pleased, but not surprised that we do not have any objection from the responsible authorities.

50. Based on my experience, I am able to assure the Sub-Committee that this licence will have no impact the licensing objectives. All Licence Conditions and Codes of Practice will be implemented as well as any conditions attached to the licence.

51. I will work continue to liaise with responsible authorities and to keep the local area risk assessment under review to assess whether any additional measures are required.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Name: Jeremy Godden

Signature

Date:

TAB 4

**Application for a Gambling Premises Licence in respect of Palace Amusements, 450 Bethnal Green,
London, E2 0HG**

LONDON BOROUGH OF TOWER HAMLETS LICENSING SUB-COMMITTEE

19TH APRIL 2022

WITNESS STATEMENT OF STEPHEN LAWRENCE

I, **STEPHEN LAWRENCE** , OF EAST KENT LEASING LIMITED, 2ND FLOOR, GADD HOUSE, ARCADIA AVENUE, LONDON, N3 2JU **STATE AS FOLLOWS;**

1. I am the Chief Operating Officer for East Kent Leasing Limited, who have made an application for a Gambling Premises Licence in respect of premises to be known as ‘Palace Amusements’ at 450 Bethnal Green Road, London, E2 0HG.
2. I have worked in the Adult Gaming Centre business since the early 1990s subject to a couple of breaks away from the industry which I refer to below. I have worked for some of the major Adult Gaming Centre operators in England, and during that time, I have been responsible for, and spent time on Bethnal Green Road, looking after Adult Gaming Centres close to the application site at 450 Bethnal Green Road.
3. There is an Admiral Adult Gaming Centre at 449 - 453 Bethnal Green Road, E2 9QH. These premises were originally called Quicksilver. Originally, the company I worked for was called RAL Amusements, and I worked for this company which operated Quicksilver in the early 1990s. I had some time away from the business and returned to work for Talarius (RAL

Amusements had become Talarius) from 1997 to 2008.

4. Talarius was operating the now Admiral premises on Bethnal Green Road when I returned and for 6 years I was Regional Director covering this area with overall responsibility for these premises. I knew the area very well during this time, as I was responsible for the operation of the Adult Gaming Centre.
5. I then took a year out spending some time away from the business, and I returned to work for Praesepe from late 2009 to 2014. During this time, I opened what is now called the Merkur Cashino Slots at 420 Bethnal Green Road, London, E2 0DJ. I was Chief Operating Officer for Praesepe, with overall responsibility for all operations, and was therefore also aware of Bethnal Green Road during this time and visited the premises regularly.
6. I left Praesepe at the start of 2014, and returned to work at the end of 2014, when I started in my current role as Chief Operating Officer for Godden Gaming Limited (East Kent Leasing Limited).
7. It is therefore an area I know well, having operated the 2 existing venues there, namely the Admiral and the Merkur Cashino Slots. Since then I have carried out mystery shopper visits in the area.
8. I have seen the 3 representations made in relation to the application for Palace Amusements at 450 Bethnal Green Road, London, E2 0HG.
9. I have seen the representation made by Councillor Brady, which refers to gambling addiction and negative impact on people's mental health and financial security. We will have in place a

range of policies and procedures to ensure that the licensing objectives are promoted, including the protection of the vulnerable and protection of those with addiction. We will also ensure that staff are trained on these matters.

10. I have seen the representation of Luigi Damato. I have never seen anti-social behaviour or drug abuse connected to the 2 Adult Gaming Centres. We do not attract customers who are taking drugs or indeed, customers who behave in an anti-social way. Those types of customers are not permitted on our premises.
11. I have also seen the representation from Si Wharton, and again, would like to confirm that we take all of those matters very seriously, train our staff appropriately and promote the licensing objectives through staff training and our policies and procedures.
12. Although the representations express fears, I do not believe that they provide any actual evidence that our operation will be harmful to the licensing objectives. From my 30 years' experience of the industry, my knowledge of our company and its standards and also my knowledge of the area, I have no reason to believe that any of these fears will come to pass.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Name: Stephen Lawrence

Signature

Date:

TAB 5

Palace Amusements, 450 Bethnal Green, London, E2 0HG - Agreed Conditions

- 1) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
- 2) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- 3) A Think 25 policy shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
- 4) Staff shall have a clear view of the entrance from the sales desk, if one exists, and shall circulate the premises to enable good visibility and supervision of the machines and premises.
- 5) Refresher training shall take place every six months, all training shall be documented, and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.
- 6) A magnetic locking device, commonly referred to as a Maglock shall be installed and maintain on the main entrance/exit to the premises which shall be operated thought out the day by staff at their discretion.
- 7) When the hours are trading between the hours of 22:00 hours and 04:00 hours the entrance will be locked with admittance to the premises only by video and buzzer using the maglock.
- 8) There shall be two or more members of staff on the shop floor when the premises are trading between 22:00 hours and 04.00 Monday to Sunday.
- 9) The licensee shall refuse entry to customers who appear to be under the influence of alcohol or drugs.
- 10) Signage shall be displayed in the front window, informing if they are seen drinking alcohol or taking drugs outside the venue, they will be refused entry.

TAB 6

Mohshin Ali

From: Licensing
Sent: 26 January 2022 09:21
To: Andrew Woods
Cc: Mohshin Ali
Subject: RE: Adult Gaming Centre, 450 Bethnal Green Road, London E2

Apologies Andrew.

Mohshin, I am happy with the below conditions.

Kind Regards,

Kathy Driver

Principal Licensing Officer
Licensing & Safety Team
Place Directorate
London Borough of Tower Hamlets
Mulberry Place
5 Clove Crescent
London E14 2BG

020 7364 5171

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From: Andrew Woods <andrew@woodswhur.co.uk>
Sent: 25 January 2022 17:37
To: Licensing <licensing@towerhamlets.gov.uk>; Andrew Woods <andrew@woodswhur.co.uk>
Cc: Tom Lewis <Tom.Lewis@towerhamlets.gov.uk>; Mohshin Ali <Mohshin.Ali@towerhamlets.gov.uk>
Subject: RE: Adult Gaming Centre, 450 Bethnal Green Road, London E2

Kathy

I have just noticed that condition 8 had not been amended same as condition 7 with regard to the hours so I have changed the below - additions in blue.

Mohshin - please note the below are the agreed conditions.

Andy

Andrew Woods

From: Licensing [<mailto:Licensing@towerhamlets.gov.uk>]
Sent: Tuesday, January 25, 2022 16:25
To: Andrew Woods <andrew@woodswhur.co.uk>
Cc: Licensing <Licensing@towerhamlets.gov.uk>; Tom Lewis <Tom.Lewis@towerhamlets.gov.uk>; Mohshin Ali <Mohshin.Ali@towerhamlets.gov.uk>
Subject: RE: Adult Gaming Centre, 450 Bethnal Green Road, London E2

Dear Andrew,

I can confirm that I agree with the amendments and withdraw my representation based on the following agreed conditions:

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. A Think 25 policy shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
4. Staff shall have a clear view of the entrance from the sales desk, if one exists, and shall circulate the premises to enable good visibility and supervision of the machines and premises.
5. Refresher training shall take place every six months, all training shall be documented, and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.
6. A magnetic locking device, commonly referred to as a Maglock shall be installed and maintain on the main entrance/exit to the premises which shall be operated thought out the day by staff at their discretion.
7. When the hours are trading between the hours of 22:00 hours and 04:00 hours the entrance will be locked with admittance to the premises only by video and buzzer using the maglock.
8. There shall be two or more members of staff on the shop floor [when the premises are trading between 22:00 hours and 04.00 Monday to Sunday](#).
9. The licensee shall refuse entry to customers who appear to be under the influence of alcohol or drugs.
10. Signage shall be displayed in the front window, informing if they are seen drinking alcohol or taking drugs outside the venue, they will be refused entry.

Kind Regards,

Kathy Driver

Principal Licensing Officer
Licensing & Safety Team
Place Directorate
London Borough of Tower Hamlets
Mulberry Place
5 Clove Crescent
London E14 2BG

020 7364 5171

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From: Andrew Woods <andrew@woodswhur.co.uk>

Sent: 24 January 2022 18:24

To: Kathy Driver <Kathy.Driver@towerhamlets.gov.uk>

Cc: Licensing <Licensing@towerhamlets.gov.uk>; Tom Lewis <Tom.Lewis@towerhamlets.gov.uk>; Andrew Woods <andrew@woodswhur.co.uk>

Subject: RE: Adult Gaming Centre, 450 Bethnal Green Road, London E2

Kathy

I refer you to the below and wonder if you could confirm?

Regards

Andrew

Andrew Woods

Woods Whur 2014 Ltd
Tel: +44 (0)113 234 3055
Mobile: 07738 170138

andrew@woodswhur.co.uk

St James House, 28 Park Place, Leeds LS1 2SP

From: Andrew Woods

Sent: Wednesday, January 19, 2022 14:22

To: Kathy Driver <Kathy.Driver@towerhamlets.gov.uk>

Cc: Licensing <Licensing@towerhamlets.gov.uk>; Andrew Woods <andrew@woodswhur.co.uk>

Subject: RE: Adult Gaming Centre, 450 Bethnal Green Road, London E2

Kathy

I have taken instructions on your proposed conditions the majority of which can be agreed.

Conditions 1-3 5-6 , 9 and 11 are agreed as written.

I would like to make the following amendments to 4 conditions;

Condition 4 just add the words 'if one exists' after the word ' sales desk'. AGCs do not always have sales desks and staff are on the shop floor with customers. We agree to the general point about good visibility and supervision etc.

Condition 7 and 8 (a) replace the word ' Between' with 'When the premises are trading between' and (b) replace 'closing' with '4am' so that the conditions apply between the hours of 2200 and 0400 when/if the premises are open.

Condition 10 is not agreed. It is not a relevant condition to the GA 05.

Could you confirm that the above is ok and that your rep can be withdrawn. I am keen to move forward on this asap.

Regards
Andrew

Andrew Woods

Woods Whur 2014 Ltd
Tel: +44 (0)113 234 3055
Mobile: 07738 170138

andrew@woodswhur.co.uk

St James House, 28 Park Place, Leeds LS1 2SP

From: Kathy Driver [<mailto:Kathy.Driver@towerhamlets.gov.uk>]
Sent: Tuesday, January 18, 2022 19:16
To: Andrew Woods <andrew@woodswhur.co.uk>
Cc: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Adult Gaming Centre, 450 Bethnal Green Road, London E2

Please find attached my representation in regards to the Adult Gaming Centre application.

Kind Regards,

Kathy Driver
Principal Licensing Officer
Licensing & Safety Team
Place Directorate
London Borough of Tower Hamlets
Mulberry Place
5 Clove Crescent
London E14 2BG

020 7364 5171

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TAB 7

Bethnal Green Road - Premises Licence Comparison

| Conditions Offered | Palace Amusements, 450 Bethnal Green Road, London, E2 0HG | Coral, 333 Bethnal Green Road, London, E2 6LG | Paddy Power, 400 Bethnal Green Road, London, E2 0AH | Merkur Cashino, 420 Bethnal Green Road, London, E2 0DJ | Admiral Casino, 449-453 Bethnal Green Road, London, E2 9QH | Betfred, 445-447 Bethnal Green Road, London, E2 9QH | Ladbrokes, 295 Cambridge Heath Road, London, E2 0EL | Jennings Bet, 448 Bethnal Green Road, London, E2 0EA |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------|--------------------------------------------------------|------------------------------------------------------------|-----------------------------------------------------|-----------------------------------------------------|------------------------------------------------------|
| The premises shall install and maintain a comprehensive CCTV system. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request. | ✓ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ |
| A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. | ✓ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ |
| A Think 25 policy shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards. | ✓ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ |
| Staff shall have a clear view of the entrance from the sales desk, if one exists, and shall circulate the premises to enable good visibility and supervision of the machines and premises. | ✓ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ |
| Refresher training shall take place every six months, all training shall be documented, and records kept at the premises. | ✓ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ |
| A Maglock shall be installed and maintain on the main entrance/exit to the premises. | ✓ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ |
| When trading between the hours of 22:00 hours and 04:00 hours the entrance will be locked with admittance to the premises only by video and buzzer using the maglock. | ✓ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ |
| There shall be two or more members of staff on the shop floor when the premises are trading between 22:00 hours and 04.00 Monday to Sunday. | ✓ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ |
| The licensee shall refuse entry to customers who appear to be under the influence of alcohol or drugs. | ✓ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ |
| Signage shall be displayed in the front window, informing if they are seen drinking alcohol or taking drugs outside the venue, they will be refused entry. | ✓ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ |

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TAB 8



SOCIAL RESPONSIBILITY CHARTER AND CODE OF PRACTICE

2018

1. Introduction

Bacta represents the British amusement machine industry. This includes seaside amusement arcades, inland Adult Gaming Centres, suppliers to pubs, bingo halls and clubs and amusement machine manufacturers. There are about 350,000 amusement machines of one kind or another sited in the UK. Of these 132,000 are gaming machines with stakes ranging from 2p to £2. Higher stake machines in Licensed Betting Offices or Casinos are not covered by this Charter. The British amusement machine industry is integral to the UK's entertainment, hospitality and leisure sector and already offers high levels of effective staffing, monitoring and supervision to protect those vulnerable to gambling-related harm. We employ a dedicated team of compliance officers to assist members in complying with the Gambling Commission's Licence Conditions and Codes of Practice.

Bacta is both committed to Social Responsibility and committed to sustainable growth across each sector represented by its members.

Bacta entered into partnership with GamCare in 1997, drawing up a unified social responsibility code and jointly evaluating compliance thereafter by the introduction of a training, assessment and certification package. This Charter embodies that work into a series of commitments to which the Association's membership is pledged to uphold.

For most people gambling is fun and an integral part of the British leisure scene. British amusement premises have millions of visitors every year; customers in pubs and clubs enjoy billions of machine plays a year. Our commercial objective is to offer a modern and diverse range of gambling products for an exciting and enjoyable experience in the safest environments.

We recognise that for some people gambling can become a problem which affects the gambler and the people closest to them.

Though the incidence of problem gambling in the UK is among the lowest in the world, the industry is not complacent: we accept our responsibility to *all* our customers.

Providing responsible gambling is a dynamic process that evolves alongside changes in gaming products, monitoring technologies, and public attitudes and expectations of gambling.

Customers who play in amusement centres and other licensed premises are served by trained staff in a highly regulated industry to ensure that gambling is closely and expertly supervised. A small percentage of customers gambling can find that they have a problem so we operate a range of social responsibility measures including provision of information regarding responsible gambling, staff training, detailed licence condition policies and procedures and voluntary self-exclusion schemes to help customers who perceive they might be at risk to help themselves. We also support research, education and treatment by donating financial contributions. We keep what we do under constant review.

Our members who supply machines are also licensed to do so and take steps to inform and educate their customers about social responsibility. Our manufacturers are also all licensed to make and sell gaming machines.

This Charter is one of the ways the industry seeks to ensure it is achieving high levels of social responsibility.

2. Our Values

Bacta and its members adhere to the following set of values:

- Ethical
- Sustainable
- Modern
- Professional
- Partnering
- Open and Transparent

It is therefore incumbent upon Bacta and its members to place social responsibility at the heart of what we do to meet the three Licensing Objectives contained in the 2005 Gambling Act:

- a. preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime,
- b. ensuring that gambling is conducted in a fair and open way, and
- c. protecting children and other vulnerable persons from being harmed or exploited by gambling.

Bacta and its members will mediate decisions through appropriate regard to social responsibility obligations, which will be based on regular risk assessment against the LCCP and this Charter. We believe this will make us a better organisation and better businesses.

3. Executive Commitment

We, the Chief Executives/owners of Bacta member companies, accept ownership of the licensing objectives and commit to delivering gambling products responsibly while continuing to innovate and grow our businesses.

We commit to increase the visibility of the ways in which we put in place social responsibility and demonstrate its effectiveness.

This Social Responsibility Charter and Code of Practice will be reflected in the way we run our businesses, the care we take in offering and marketing our products and by the resources we devote to this initiative. As business leaders we are proud to continue making social responsibility a precondition to profitability.

4. Our commitments in detail

Some responsible gambling measures are required by law and regulatory requirements; others have evolved as good practice or are conditions of being a bacta member. For example:

- Premises Licence Conditions
- Licence Conditions & Codes of Practice
- Trained staff
- Accreditation by bacta or a relevant third party
- Evaluation of Compliance
- Alternative Dispute Resolution (ADR)
- Age-verification testing

Bacta members commit to adhere to the following pledges (numbers in brackets refer to the Division of bacta to which the commitment applies):

Pledge 1 Putting the Customer at the heart of what we do

The Licence Conditions and Codes of Practice (LCCP) Social Responsibility Code requires us to ensure all our employees are regularly trained and aware of our obligations to our customers and to our regulators. Bacta has developed a national system of social responsibility training and compliance with the LCCP.

It is a condition of membership that members comply with this Social Responsibility Charter. We commit to make its provisions a central part of our business. (1,2,3,4)

Pledge 2 Informed customers and trained employees

We will ensure that gambling on amusement machines is both delivered and physically supervised by well-trained and experienced staff, skilled in customer interaction and identifying problem gambling issues, and reacting appropriately. (1,3)

We will ensure, through trained staff, that our customers are informed about our obligations under this Code. We will help our customers maintain and improve where appropriate the actions they take on social responsibility. (2,4)

Pledge 3 Accreditation

Validating our confidence in our own customer care measures is important to us.

Bacta certifies all its members to ensure that they are compliant with the law and LCCP. We will ensure that this is the minimum we will achieve in order to comply with this Code. (A copy of the Bacta accreditation check list is attached at Appendix A) (1,3)

Pledge 4 Self-exclusion

We will utilise the Bacta self-exclusion scheme (or equivalent) to ensure those customers who wish to address their gambling-related problems have an easy-to-use way of excluding themselves from our premises. (1,3)

Pledge 5 Promoting and supporting research, education and treatment

We recognise the importance of providing support for people who have problems associated with gambling.

As a condition of Bacta membership, we will make an appropriate financial contribution of not less than 0.1% of our company's GGY to research, education and treatment of problem gamblers.

(1,2,3,4)

Pledge 6 - Using our technology

As manufacturers we will ensure that responsible gambling objectives are fundamental to design innovation and we will always follow the Gambling Commission Technical Standards. (4)

Pledge 7 Making sure young people are excluded from adult only premises and adult only machines

Trained staff will do everything they can to ensure that anyone under the age of 18 is prevented from entering adult only premises or adult only areas or playing adult only machines. We operate as a minimum a rigorous 'Challenge 25' policy and display clear signs prohibiting entry by people under the age of 18.

It is a condition of Bacta membership that all relevant members conduct age verification testing at least once per year and if requested share the results with the Gambling Commission. Bacta has its own internal age-verification test programme available for use by members.

We will continuously monitor our age verification performance and will immediately rectify any shortcomings that we identify. (1,3)

We will encourage our customers to put in place policies, procedures and evaluation protocols to ensure no one under the age of 18 plays adult only machines for example in pubs or clubs (2).

Pledge 8 Helping people to gamble responsibly

We provide information both directly and indirectly, about responsible gambling in a range of ways depending upon the type of premises and the best way to communicate to our customers.

We will continuously review our provision of information to our customers to ensure it is readily available, easily understood and effective, whether in electronic or physical form and where appropriate can be taken away from the premises. (1,2,3,4)

Pledge 9 Not bringing the industry into disrepute

We will behave in relation to government officials, other bacta members and to our customers in a way that does not bring the industry or bacta into disrepute. (1,2,3,4)

Pledge 10 Safe-guarding of children. young people and the vulnerable

In addition to our legal obligations, we will put in place policies and procedures to ensure that children, young people and the vulnerable are safe-guarded from any potential harm. (1,2,3,4)

We will ensure that no unaccompanied school children are allowed on our premises during school hours. (1)

Pledge 11 Amusement Device Inspection Procedure Scheme (ADIPS)

All manufactures, distributors and operators of children's rides will ensure compliance with the Amusement Devices Inspection Procedures Scheme (1,2,4)

Pledge 12 Quality Premises

Operators will ensure that their premises are well kempt and in a state of good maintenance and repair. (1,3)

Pledge 13 Evaluation

We will evaluate as appropriate new business, product or process initiatives within our business for their impact on our customers and in particular for gambling products in relation to their potential to increase or decrease the risk of gambling-related harm.

5. Summary

1. We will make this Charter central to our business
2. We will inform our customers and train our staff
3. We will seek accreditation for what we do with bacta certification as a minimum
4. We will ensure that customers who wish to self-exclude can do so easily
5. We will make an appropriate financial contribution to Research Education and Treatment
6. We will use our technology power of technology where we can to help us manage our social responsibility obligations
7. We will do everything we can to ensure no one under the age of 18 plays a machine or enters premises from which they are prohibited
8. We will help people gamble responsibly through the provision of appropriate information/interventions
9. We will not bring the industry into disrepute
10. We will safe-guard children and young people
11. We will adhere to the ADIPS
12. We will ensure we operate a quality environment
13. We will evaluate what we do.

Bacta will monitor, amend and update this Charter from time to time.

6. Failure to Comply

Bacta members who fail to comply with the terms of this Charter will be subject to the Disciplinary Procedure attached at Appendix B

APPENDIX A – BACTA’S PREMISES EVALUATION CHECK LIST

Premises Signage

| | Yes (tick) | No (tick) | N/A (tick) | Notes |
|------------------|---------------|--------------|---------------|-------|
| No Under 18s | | | | |
| No Alcohol | | | | |
| No Smoking | | | | |
| BACTA Membership | | | | |

Machine Signage

| | | | | |
|-----------------|--|--|--|--|
| No Under 18s | | | | |
| GamCare | | | | |
| Category Labels | | | | |
| Legacy Labels | | | | |

Posters (P) & Leaflets (L)

| | | | | |
|----------------------|--|--|--|--|
| Stay in Control (P) | | | | |
| Stay in Control (L) | | | | |
| Proof of Age Scheme | | | | |
| Think 21/25 Material | | | | |

Licences

| | | | | |
|-------------------|--|--|--|--|
| Premises Licence | | | | |
| Operating Licence | | | | |
| Personal Licence | | | | |
| Link Licence | | | | |

Forms

| | | | | |
|----------------------|--|--|--|--|
| Self-Exclusion | | | | |
| Complaints & Dispute | | | | |

Policy & Procedure Documents

| | | | | |
|----------------------------|--|--|--|--|
| Access by C & YP | | | | |
| Access by G C | | | | |
| Advertising | | | | |
| Employment of C & YP | | | | |
| Customer Interaction | | | | |
| Fair & Open | | | | |
| Signposting Information | | | | |
| Money Laundering | | | | |
| Self-Exclusion | | | | |

Logs

| | Yes (tick) | No (tick) | N/A tick) | Notes |
|---------------------------|---------------|--------------|--------------|-------|
| Attempts to Gamble C & YP | | | | |
| Customer Interaction | | | | |
| Police Assistance | | | | |
| Self-Exclusion | | | | |
| Staff Training | | | | |

Entitlement

| | | | | |
|-----------------|--|--|--|--|
| B3 Numbers | | | | |
| Stakes & Prizes | | | | |

Misc.

| | | | | |
|--------------------------------------------|--|--|--|--|
| Age Verification Tests | | | | |
| Contribution to RET | | | | |
| Notifying Key Events | | | | |
| Regulatory Return | | | | |
| Knowledge of MLO | | | | |
| Advertising Practice | | | | |
| Payment of MGD | | | | |
| ADR Entity | | | | |
| Licensing Objectives | | | | |
| Attractive to Children | | | | |
| Supervision | | | | |
| Self-Exclusion Scheme | | | | |
| Return to Player (%) | | | | |
| Responsibility for 3 rd Parties | | | | |
| Register of Machines | | | | |

Risk Assessment Documents

| | | | | |
|------------------|--|--|--|--|
| Local Risk | | | | |
| Money Laundering | | | | |

Registrations

| | | | | |
|--------------------------|--|--|--|--|
| ADR Entity | | | | |
| Self-Exclusion Scheme | | | | |
| Age Verification Testing | | | | |
| Primary Authority | | | | |

Administration

| | |
|--------------------------|--|
| Company | |
| Address | |
| Division | |
| Representative | |
| Telephone Number | |
| Email Address | |
| Date | |
| RCO | |
| Reference Number | |
| Compliant | |
| Report Issued (Y/N) | |
| Certificate Issued (Y/N) | |

Notes

APPENDIX B – CHARTER DISCIPLINARY PROCEDURE

1. Should any individual or company wish to allege that a member of Bacta has failed to comply with the requirements of this Charter they should in the first instance write to the Chief Executive of Bacta at its Head Office detailing the nature of the alleged breach.
2. The Chief Executive will in so far as is possible in the circumstances seek to establish the facts of the allegation within 15 working days from receipt of the written allegation and then put the allegation to the company against whom the breach is alleged.
3. The member Company concerned will respond to the allegation within 15 working days and may accept the validity of the alleged breach and agree with the Chief Executive a course of action to rectify the breach and to ensure it does not re-occur. The member may alternatively reject the allegation.
4. Where the company accepts the validity of the alleged breach, the agreed course of action will be communicated in writing to the individual or company alleging the breach within 15 working days.
5. Should the individual or company alleging the breach be dissatisfied with the agreed course of action, they may appeal the decision within 15 working days from receipt of the letter detailing that action by writing to the Chief Executive of Bacta stating that they wish to appeal. The matter will then be referred to the Bacta Social Responsibility Committee which will within 15 working days from the date of receipt of the appeal by the Chief Executive select from amongst its number a panel of three individuals who have no connection to the case or any conflict of interest arising from it. The panel will meet within 20 working days from its selection to consider the appeal.
6. On hearing the appeal the panel shall take such further evidence as it sees fit either in person or in writing and its decision whether to allow the appeal or dismiss it will be final.
7. Where the appeal is allowed the panel will detail the action the member against whom the allegation was made must take to rectify the breach and may require further undertakings related to the breach to be made.
8. If, following step 4 above, the company rejects the validity of the alleged breach of the Charter, the matter will be referred to the Bacta Social Responsibility Committee within 15 days of receipt of the notice from the company that they do not accept the validity of the alleged breach, and the process described in paragraph 6 will be followed.
9. All members of the Bacta Social Responsibility Committee undertake to declare any conflict of interest or perceived conflict of interest before any panel is selected to hear any allegations made under this Charter.

TAB 9

BRIEF INTERVENTION GUIDE

Addressing risk and harm related to gambling



GambleAware



ACKNOWLEDGEMENTS

GambleAware is grateful to Matua Raki, New Zealand, for allowing us to use “Brief Intervention Guide: Addressing risk and harm related to alcohol, tobacco, other drugs and gambling” as the basis for developing this document. Particular thanks go to Vanessa Caldwell for providing helpful insight.

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Disclaimer

The Guidelines in this document should not be considered exhaustive, exclusive or a substitute for individualised care and treatment decisions.

Access

Copies may be obtained electronically via infohub.gambleaware.org

CONTENTS

| | | | |
|-------------------------------------------------------------------|-----------|-------------------------------------------------------------------|-----------|
| Introduction to the Guide | 3 | Important considerations | 22 |
| Who is the Brief Intervention Guide for? | 3 | Cultural considerations and brief intervention | 22 |
| Sections within the Guide | 3 | Overcoming potential barriers to brief intervention | 22 |
| What is Brief Intervention? | 4 | | |
| Why offer brief intervention? | 5 | Responding to family and affected others | 24 |
| Brief intervention is part of the spectrum of effective responses | 5 | Resources for family and affected others | 24 |
| Brief intervention evidence base | 5 | The 5-Step Method | 24 |
| | | | |
| Key concepts in screening and brief intervention | 6 | Brief intervention requirements at an organisational level | 26 |
| Screening as a basis for brief intervention | 6 | Project initiation | 26 |
| | | Consulting within the organisation | 28 |
| Before offering brief intervention | 8 | Project planning | 28 |
| Preparation | 8 | Implementation | 30 |
| The knowledge base | 9 | Ongoing improvement | 30 |
| Training | 9 | | |
| | | References | 31 |
| How to provide brief intervention | 10 | | |
| | | Appendix 1 | 32 |
| Elements of brief intervention: FRAMES | 10 | Lie/Bet Questionnaire | 32 |
| Motivation and brief intervention | 11 | The NODS/CLiP Short Problem Gambling Screen | 32 |
| Bring together the stages of change and a motivational response | 12 | Problem Gambling Severity Index | 33 |
| Stages of brief intervention at a glance | 13 | Appendix 2 | 34 |
| Introduce the subject | 14 | | |
| Screen | 15 | Organisations that provide help and advice | 37 |
| Provide feedback and brief advice | 16 | | |
| Listen for readiness and confidence | 18 | | |
| Provide further intervention (as appropriate) | 20 | | |

INTRODUCTION TO THE GUIDE

Who is the Brief Intervention Guide for?

The **Brief Intervention Guide** has been developed as a resource to assist workers to provide brief intervention to address risks and harms related to problematic gambling. Additionally, it is a resource to assist organisational leaders to set up and implement the processes necessary to support workers to provide brief intervention.

The **Brief Intervention Guide** is aimed at professionals who do not specialise in the treatment of gambling problems. Within the terms of this Guide, the term “brief intervention” refers specifically to an intervention carried out by professionals not from the problem gambling treatment sector.

The Guide aims to clarify what brief intervention is, where brief intervention sits in the spectrum of intervention and to address a lack of guidance available to those working in social and criminal justice settings, for example social workers, employment advisers, probation officers, community workers, counsellors, GPs, nurses and psychologists. The Guide is also likely to be useful for others working in primary care and other health settings.

Sections within the Guide

The first six chapters of the **Brief Intervention Guide** focus on practical ‘how to’ instruction aimed directly at the worker providing the intervention, building on their overall professional values, knowledge and skills. There is an assumption that the worker undertaking the intervention is bound by an appropriate code of ethics.

The final chapter, **Brief intervention: requirements at an organisational level**, outlines the key steps that organisations need to undertake in order to support brief interventions being implemented in a service. This section is aimed at managers, leaders and others who are responsible for an organisation.

Appendix 1 lists readily available gambling screening tools.

What is Brief Intervention?

Brief intervention has many definitions in research literature and practice guidelines. In this Guide, brief intervention refers to:

“A short, purposeful, non-confrontational, personalised conversation with a person about an issue related to gambling.”

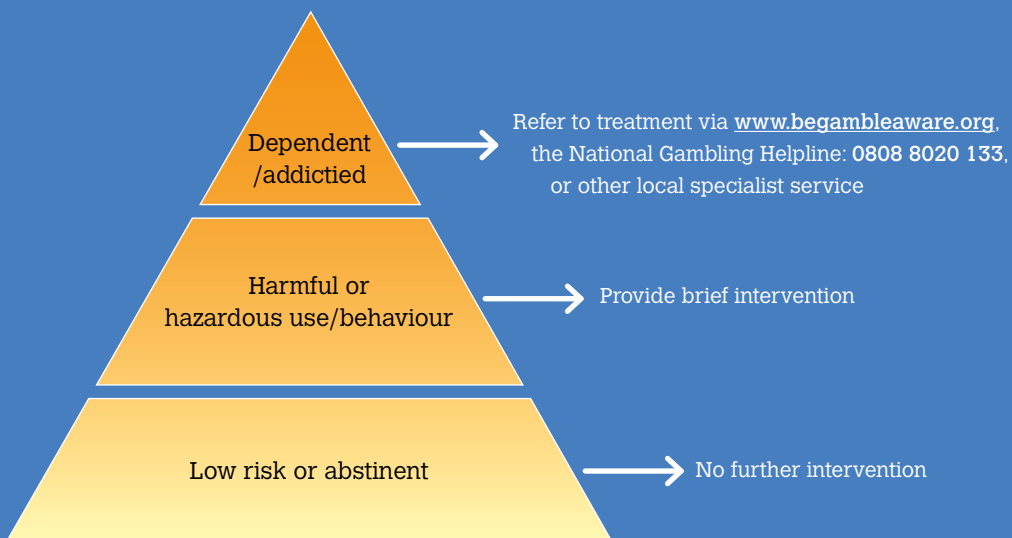
The purpose is to support the person to think about their behaviour, assisting them to make a connection between their behaviour and any associated risks and harms (adapted from NHS Health Scotland, 2009).

From there, the nature of the intervention depends on the level of risk and/or harm and the person’s readiness to change.

The key word here is brief. Brief intervention generally takes as little as 5 to 15 minutes. This does not take into account the time that is needed to establish rapport and engagement with the person before a brief intervention is carried out. Failing to engage with the person will undermine the effectiveness of the brief intervention.

Brief intervention is most effective for people whose behaviour is hazardous or harmful, in other words people who are at risk of developing or people who are experiencing current harm related to gambling. Brief interventions are not designed to treat people who are dependent or addicted, although they are considered to be useful to improve motivation to seek more intensive treatment. Those people with more severe problems are likely to benefit from more comprehensive assessment and intervention and the role of the brief intervention worker is to refer this group of people to specialist treatment services for further assessment. Levels of harm and corresponding intervention types are shown in Figure 1 overleaf.

Figure 1. Level of risk/harm and corresponding intervention types



Source: Adapted from Substance Abuse and Mental Health Services Administration (2007)

Why offer brief intervention?

Problematic gambling often contributes to other problems such as financial, employment, health, family-related and legal issues. In other words, the issues people present with in social, justice and health service settings may often be linked to gambling. Brief intervention provided in these service contexts can have a significant positive impact for service users and can enhance the benefits of the services being provided.

Harms from gambling

Problematic gambling directly affects an estimated 430,000 people in Britain, with a further 1,985,000 deemed as being at risk of developing a gambling problem. An estimated 5-8 other people are affected by someone else's gambling problem. This makes gambling a significant social issue.

- > Gambling can be related to poor health (Petry et al., 2005; Morasco et al., 2006)
- > Gambling can be related to employment problems (Reed in Partnership, 2016)
- > Gambling can be related to family problems (Holdsworth et al., 2013)
- > Gambling can be related to criminal activity (Banks, 2013)
- > People experiencing gambling problems may be over-represented in certain groups, e.g. young men, some minority ethnic groups.

Brief intervention is part of the spectrum of effective responses

The risks and harms from gambling may go undetected for many people despite their contact with health and social services. Brief intervention provided in generalist settings is a key component within an effective spectrum of responses. It is particularly important in those settings where the prevalence of problems is known to be high, for example in criminal justice service settings. To effectively tackle the risks and harms related to gambling these problems must become the business of all social, justice and health services.

Brief intervention evidence base

Research indicates that brief intervention can be both effective and efficient for those with hazardous or harmful substance use and/or gambling problems. The evidence supporting brief intervention is strongest in relation to primary health settings and alcohol use, however evidence to support the effectiveness of brief intervention for gambling is emerging and beginning to provide guidance for further development (Petry et al, 2008; Abbott et al., 2013; CADTH, 2015; Neighbors, et al., 2015) There is growing support for brief intervention to be provided in other non-health settings, such as criminal justice and social work settings (Bliss & Pecukonis, 2009; Brown, Newbury-Birch, McGovern, Phinn & Kaner, 2010; Hopkins & Sparrow, 2006; McGovern, Newbury-Birch, Deluca & Drummond, 2012).

Additionally more guidance and tools are emerging which focus on providing brief intervention to address a wider range of issues (McQueen et al., 2015; Orr et al., 2015; Mitchell et al., 2015).

KEY CONCEPTS IN SCREENING AND BRIEF INTERVENTION

Screening as a basis for brief intervention

Brief intervention is generally provided after a screening process has been undertaken. The results of a screening process provide an opportunity for a service user to consider the effects of gambling on their lives, depending on the scope of the screening.

Screening is not assessment or diagnosis. It is a structured process that provides an indication that a problem may exist and, depending on the tool or questions used, an indication of the potential severity of the problem. The results of a screening process assist the worker to determine whether intervention is required and the level of intervention that is likely to be of most benefit to the person (see Table 1 below).

A screening result that indicates a potential problem should be followed up with a brief intervention, referral to a specialist service or with a more detailed assessment of the problem potentially identified.



Table 1: Screening result and level of intervention

| Screening result | Level of intervention |
|----------------------------------------------|-------------------------------------------------------------------------------------|
| No problem indicated | Provide positive affirmation. Offer information to support continued no/low risk |
| Hazardous or harmful use/behaviour indicated | Provide brief intervention |
| Possible dependence or addiction indicated | Advise need for specialist treatment and refer to specialist |

Screening can occur in variety of ways, from asking simple questions to administering a screening tool. The selection of screening method depends on the purpose or focus of the brief intervention, the population being screened, and the setting in which screening takes place. Some screening tools can be self-administered; others are administered by the worker in a collaborative interview style. A standardised screening tool provides more accurate information for the person being screened and can be particularly useful for a generalist who does not have specialist knowledge. A list of commonly used screening tools is provided in Appendix 1.

Most screening tools and brief intervention resources have been designed for use within a specific context. For example, in a general health setting it may be feasible to screen opportunistically for a range of potential health issues and to provide brief intervention or further assessment for those issues that the service user is willing to discuss further. Alternatively an organisation may decide to screen separately for gambling as this is more likely to be prevalent within the population served and/or is more feasible in the service context. Information to guide selection of screening tools is provided in the **Brief intervention requirements at an organisational level** chapter of this guideline.

BEFORE OFFERING BRIEF INTERVENTION

Preparation

For the worker embarking on brief intervention it is essential to ensure that approval and support from the organisation is in place. Commitment at organisational governance and management levels is essential to support workers to provide brief intervention.

Once organisational policy, systems and processes are in place minimum preparation requirements for the worker include:

- > Familiarity with the selected screening process or processes.
- > Understanding of the selected brief intervention systems and processes, including those for referring to specialist assessment and treatment.
- > Having the resources needed to support brief intervention, these include self-help materials, handouts, reference materials and a list of local providers for when referral is indicated. (See Box 1).
- > Practice screening and providing brief intervention.
- > Knowing who to consult regarding any problems that are encountered, e.g. line manager support where appropriate.

Box 1: Resources for brief intervention

The GambleAware website has helpful information and a range of self-help material, including printable leaflets targeted at identifying a problem, preparing to change, gambling triggers, warning signs etc. More substantial self-help booklets are also available. There is also material aimed to support family and friends who are concerned about someone else's gambling. This material is available at: www.begambleaware.org



The knowledge base

It is not necessary to be an expert in gambling to provide brief intervention. A basic understanding of risks and harms and a working knowledge of simple interventions to reduce harm, including referral options, are the essential requirements. Those providing brief intervention for harmful use of gambling need to know basic facts about the effects that harmful gambling can have on the individual and their family and friends, steps that those at risk of, or experiencing, gambling-related harm can take to reduce the risk (e.g. self-exclusion, limit setting) and knowledge of specialist agencies to refer people with significant problems to.

Key information is available at the website listed in Box 1 adjacent, and is also included in Appendix 2.

Training

Training in brief intervention is recommended. Evidence consistently suggests that training increases the rate at which brief intervention is provided (Johnson, Jackson, Guillaume, Meier & Goyder, 2010). There are a number of training providers offering short courses in brief intervention and motivational interviewing. Addiction studies courses at graduate and postgraduate level include screening, brief intervention and motivational interviewing. There are also online training courses and videos available.

It is important to check out whether the training offered is sufficiently aligned with the workers and/or organisation's aims and approach.

HOW TO PROVIDE BRIEF INTERVENTION

Elements of brief intervention: **FRAMES**

Regardless of the approach to brief intervention, there are key elements that apply in all contexts. These can be summarised by the acronym **FRAMES**:

F**EEEDBACK**: about personal risk or level of current harm, as indicated by the screening process.

R**ESPONSIBILITY**: responsibility for choices and change sits with the person. It is not the role of the professional to confront or persuade. Respect the person's autonomy.

A**DVICE**: increase the person's awareness of the costs and consequences of their behaviour and provide advice to support positive change.

M**ENU**: outline options or strategies to support positive change; help with goals and action planning if appropriate to the person.

E**MPATHY**: listen and reflect; maintain rapport; use an empathic communication style.

S**ELF-EFFICACY**: convey optimism and strengthen the person's self-belief in their ability to change.

FRAMES does not describe stages of brief intervention. The elements in **FRAMES** are not presented in order. Rather, **F**, **A**, and **M** describe **WHAT** is provided in brief intervention; **R**, **E** and **S** describe **HOW** brief Intervention is provided (NHS Scotland, 2009).

The elements in **FRAMES** can be applied to working with young people (Christie, 2008).

Motivation and brief intervention

It is useful to have an understanding of the 'stages of change' model and motivational interviewing as a background to providing brief intervention (Prochaska & DiClemente, 1983). However it is important not to be overly concerned with assigning people to a stage of change and applying specific motivational techniques. Having a general understanding of the stages of change can help the worker listen for readiness to change and ensure that their response is in step with the person.

Applying the broad principles of motivational interviewing (see Box 2 below) can enhance motivation to change. Attempting to persuade and argue for change can be ineffective and counter-productive. A person who doesn't see their behaviour as problematic is unlikely to respond to ideas about changing the behaviour. When the worker is out of step with the person resistance is a likely outcome. While responsibility for change sits with the person the worker is responsible for engaging the person and maximising their opportunity to consider change.

There are three broad elements of motivational interviewing that are helpful in brief intervention:

- > **Collaboration** (rather than confrontation): the process is undertaken in partnership. The views and experiences of the person are central. Both the person and the worker have expertise to share. The process involves mutual understanding. The person is a primary resource in finding answers and solutions.
- > **Evocation** (drawing out rather than imposing ideas): the worker's role is to draw out the person's ideas, goals, plans and skills to make positive change. These are not imposed. The person presents the arguments for change.
- > **Autonomy** (rather than authority): the power for change rests with the person. The person determines what and how change will occur.

Box 2. Key Principles of Motivational Interviewing

Express Empathy: show acceptance and develop rapport. Ambivalence to change is normal. The worker listens to and accepts what is important to the person. Empathy and rapport make space for gentle challenge.

Develop Discrepancy: Change is motivated by a perceived discrepancy between a person's current behaviour and their important personal goals and values.

Roll with Resistance: Resistance is a signal for the worker to respond differently. Avoid arguing for change.

Support Self-efficacy: If a person believes they can change, the likelihood of change occurring is greatly increased. A person's belief in the possibility of change is an important motivator.

Source: Adapted from Miller and Rollnick (2012).

Bring together the stages of change and a motivational response

A guide to the stages of change (adapted from NHS Scotland, 2009) and associated motivational responses are provided in Table 2 below. Brief intervention is usually focused on people who are in Pre-contemplation, Contemplation and Preparation.

Table 2. Stages of change and motivational responses

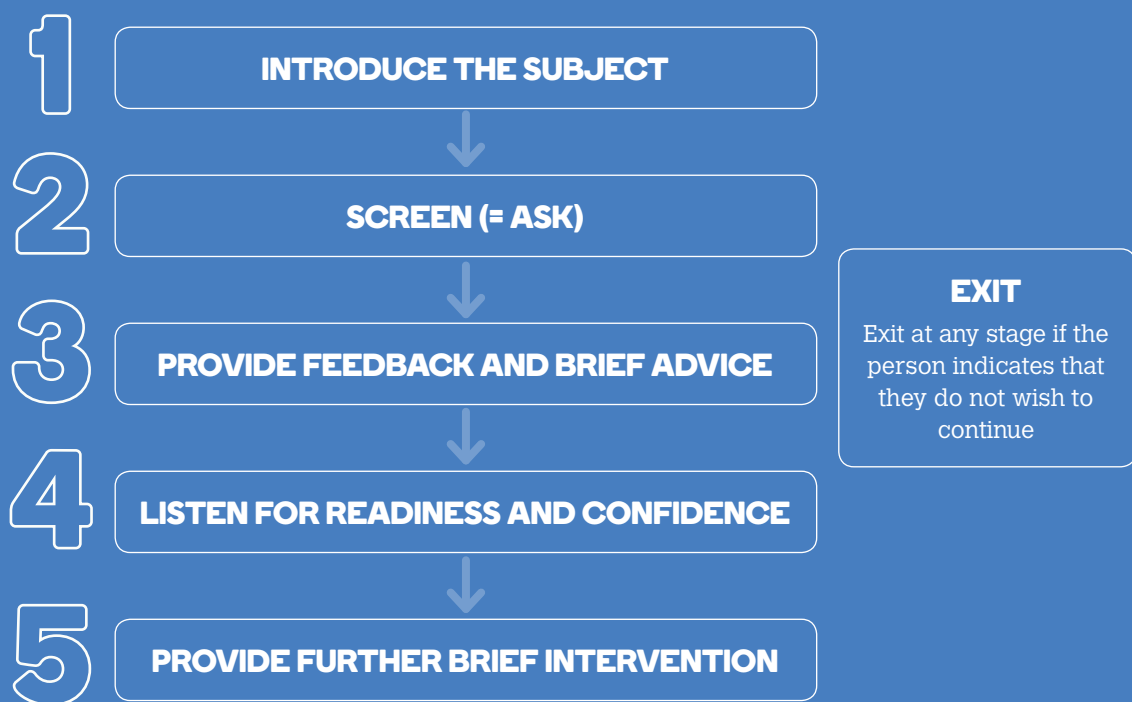
| Stage | Response |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| Pre-contemplation – not thinking about change; don't see a problem "My brother gambles and he hasn't got any problems, it's no big deal" | Work towards engendering motivation Provide information and advice (with permission) on the benefits of change |
| Contemplation – thinking about change; maybe I have a problem; ambivalent "Sometimes I think about all the money I spend in casinos" | Enhance motivation Explore concerns, explore benefits of change |
| Preparation/decision making – actively planning change "I want to stop." | Provide menu of options Build confidence |
| Action – making changes, new behaviour not yet established "I haven't been to a bookies for eight days. Self-exclusion is helping." | Build confidence Affirm success |
| Maintenance – new behaviour established "I get nervous when I go out with my friends, I might just have a drink and then place a bet without even thinking." | Build confidence Assist with problem solving and planning |
| Relapse – return to patterns of old behaviour "I blew it." | Build confidence Enhance motivation |

For further information on Motivational Interviewing the Motivational Interviewing website is a good start. This is available at: www.motivationalinterviewing.org

Stages of brief intervention at a glance

The key stages of brief intervention are shown in Figure 2 below.

Figure 2. Stages of brief intervention



Source: Adapted from Center for Substance Abuse Treatment (1999)

Each stage of brief intervention is outlined in some detail below. Objectives, actions and examples corresponding to each action are provided. Relevant elements of FRAMES are shown for each stage.

Examples are provided as simple scripts that the worker can adapt to suit their own style and context. The stages, objectives and actions are provided as a guide only. In practice some may blend and overlap. It may not be necessary to follow each action or stage for every person.

Tips are provided for each stage as a further aid.

Where appropriate, specific tips are provided for working with young people. Those working within youth service settings or within youth focussed roles are encouraged to use a resource which is tailored specifically for working with young people.



Introduce the subject

In a general setting, where a person is not expecting to talk about gambling etc., introducing the subject can be the biggest hurdle for the worker. Several examples are provided below to cover a range of options for different circumstances. The key is for the worker to be clear, confident and relaxed in talking about these issues and to normalise the process.

OBJECTIVES

- > **To respectfully obtain consent to explore specific behaviour/s**
- > **To maintain rapport and convey empathy, regardless of the person’s decision to consent or not**

Responsibility sits with the person

Empathy: listen and reflect; maintain rapport

| Actions | Examples |
|-----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ask permission to talk about the behaviour | <p>“Would it be ok to have a quick discussion about gambling? We like to cover this with all of our clients. It’s an opportunity to have a think about how gambling fits in to your life. Do you gamble at all?”</p> <p>“While we’re discussing what you like to do with your free time, could we talk about gambling?”</p> <p>“You’ve mentioned that you were arrested for a crime related to gambling. Could we talk a bit more about where gambling fits in for you?”</p> <p>“You sound a bit worried about how much you’ve been gambling lately? Could we talk a bit more about that?”</p> <p>“We’re trying to improve our service and offer people a bit more. We’re offering screening for a range of things - including gambling. Are you interested in finding out more; it only takes a few minutes?”</p> |
| Explain your role in relation to the behaviour/s to be explored | <p>“If you are interested we can work through a few quick questions. We use a process called a gambling screen. The screen provides you with your personal result. What you do with that information is your choice.”</p> |
| Clarify confidentiality issues | <p>“We have already discussed confidentiality but I just want to restate that this discussion will be confidential, in the same way as any other information about you.”</p> |
| Reinforce and respect the person’s choice | <p>“It’s up to you.”</p> <p>“What do you think you might want to do next?”</p> <p>“It is your choice whether you want to take up this opportunity.”</p> |

TIPS

- > Your own values and behaviour are not the focus and should not interfere with your efforts to support people to reduce harm from gambling.
- > When working with people of cultures other than your own ensure that you convey respect for cultural difference. Use cultural support and expertise to assist in providing an effective service. Pay attention to cultural norms in relation to rapport building. Taking the time to effectively engage with people and building a trusting relationship will increase the likelihood of being able to provide an effective intervention.
- > With young people: It is generally important to develop rapport before you introduce the issues i.e., by talking about topics other than gambling. Clarity about confidentiality is especially important to develop trust.

2

Screen

OBJECTIVES

- > **To gather personalised information about potential levels of risk or harm resulting from selected behaviours**
- > **To determine whether intervention could be useful**
- > **To determine the level of intervention that is indicated**

Responsibility sits with the person

Empathy: listen and reflect; maintain rapport

| Action | Example |
|----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Administer the screening tool OR Ask screening questions | "This is the screening questionnaire. Shall we work through the questions together?" "This is the gambling questionnaire. It will give you an indication about whether gambling might be causing problems for you." "Do you gamble?" "How soon after you wake up do you usually check your betting account?" |
| Score the screening tool | "What we do now is look at your responses and total them up. One of the good things about this is that it's an objective measure – a bit like a blood test." |

TIPS

- > Be familiar and comfortable with the screening questions and/or tools.
- > Defer screening when other needs are clearly more immediate, for example, the person is highly agitated, in need of urgent medical attention etc.
- > Emphasise the objective nature of the tool.
- > Be sensitive to literacy levels and adjust accordingly e.g. work through the tool with the person.
- > Be sensitive to language issues where English is not the person's first language. Ensure this does not become a barrier.
- > **If the person says no or changes their mind mid-way through the process respect their choice and exit the brief intervention process.** Consider whether it could be an option to revisit the issue at a later date and if so flag this as your systems allow.
- > With young people: Use a screening tool or process that has been validated for use with young people, for example The Substances and Choices Scale (SACS) available at www.sacsinfo.com.

3

Provide feedback and brief advice

OBJECTIVES

- > **To provide personalised information about levels of risk and harm (the screening results and interpretation of these)**
- > **To facilitate reflection and review of behaviour**
- > **To provide tailored advice to assist with reducing risk and/or harm**

Feedback: about personal risk or level of current harm, as indicated by the screening process

Responsibility sits with the person

Advice: provide advice

Empathy: listen and reflect; maintain rapport

| Actions | Examples |
|---------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Review screening data in collaboration with the person Check for level of risk/harm: | "The PGSI score shows that your gambling is unlikely to cause problems. If your circumstances change, say you are planning to buy a house, then it might be helpful to stop gambling." |
| hazardous, harmful or dependent | "The screening test suggests that you are gambling at a harmful level. |
| Give personalised brief advice (as appropriate) | This means there are risks for your mental health, your finances, and potentially for your family relationships. The best thing you can do is to try to stop gambling. There would also be other immediate benefits. I know it is not an easy thing to do. There are a number of options that could support you to stop." |
| Note: encourage referral to specialist service where there is a need for further assessment | "Given your result, there would be significant benefits if you were to cut down on gambling." |
| | "Your score shows that your gambling is well above normal participation levels for someone your age and gender. This is worth getting checked out further and it's likely to be linked to some of the issues you're facing right now. I recommend that you see a specialist for an assessment to find out more. I can arrange for you to contact the National Gambling Helpline or [insert local service name]. There is no charge for the service. At a minimum you will get some more information. What you do with it will be up to you." |

TIPS

- > Brief intervention can stop at this point if there is insufficient time to provide any further intervention.
- > Check in with the person about how they are finding the process. Make space for them to ask questions.
- > If the person becomes withdrawn, argumentative or resistant take this as a sign to back up. Avoid arguing and/or persuading, avoid presenting reasons for change, maintain rapport and simply reflect back what the person is saying to you.
- > If there are indications of dependence or addiction recommend and support referral for further assessment or more intensive assistance.
- > If there are indications of other health problems, including mental health problems, recommend and support referral to appropriate services.
- > With young people: look for opportunities to provide positive feedback, focus on their strengths and achievements as much as possible. Avoid the discussion becoming overly problem-saturated (Christie, 2008a).

4

Listen for readiness and confidence

OBJECTIVES

- > **To check out the person’s readiness to change their behaviour**
- > **To support consideration of the connection between behaviour, risk and/or harm**

Feedback: about personal risk or level of current harm

Responsibility sits with the person

Empathy: listen and reflect; maintain rapport

Self efficacy: convey optimism about their ability to change.

| Action | Example |
|---------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Check out how the person is responding | <p>“What are your thoughts about the screening result?”</p> <p>“It’s a lot to take in. Are you surprised about your score?”</p> <p>“I know you weren’t necessarily expecting to be looking at this today, but I wonder what you think about how gambling fits in with some of the other issues that have brought you here today?”</p> |
| Explore readiness to make changes: | <p>“What are your thoughts at this point? Are there any concerns that you have?”</p> |
| Does change seem to be worthwhile to the person? | <p>“Have you considered cutting down on your gambling?”</p> <p>“Can you think of any benefits if you were to stop gambling?”</p> |
| Are they confident about their ability to change? | <p>“What connections do you see between your gambling and the stresses in your life right now?”</p> |
| Try to elicit change talk | <p>“On a scale of 1-10, if 1 is not ready at all and 10 is totally ready, how ready are you to make changes to your gambling?... What are some of your reasons for giving this rating?” OR “why did you rate 5 instead of 3?”</p> |



Reflect the person's views on change back to them

Person is not indicating readiness to change

"Thanks for agreeing to check out your gambling. It sounds like right now you can't see any benefits in cutting back on your gambling? If you decide you want to talk about this again, you can let me know. Would it be all right if we talk about it again in a few months' time to see if anything has changed for you?"

"From what you're telling me, it sounds as though you are not interested in stopping gambling right now. Would it be useful to talk about some ways to put limits in place to try to reduce the impact of your gambling?"

Person is ambivalent about change

"So, if I'm hearing you correctly, you can see that cutting back on gambling would help keep you out of trouble but you can't see your friends letting you get away with it. How do you think things will turn out for you?"

"What are the pros and cons with your gambling?"

"On balance would it be worth having a go at stopping?"

"What are some things that could help you stop?"

"What are some of the barriers that might prevent you from limiting your gambling?"

Person wants to change, lacks confidence

"You want to stop gambling but you've tried many times and it hasn't worked out. You just don't think you can manage to do it. Would you be interested in looking at some strategies to help with this?"

"What would need to happen for you to become more confident to make a change?"

"What would be helpful to you at this point?"

"You said that you stopped gambling for a short time about a year ago? How did you achieve that? Could you use some of the same strategies that were successful then to help with cutting down on gambling now?"

TIPS

- > Avoid arguing, persuading and/or presenting reasons for change and maintain rapport.
- > Respect the person's views and don't assume that the intervention has not been helpful if they choose to close the subject.
- > Remember responsibility for change sits with the person themselves.
- > Encourage the person to explore and articulate their own reasons for change.
- > Listen carefully for what the person is prepared to work on at this time and focus on that.
- > Use the readiness scale/ruler to quickly elicit change talk. Available at [www.adultmeducation.com/downloads/Readiness-to-Change TOOL.pdf](http://www.adultmeducation.com/downloads/Readiness-to-Change_TOOL.pdf)
- > With young people: don't discount or minimise the young person's experiences of the good things about gambling. Let them talk about the good things before gently guiding/inviting them to explore the downsides. Avoid coming up with the downsides, let the young person tell you from their own experience.

5

Provide further intervention (as appropriate)

OBJECTIVES

- > **To facilitate reflection and review of behaviour**
- > **To support change if the person is seeking change**

Feedback: about personal risk or level of current harm

Responsibility sits with the person

Empathy: listen and reflect; maintain rapport

Menu of options: outline options or strategies

Self efficacy: convey optimism about their ability to change

| Action | Example |
|-------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| For people who are considering change or wanting support to change, select an appropriate approach (one or more): | Provide information: focus on the benefits of change: |
| Provide information | “Would you like more information? I have a leaflet here that you could take home. It might be interesting to read about some of the benefits other people have experienced after cutting back.” |
| Goal/s and Menu of options | Facilitate goal setting and explore menu of options: |
| Build confidence | “Could you consider setting yourself a goal in relation to gambling?” |
| Enhance motivation | “What are some changes that you are interested in trying out?” |
| | “Would it be helpful to look at some options that have been helpful for other people? There are some effective strategies available to help people stop gambling, such as letting a loved one take care of your finances for a while or self-exclusion. It could be helpful to look at whether any of these are worth trying for you.” |
| | “There are lots of options for cutting down on gambling, you are the best judge of what is likely to work for you. Would it be helpful to talk about some ideas and then, if you want to, set a goal for yourself to try out?” |
| | “It sounds like the smartphone gambling is your main concern because it is impacting on your family time. We could explore some practical options and you could make a plan, then if you think it’s worth a go you could try it out. If it doesn’t work out we could look at some other ideas next time we meet.” |

TIPS

- > Keep it personalised, relevant and achievable. The change goal must be something that is worthwhile and “doable” for the person. Avoid the lure of encouraging goal setting that does not meet these criteria.
- > Encourage the person to come up with their own strategies and/or explore in detail how strategies will fit into the person’s situation. People are more likely to try things out if they come up with their own ideas.
- > Spend time looking at a range of options. It is important to convey that there is more than one way to address issues and improve situations. This helps generate self-efficacy.
- > Listen carefully for what the person is prepared to work on at this time and focus on that.

IMPORTANT CONSIDERATIONS

Cultural considerations and brief intervention

Throughout the process of screening and brief intervention workers are encouraged to be mindful of the social and cultural context of the people they are working with. Effective engagement, assessment and goal setting may be affected by a person's 'ethnocultural identity'. The way a person might identify themselves and 'see the world' may impact on the ways they might express distress; the way in which they might perceive problems or solutions and/or their communication styles. Workers have an important role in ensuring that the people they are working with understand information well enough to be able to make informed choices or decisions. Clients may have poor literacy. This may mean giving some thought to how screening information is interpreted and communicated. Comprehension may be improved by putting it into a relevant context as well as considering the content of any message.

Overcoming potential barriers to brief intervention

There are a number of well identified barriers to the provision of brief intervention in generalist settings. The more prevalent of these are outlined below along with some suggestions as to how these barriers can be overcome or managed. These barriers and potential solutions relate to both the organisational level and the worker.

Causing offence: Both workers and organisational leaders are often concerned that service users, who are generally not expecting to be talking about these issues, may be annoyed or offended if they are asked about them. The evidence suggests that this is rarely the case (NHS Health Scotland, 2009).

Within the approach presented in this Guide all issues are raised with empathy and respect for the autonomy of the person and if a person does not want to engage in brief intervention then that choice should always be respected. Such an approach minimises perceptions of judgment and intrusiveness.

Workers are more likely to overcome their concern by actually providing brief interventions, seeing that service users are not offended and seeing the benefits brief intervention can provide. Organisational leaders can support and encourage workers to overcome any initial reservations by ensuring staff have access to training to build their skills and confidence. Leaders can also ensure that staff have access to ongoing supervision and support. Additionally, it is useful to set realistic targets for brief intervention in the early stages, recognising that it may take some time for staff to become sufficiently comfortable to more routinely introduce the subject etc.

The issue of coercion: In settings where service users are facing or undergoing legally imposed sanctions e.g. justice and some social service settings, workers can be concerned about imposing screening and brief intervention. It is important to note that the principles and stages of brief intervention do not change in these contexts. Respect for the autonomy of the person, empathy and collaboration are integral to brief intervention and help to ensure the intervention is not imposed.

Own behaviour and values: It is not uncommon for a worker who gambles to feel open to being judged as hypocritical when talking with others about these issues.

In this circumstance it is important that workers and organisational leaders are mindful that brief intervention is provided to assist service users to make informed choices. The worker's own patterns of use and behaviour are not relevant and should not be a barrier to providing brief intervention.

Using standardised screening tools and a structured approach to brief intervention will help to ensure that the worker's own values and choices do not prevent them from providing effective brief intervention to service users.

Outside of the scope of worker's role: Some generalists believe that providing brief intervention is outside of the scope of their role. This is understandable as many are not well informed about brief intervention or trained in providing it.

Organisational leaders have a role to play in overcoming this barrier by ensuring that workers are well informed and supporting them to learn about their potential role in brief intervention. It is important to stress that many people who are at risk of or experiencing harm will never see a specialist and brief intervention provided by a generalist may be of huge benefit to them. Increasingly it is recognised that the substantial harms that can arise from alcohol, tobacco, other drugs and gambling make these issues everybody's business. However it is important to consider professional boundaries carefully and to ensure that there is organisational support with approved processes, training and ongoing back up for the provision of brief intervention.

Competing priorities: The demands on time within a service environment may present one of the most significant barriers to brief intervention. It is common to hear workers and leaders comment on the burden of expectations placed on them to address a wide range of issues. This is a challenge for both the worker and the organisation and there is no simple answer. However, focus and commitment at all levels are required to implement and maintain brief intervention.

It is up to the organisation and the worker to determine what services can be provided within resource constraints.

RESPONDING TO FAMILY AND AFFECTED OTHERS

Resources for family and affected others

Many people are adversely affected by others' gambling. Sometimes these effects are identified in the course of health and social service delivery.

There is a range of resources available to assist families including self-help resources such as:

Concerned About Someone Else's Gambling. Produced by the Gambling Helpline for families seeking help with gambling issues. Available at: www.gamblinghelpline.co.nz/data/media/documents/Concerned_about_someones_gambling.pdf

The 5-Step Method

The 5-Step Method (Orford, Templeton, Patel, Velleman & Copello, 2007) for helping affected family members offers a simple and effective approach for responding to family members. It is a non-blaming approach to working with families and others affected by substance use or gambling. It can be delivered by a range of workers in a range of settings. The approach is designed to assist families to develop effective coping strategies and access effective social support.

The 5 steps are shown below and further explained adjacent.



Figure 3 The Five-Step method

- 1 Listen carefully to the experience of the family member/s to develop an understanding of how they are affected. Explore their concerns. Provide reassurance that others also have these experiences. Convey empathy and non-judgement.
- 2 Provide relevant information about substance use/gambling/addiction as relevant. Provide information about other relevant issues tailored to the concerns raised e.g. child care, financial assistance etc. Targeted information helps family members to gain a sense of having some control in their lives.
- 3 Explore coping responses. Research associated with the model has identified three broad coping responses:
 - > Engaged – Standing up to
 - > Tolerant – Putting up with
 - > Withdrawn – WithdrawingExplore the current responses and discuss what is effective and what is less effective? Explore alternatives.
- 4 Explore social support. Draw a network diagram to determine current support. Work on strategies to increase positive support and decrease negative support.
- 5 Explore further options for help and support. Check out further needs, provide information, refer as necessary and arrange follow up if required.

Research indicates that families from a range of cultures have found that brief intervention provided within the 5-Step model in a range of settings has helped them to:

- > Focus on their own needs.
- > Be assertive in communication.
- > Calm down and find different ways of dealing with frustration and anger.
- > Have a better understanding of the drinking /drug taking behaviour and the links with their own health.

(Orford et al., 2007).

BRIEF INTERVENTION REQUIREMENTS AT AN ORGANISATIONAL LEVEL

This section offers guidance to support effective planning, set up, implementation and monitoring of brief intervention within an organisational context. The guidance provided here is generic and will need to be tailored and adapted to the specific conditions within each organisational context.

Evidence suggests that organisational factors can limit or enable implementation of brief interventions (Johnson et al., 2010). Successful implementation of brief intervention programmes is more likely when the programme is championed at management and/or leadership level (McGovern et al., 2012). Commitment at organisational governance and management levels is essential to support workers to provide brief intervention.

The implementation of brief intervention within an organisation is best approached as a project.

Key steps in planning and implementing brief intervention for a large organisation are outlined below. The steps are set out in a chronological order, however in practice they are likely to overlap, particularly the second and third steps. In summary the steps are:

- > Project initiation
- > Consulting within the organisation
- > Project planning
- > Implementation
- > Ongoing improvement

Project initiation

Key actions at the outset include:

- > Developing a project brief (or charter) specifying goals, key objectives, deliverables, resources available, costs, risks and benefits of the project.
- > Assigning a project leader to manage and coordinate the implementation of brief intervention.
- > Determining if a project team is required to assist implementation (usually this is best, particularly in medium to large organisations) and if so assigning membership and roles.
- > Preparing an information sheet on brief intervention (see Box 3 below for suggestions on what to include).

Once these actions above are completed, the implementation of brief intervention should be announced within the organisation. Preferably the announcement is made by a senior person to indicate the importance of the project within the organisation.

The announcement can be made via email, staff bulletin, team meeting etc., depending on the organisational communication systems already in place and the size of the organisation.

After the project is announced provide an information sheet to all staff to begin the process of developing a shared understanding of brief intervention and fostering enthusiasm for the initiative.

Box 3. Inform and educate

Provide an information sheet for staff outlining the intention to develop a brief intervention initiative within the organisation, explaining what brief intervention is and why it is a worthwhile activity for the organisation i.e. how it will benefit service users. Ideally, this information is tailored to your organisation and sector.

The information sheet should cover the following:

A brief description of brief intervention (as provided in this Guide):

A clear definition, how brief intervention is delivered and who it is most effective for.

A statement emphasising the brevity of the intervention and that it is not addiction treatment.

The key reasons for offering brief intervention in your organisation, for example:

Information on the harms associated with gambling as these relate to the service user population.

Evidence for the effectiveness of brief intervention.

Information promoting the role of the generalist:

A clear message that brief intervention does not require significant or in-depth understanding of the issue/s and that the issues are everybody's business.

A statement emphasising that brief intervention will potentially provide significant benefit to service users who might otherwise miss out on assistance for their issues.

A brief statement regarding training and support.

Contact details of the project leader

Encouragement of questions, comments and ideas.

Consulting within the organisation

Ensure key people within the organisation are informed and involved as necessary. This is a process of both informing and gaining information from various perspectives about the organisational barriers and enablers to implementing brief intervention. Early input from key people can foster engagement and help identify both snags and shortcuts.

It is important that key people and groups within the organisation develop a common understanding of the project including what is likely to be expected of them, how they can contribute and how they will be supported to make their contribution.

Consulting can happen via meetings, telephone and email discussions, providing documents for feedback etc.

It is likely that the following people will need to be consulted with: team leaders, supervisors, trainers (if you have these in your organisation), front line staff likely to be providing brief intervention, human resources staff, IT people, administration staff etc.

In determining who to consult the following could be considered:

- > Who is most likely to be delivering brief intervention? Who are the leaders and supervisors of this group?
- > Is HR input needed?
- > Are there specific IT requirements?
- > How will records be kept? Who manages records for the service?
- > Will administrative processes need to be adjusted?
- > Are there any policy changes required?
- > Are there any accounting requirements e.g. invoicing for services provided?

Project planning

Develop a detailed project plan including objectives, structure, processes, milestones, key responsibilities, reporting and costs. A communications plan may be required as part of the overall plan.

The planning should incorporate the following key requirements specific to brief intervention:

- > The brief intervention approach and pathway: define this thoroughly i.e. the scope.
- > The screening tools (See Box 4 for further guidance on selecting screening tools).
- > The steps in the intervention and the timing of these within the business of the organisation.
- > Referral sources and resources that the organisation will use.
- > The population to be screened and any exclusions.

- > Policy and procedures for confidentiality and consent.
- > The personnel delivering brief intervention: key considerations will include feasibility within the role i.e. are service users likely to accept brief intervention from those in this role, time available, workload, knowledge, skills and attitudes.
- > Training and support requirements: specify requirements to enable personnel to understand and deliver brief intervention and integrate this into their role.
- > Administrative systems and IT requirements.
- > Data requirements (see Box 5 overleaf) including reporting, monitoring and ongoing quality improvement processes.
- > Review the plan with others in the organisation as relevant. Ensure sign off by senior management.

Box 4. Key considerations in selecting screening methods

The make-up of the population/group to be screened: what are the issues that this population may be experiencing?

Whether to screen for single issues or multiple issues: what is optimal given the needs of service users and the expertise and resources available within the service?

Setting: what is realistic in the service setting i.e. if office based then computer-based or pen and paper and more in-depth screening may be possible. If in the field (e.g. working with homeless population) there may only be opportunity to ask a couple of key questions with record keeping occurring at a later time.

Systems for responding to screening results: the level at which the organisation can respond to those whose screening results are positive and in particular those whose results indicate the potential for a significant problem is an important consideration in selecting a tool. Where workers have time and an ongoing relationship with the service user it may be optimal to use a tool that provides information about presence and levels of problem (e.g. AUDIT or ASSIST); where there is limited time a short screen such as AUDIT-C which focuses on the presence/absence of a problem may be more appropriate.

The time available to screen and provide intervention and any associated costs: what can the service optimally provide?

The expertise of the staff: what level of knowledge and skill is required to screen and respond appropriately based on the screening result?

The level of management support: is there management approval for the process? Do management support staff training and ongoing staff support?

Box 5. Data considerations for organisational monitoring

The following measures are suggested for monitoring brief intervention:

Number of service users in the brief intervention target population: i.e. the number of people that would be expected to be screened.

Percentage screened: i.e. the number of service users screened divided by the number in the target population. It is recommended that a realistic target is set initially.

Number and percentage of “positive” screens: i.e. the percentage of service users whose screening results indicate that intervention is required.

The percentage of “positives” receiving an intervention (including a subset of those who are referred for specialist intervention).

Source: Adapted from Higgins-Biddle, Hungerford, & Cates-Wessel (2009).

Implementation

- > Ensure the roll out of brief intervention is well notified to all relevant people in the organisation.
- > Provide regular communication to encourage, remind and support people at this early stage; for example, thanking people for their work in getting the project off the ground.
- > Ensure that help and support is readily available during the early implementation stage to increase uptake.
- > Actively monitor implementation and address any issues that arise.

Ongoing improvement

- > Gather and provide feedback regarding progress. It is useful to do this on an ongoing basis to keep up the momentum and embed the change in practice.
- > Review data and other feedback to determine improvements. Manage the requirements for embedding improvements.

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APPENDIX

Appendix 1

Lie/Bet Questionnaire

The Lie/Bet Questionnaire is a two question screening tool for pathological gambling, useful in determining if a longer screening tool or further assessment is appropriate.

Lie/Bet Questionnaire:

1. Have you ever had to lie to people important to you about how much you gambled?
2. Have you ever felt the need to bet more and more money?

Administer Lie/Bet Questionnaire:

“Yes” response to one or both items: Further assessment is needed. Refer to www.begambleaware.org or the National Gambling Helpline: 0808 8020 133

“No” response to both questions: No referral necessary for problem gambling services.

The NODS-CLiP Short Problem Gambling Screen

Have there ever been periods lasting 2 weeks or longer when you spent a lot of time thinking about your gambling experiences or planning out future gambling ventures or bets?

Yes ?/ No?

Have you ever tried to stop, cut down, or control your gambling?

Yes?/ No?

Have you ever lied to family members, friends, or others about how much you gamble or how much money you lost on gambling?

Yes?/ No?

If “Yes” to one or more questions, further assessment is advised refer via www.begambleaware.org or the National Gambling Helpline: 0808 8020 133

Problem Gambling Severity Index

When you think of the past 12 months, have you bet more than you could really afford to lose?

0: Never 1: Sometimes 2: Most of the time 3: Almost always

Still thinking about the last 12 months, have you needed to gamble with larger amounts of money to get the same feeling of excitement?

0: Never 1: Sometimes 2: Most of the time 3: Almost always

When you gambled, did you go back another day to try to win back the money you lost?

0: Never 1: Sometimes 2: Most of the time 3: Almost always

Have you borrowed money or sold anything to get money to gamble?

0: Never 1: Sometimes 2: Most of the time 3: Almost always

Have you felt that you might have a problem with gambling?

0: Never 1: Sometimes 2: Most of the time 3: Almost always

Has gambling caused you any health problems, including stress or anxiety?

0: Never 1: Sometimes 2: Most of the time 3: Almost always

Still thinking about the last 12 months, have you needed to gamble with larger amounts of money to get the same feeling of excitement?

0: Never 1: Sometimes 2: Most of the time 3: Almost always

Have people criticized your betting or told you that you had a gambling problem, regardless of whether or not you thought it was true?

0: Never 1: Sometimes 2: Most of the time 3: Almost always

Has your gambling caused any financial problems for you or your household?

0: Never 1: Sometimes 2: Most of the time 3: Almost always

Have you felt guilty about the way you gamble or what happens when you gamble?

0: Never 1: Sometimes 2: Most of the time 3: Almost always

Total score:

The higher the score, the greater the risk that your gambling is a problem.

Score of 0: Non-problem gambling.

Score of 1 or 2: Low level of problems with few or no identified negative consequences.

Score of 3 to 7: Moderate level of problems leading to some negative consequences.

Score of 8 or more: Problem gambling with negative consequences and a possible loss of control

Appendix 2

This section highlights strategies that can be used by a person directly experiencing or at risk of gambling-related harm. Further information can be found at www.begambleaware.org.

The Money, Access, Time Triangle

An effective way to reduce or stop gambling is to put barriers in place that limit your ability to gamble – specifically barriers to Money, Access and Time. No barrier is infallible but if you have the right barriers they can certainly slow you down enough for you to take a look at what you're doing and decide whether or not you really want to do it.

Limit Access

- > Customers may self-exclude from gambling establishments (see below).
- > Avoiding places with a high density of betting shops or casinos can be helpful so take care to plan your route before heading out the door. A little planning goes a long way when it comes to avoiding unexpected triggers like the sight of a flashing casino sign.
- > If you're an online gambler you can add blocking software such as "betfilter" which will remove access to all gambling websites from your PC. Depending on which blocking software is used a password may be needed so ask for help from a friend or family member to set it up for you so you remain unaware of the password and unable to remove the software. If you gamble on a phone or iPad please contact your network provider to discuss the possibility of setting up parental controls to exclude gambling sites. If all else fails, you may need to consider the possibility of getting a low spec phone capable of making and receiving calls, and not having a computer for a while.
- > Think about times and places when you may be at your most vulnerable and ensure that someone you trust is either available at the end of the phone or able to be physically with you at these times. These could be times of emotional upset, or on pay days or anniversaries but looking at how you may be affected and planning for it can save you a lot of heartache.

Filling Time previously spent gambling

- > Explore the type of things that interest you and in particular things you can enjoy doing with friends or family members rather than seeking isolated pursuits. You may also want to look at projects you can undertake such as decorating a room or working on the garden.
- > Ensuring that you are engaging with a routine can be very helpful so include yourself in day to day tasks around the house so you feel like a valued part of family life.
- > Filling time with positive activities away from gambling can help you to feel productive and healthy and it can strengthen relationship bonds that have previously been neglected.

Money

- > Often the understanding of money and its value becomes warped whilst in the grip of a gambling addiction. Effective budgeting can restore an understanding of the value of money and it may also help to improve a negative financial situation brought on by gambling.
- > Ask a friend or family member to take control of your finances during the early stages of recovery. This can be done by giving away any debit or credit cards you may have (If you've memorised the card numbers be honest about that and get replacements before you hand them over). If you're budgeting effectively you'll be able to inform the person managing your finances of exactly how much you will need on any given day and receipts can be provided as evidence of your purchases.

Self-Exclusion

The following information is produced by the Gambling Commission, the body responsible for licencing gambling operators in Britain. It describes the role of licenced gambling operators in assisting people who no longer wish to gamble to exclude themselves for a defined period of time. Regulations may change and therefore readers may wish to consult up to date information at the following address:

www.gamblingcommission.gov.uk/for-the-public/Safer-gambling/Self-exclusion.aspx

If you think you are spending too much time or money gambling in an arcade, betting shop, bingo venue or casino, then ask staff for information about their self-exclusion scheme.

Self-exclusion is when you can ask a gambling company or operator to stop you from gambling with them for an amount of time. It usually lasts for at least six months. It is mainly used by people who think they have a problem with gambling and want help to stop. It is up to you to stick to a self-exclusion agreement with a gambling company, but the company should help you do that.

If you want to self-exclude from an online (remote) gambling company then you will need to contact each of the companies with which you hold an account. This can usually be done on the responsible gambling pages of the website.

If you are worried about online gambling then you can download a 'site blocker' such as Gamblock or Netnanny, which can block access to on line gambling sites. However there may be a charge for this.

Although I have self-excluded, my gambling operator has allowed me to gamble. What should I do?

A self-exclusion agreement may not always work properly and you might want to complain about this. Gambling operators must have a system they follow when a customer wants to complain. You should be able to find information on how to complain to the gambling operator on their website or by talking direct to a member of staff in the betting shop, arcade, bingo hall or casino where you have self-excluded.

If you wish to seek compensation from the operator because you feel that they haven't taken reasonable steps to prevent you from gambling then you will have to raise this as a civil matter through the courts.

The Gambling Commission's role is to make sure that the gambling companies follow the rules. Those rules include helping customers who want to stop gambling and have self-excluded. We will look into any concerns that that company may have broken the rules and investigate whether its self-exclusion system is working properly. If we think a company is not doing what it should, we have ways to make them improve. This can include, as a last resort, taking away the company's licence.

If you believe that the operator has broken the self-exclusion rules, we will need the following information:

- > When did you enter into the self-exclusion agreement?
- > How did you let the operator know you wanted to self exclude?
- > What did the operator give you to confirm that the self-exclusion was in place?
- > What period did you self-exclude for?
- > What date were you able to gamble even though you believe you had a self-exclusion agreement in place?
- > Can you provide details of any contact you have had with the operator since you gambled with them?

We will need your permission to contact the operator with your details but you should note that this will not be helping in getting your money back.

Limit setting

Most gambling operators will have facilities that allow you to set limits on the amount of time or money you spend gambling. Speak to a member of staff if you would like further information regarding limit setting.

Referring to specialist services

The National Gambling Helpline on 0808 8020 133 and www.begambleaware.org act as the first port of call for people affected by problem gambling. These services provide immediate advice and support, and from there people who need further help can be referred on to specialist services for further interventions.

ORGANISATIONS THAT PROVIDE HELP AND ADVICE

GAMBLEAWARE

begambleaware.org

A website that gives advice on gambling responsibly – this means making choices based on all the facts, and staying in control of how much time and money you spend.

NATIONAL GAMBLING HELPLINE:

0808 8020 133

CENTRAL AND NORTH WEST LONDON NHS FOUNDATION TRUST

www.cnwl.nhs.uk/cnwl-national-problem-gambling-clinic

Tel: 020 7534 6699 / 6687

Treats problem gamblers in England and Wales who are aged 16 and over. It assesses the needs of problem gamblers as well as those of their partners and family members, and offers evidence based treatments as well as interventions to assist with financial, employment, social and relationship difficulties.

GAM-ANON

www.gamanon.org.uk

Support to those affected by another person's gambling. A fellowship of men and women who are husbands, wives, relatives or close friends who have been affected by problem gambling.

GAMBLERS ANONYMOUS

www.gamblersanonymous.org.uk

A fellowship of men and women who have joined together to do something about their own gambling problem and to help other compulsive gamblers do the same.

GAMCARE

www.gamcare.org.uk

A registered charity that takes a non-judgemental approach to gambling, and a leading authority on the provision of information, advice and practical help in addressing the social impact of gambling.

GORDON MOODY ASSOCIATION

www.gordonmoody.org.uk

01384 241292

Provides residential treatment for severely addicted gamblers, as well as providing outreach support and internet counselling service.

CONSUMER SUPPORT:

CITIZENS ADVICE

www.citizensadvice.org.uk

Helps people resolve their legal, money and other problems by providing free information and advice, and by influencing policymakers.

DEBT SUPPORT ORGANISATIONS:

MONEY ADVICE SERVICE

www.moneyadviceservice.org.uk

An independent service, set up by government, to help people manage their money.

NATIONAL DEBTLINE

www.nationaldebtline.org

National helpline number: 08088 084000

Provides free confidential and independent advice on how to deal with debt problems.

STEPCHANGE DEBT CHARITY

www.stepchange.org

0800 138 1111

A debt advice organisation offering free, confidential and impartial debt help to anyone who needs it, available online 24 hours a day.

OTHER SUPPORT ORGANISATIONS:

SAMARITANS

www.samaritans.org

116 123

A 24 hours a day service providing confidential emotional support for people who are experiencing feelings of distress or despair, including those which may lead to suicide.

GambleAware is the leading charity in Britain committed to minimising gambling-related harm. As an independent national charity, GambleAware funds education, prevention and treatment services and commissions research to broaden public understanding of gambling-related harm. The aim is to stop people getting into problems with their gambling, and ensure those that do develop problems receive fast and effective treatment and support.

GambleAware
7 Henrietta St
London
WC2E 8PS

about.gambleaware.org
info@gambleaware.org
+44 (0) 20 7287 1994

GambleAware

TAB 10



TOOLKIT FOR

POLICY & PROCEDURE

SYSTEMS

AGCs & FEC ADULT AREAS

COMPREHENSIVE GUIDE TO LCCP

REQUIREMENTS

VERSION 16 – July 2016
EFFECTIVE AS AT 31st OCTOBER 2016



GAMBLING ACT 2005
Licence Conditions and Codes of Practice
Adult Gaming
&
Licensed Family Entertainment Centres
Policy Procedure Documents, Logs, Forms & Records

Source of Reference
Gambling Commission
Gambling Codes of Practice
Consolidated for all forms of gambling
July 2016

2016 July
Version 16: Update 1

PS/2016/Oct31/v16/01

Introduction

Your Operating Licence is subject to certain conditions and codes of practice (LCCP) that must be complied with to protect your licence.

Codes of practice are either:

- **social responsibility code** provisions which **must be adhered to** by all licence holders

Therefore any breach of them by an operator may lead the Commission to review the operator's licence with a view to suspension, revocation or the imposition of a financial penalty and would also expose the operator to the risk of prosecution.

- **ordinary code** provisions – these do not have the status of licence conditions but failure to take account of them can be **used as evidence in criminal or civil proceedings**.

There are four types of licence condition, and they have different status in law, but you need to comply with them all:

- General licence conditions can be applied by the Gambling Commission to an individual operating licence or a class of operating licence (for example, all AGC operating licences).
- Individual licence conditions can be applied by the Gambling Commission to an individual operating licence. They are likely to address matters concerning an individual operator and their activities.
- Conditions imposed by the Secretary of State may be applied to a class of operating licence using statutory instruments (amendments to the law).
- Statutory conditions imposed by the Gambling Act 2005 may be applied to a class of operating licence.

This toolkit is designed to incorporate the conditions for licensees to ensure compliance with any relevant social responsibility provision of a code of practice issued by the Gambling Commission and is applicable to:

Gaming Machine General: Adult Gaming Centre Licences, and Gaming Machine General: Family Entertainment Centre Licences

All key requirements necessary to ensure compliance are incorporated but it is important that you also refer to the most up-to-date LCCP version published by the Commission, currently:

<http://www.gamblingcommission.gov.uk/PDF/LCCP/LCCP-sector-summary-for-arcades.pdf>

It is absolutely right that licensees themselves should determine how to apply LCCP requirements when formulating their company policies and procedures and how to assimilate into operational systems. This toolkit suggests policy and procedure documents that incorporate requirements, together with a series of logs for the necessary recording of incidents. In addition, there are suggested procedures and forms for dealing with and recording complaints and disputes, suspicious monetary transaction and other relevant matters.

The toolkit is amended from time to time, reflecting changes made to LCCP by the Commission, therefore it is imperative that operators ensure they have the most up-to-date version, currently:

PS/2016/Oct31/v16 01

The version reference is printed at the bottom left corner of the cover page and repeated on each page of the toolkit. All previous versions are not fit for purpose and should be deleted from files and systems.

The toolkit is principally intended for licensees and senior management. A staff training booklet - more appropriate for junior members of staff who interface with customers - is available separately from bacta.

Additional documents available from bacta

- 1. Local Risk Assessment**
- 2. Money Laundering Risk Assessment**

INDEX

| | Page(s) |
|------------------------------------------------------------------------------|----------------|
| COVER PAGES | 1 - 2 |
| INTRODUCTION | 3 – 4 |
| INDEX | 5 - 7 |
| POLICY DOCUMENTS | |
| Access to Gambling by Children and Young Persons..... | 8 |
| Age Verification Testing | 9 |
| Access to Premises by the Gambling Commission’s Enforcement Officers | 10 - 11 |
| Advertising Standards and Marketing | 12 |
| Customer Interaction | 13 |
| Employment of Children and Young Persons | 14 |
| Fair and Open Practice and Dispute Resolution | 15 |
| Information on how to Gamble Responsibly and Help for Problem Gamblers | 16 |
| Money Laundering, Cash Handling & Suspicious Transactions | 17 - 18 |
| Self-Exclusion | 19 - 20 |
| LOGS | |
| Attempts by Children and Young Persons to Gamble | 21 |
| Customer Interaction | 22 |
| Incidents Requiring Police Assistance | 23 |
| Self-Exclusion | 24 |
| Staff Training Summary | 25 |
| STAFF RECORD OF TRAINING DOCUMENTS | |
| Access to Gambling by Children and Young Persons | 26 |
| Access to Premises by the Gambling Commission’s Enforcement Officers | 27 |
| Advertising Standards and Marketing | 28 |
| Customer Interaction | 29 |
| Employment of Children and Young Persons | 30 |

| | |
|------------------------------------------------------------------------------|---------|
| Fair and Open Practice and Dispute Resolution | 31 |
| Information on how to Gamble Responsibly and Help for Problem Gamblers | 32 |
| Money Laundering, Cash Handling & Suspicious Transactions | 33 |
| Self-Exclusion | 34 - 35 |

FORMS & STATEMENTS

Page(s)

| | |
|-------------------------------------------------------------------|---------|
| The Licensing Objectives | 36 |
| Principal Concepts | 37 |
| Complaint Policy & Procedure Document and Terms & Conditions..... | 38 – 40 |
| Complaint Form | 41 - 42 |
| Record of Complaints & Disputes | 43 |
| Record of Suspicious Monetary Transactions | 44 |
| Self-Exclusion Form | 45 |
| Self-Exclusion Review Form | 46 |

EVALUATIONS

| | |
|----------------------|---------|
| Questionnaires | 47 - 54 |
|----------------------|---------|

CODE PROVISIONS

| | |
|---------------------------------------------------------------|----|
| Responsibility for Third Parties (Code Provision 1.1.2) | 55 |
|---------------------------------------------------------------|----|

GENERAL CONDITIONS

| | |
|-------------------------|---------|
| Qualified Persons | 56 |
| Personal Licences | 57 - 58 |

KEY EVENTS

| | |
|-------------------------------------------------|---------|
| Operator Status | 59 |
| Relevant Persons and Positions | 59 - 60 |
| Financial Events | 60 |
| Legal or regulatory proceedings or reports..... | 60 - 61 |

| | |
|--------------------------------------------------------------------|---------|
| Gambling Facilities | 61 - 62 |
| Other Reportable Events | 62 |
| GENERAL & REGULATORY RETURNS | 62 |
| PROTECTION OF CUSTOMER FUNDS | |
| Disclosure to Customers | 63 |
| PAYMENT | |
| Cash and Cash Equivalents, Payment Methods and Services | 63 |
| Provision of Credit by Licensees and the use of Credit Cards | 63 |
| REPORTING SUSPICION OF OFFENCES | 64 |
| RESPONSIBLE PLACEMENT OF DIGITAL ADVERTS | 64 |
| APPENDIX A | |
| Gaming General Terms and Conditions (Customer Notice) | 65 |
| APPENDIX B | |
| Guide to the bacta Self-Exclusion Services Scheme | 66 - 70 |
| APPENDIX C | |
| System Checklist ,..... | 71 – 72 |
| OPERATOR NOTES | 73 |

GAMBLING ACT 2005

Licence Conditions and Codes of Practice

ACCESS TO GAMBLING BY CHILDREN AND YOUNG PERSONS

It is illegal for any person who is under 18 years of age to be permitted entry to an Adult Gaming Centre or Adult Gaming Area.

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedures

- Our policies and procedures with regard to age restriction take into account the structure and layout of our gambling premises so as to prevent access to gambling by children and young persons, and that our facilities do not appeal to children and young persons.
- Clear and prominent signage is placed at the entrance(s) to our Adult Gaming Centre(s) and adult area(s) stating that it is illegal for persons under the age of 18 years to enter and for the Company to permit entry.
- It is a matter of gross misconduct if a member of staff knowingly allows entry by any person who is under the age of 18 years to our Adult Gaming Centre(s) or Adult Gaming Area(s).
- Any person known to be under 18 years of age is refused entry.
- Any person who appears to be under 18 years of age, and has not previously provided satisfactory proof to the contrary, is asked to provide appropriate identification when it comes to the attention of staff and before an attempt to gamble. *Members of staff are trained to 'think 21' as a minimum.*
- If the person admits to being under the age of 18, they are refused entry.
- Should they claim to be 18 or over and there is still doubt, satisfactory proof of age is requested and has to be provided before entry is allowed. *Incidents involving suspected forged documents will be recorded and reported.*
- Proof of age documents must contain a photograph from which the individual can be identified; state the individual's date of birth; be valid, and legible. It should bear no visible signs of tampering or reproduction. *Acceptable forms of identification include those that carry the PASS logo (e.g. Citizencard); a driving licence (including a provisional licence) with photograph, a passport and military identification cards.*
- Where there is still doubt and the person cannot produce proof of age, they are advised that they will not be permitted to enter until such time as they provide such proof.
- They will be shown, have explained to them, and be given a 'proof of age card' application form or offered an explanation on how to apply for a card.
- Should the person then refuse to leave, they are advised that the age restriction is a legal requirement.
- If they still will not leave, the Duty Manager is immediately contacted to take over the situation.
- Any attempts by under-18s to enter the premises or designated adult area(s) and gamble are brought to the attention of the Duty Manager immediately and recorded as an entry on a log retained on the premises for this purpose. *Details of entry to include date, time, identity of the individual if known - or detailed description if unknown – member of staff dealing, action taken, the outcome and measures put in place to prevent a re-occurrence. Log to be countersigned by the Duty Manager.*
- Service is refused in all circumstances where any adult is accompanied by a child or young person.
- All gaming machines, other than category 'D' machines, are inscribed with a notice prohibiting play by persons under the age of 18 years.
- Stakes are returned to under-18s where they have been identified as gambling in AGCs or adult-only areas, and are not permitted to retain any monetary prize.
- Members of staff are trained as part of their induction process in the understanding of, and the strict adherence to this policy and accompanying log, and required to sign to this effect retaining a copy for their future reference; the original being retained on the employee's personnel file. Staff training policy covers all relevant prohibitions against inviting children or young persons to gamble or to enter gambling premises, and refresher training is carried out at appropriate intervals.

Company:

Registered Address:

Date:

GAMBLING ACT 2005
Licence Conditions and Codes of Practice

ACCESS TO GAMBLING BY CHILDREN AND YOUNG PERSONS

AGE VERIFICATION TESTING

Companies in Operating Licence fee category C or higher, whereby they are permitted to operate sixteen (16) or more AGCs, or sixteen (16) or more licenced FEC premises.

- It is a requirement to conduct ongoing age verification testing or take part in collective age verification testing programs so as to provide reasonable assurance that policies and procedures to prevent underage gambling are effective.
- It is a further requirement that the results of age verification tests carried out by the Company are provided to the Gambling Commission.

Companies in Operating Licence fee category A & B, whereby they are only permitted to operate up to fifteen (15) AGCs, or up to fifteen (15) licenced FECs.

- It is a requirement that Licensees should consider how they monitor the effectiveness of their policies and procedures for preventing underage gambling, for example through collective test purchasing programs, and be able to explain their approach.

It is a condition of bacta membership that age verification tests are carried out by all AGC licensees, and that the results of testing are shared with the Commission.

Bacta's protocol for age verification testing is accredited by a Unitary Authority (Reading Borough Council).

GAMBLING ACT 2005

Licence Conditions and Codes of Practice

ACCESS TO PREMISES BY THE GAMBLING COMMISSION'S ENFORCEMENT OFFICERS

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedures:

The Company acknowledges its obligation to ensure that staff openly co-operate with the Gambling Commission in the proper performance of their compliance functions and that they are made aware of those officers' rights of entry to premises contained under Part 15 (S.303 to S.326) of the Gambling Act 2005 (refer to page 2 of this document) and that:

- The Company must provide the Gambling Commission with any information that the Commission would reasonably need to be aware of in exercising its regulatory functions or suspect may relate to the commission of an offence under the Act, including an offence resulting from a breach of a licence condition or a code of practice provision having the effect of a licence condition. Changes in key circumstances must be reported within five days of their occurrence in accordance with the terms set out in the Operating Licence.
- The Company must provide the Gambling Commission with such information as the Commission may require from time to time about the use of facilities provided such as:
 - (i) the numbers of people making use of the facilities and the frequency of such use;
 - (ii) the range of gambling activities provided by the licensee and the number of staff employed in connection with them; and
 - (iii) the licensee's policies in relation to, and experience of, problem gambling.
- The Company must submit a Regulatory Return to the Gambling Commission containing such information as the Commission may require from time to time, and provide evidence that the terms on which gambling is offered are not unfair under the Unfair Terms in Consumer Contracts Regulations 1999 and, where applicable, meet the reasonableness test under the Unfair Contract Terms Act 1977.
- The Appointed Manager will be informed immediately a Gambling Commission Enforcement Officer properly identifies himself on the premises, and will attend to the Officer without undue delay. Staff will co-operate at all times with the Commission's Enforcement Officers.
- Members of staff are trained as part of their induction process in the understanding of, and the strict adherence to this policy, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

Company:

Registered Address:

Date:

GAMBLING ACT 2005

PART 15

Members of staff are to co-operate at all times with the Commission's enforcement officers in the proper performance of their compliance functions.

The officers' rights of entry to premises are contained in Part 15 of the Act which deals with inspection (Sections 303 to 326). A constable, enforcement officer or authorised person under the Act may enter premises for the purpose of assessing compliance or assessing whether an offence is being committed. A constable or enforcement officer can enter a premises if he reasonably suspects that an offence may be being committed or is about to be committed (Section 306). Entry may also be for the purpose of discovering whether facilities for gambling are being provided, to determine whether an operating licence or premises licence is held and to determine whether facilities are being provided in accordance with terms and conditions of an operating licence (Section 307).

Entry may also be made to assess the likely effects of activity when application has been made for a premises licence. A constable or enforcement officer may require the holder of an operating licence to produce, within a specified period, a copy of the authorisation (Section 316). Failure to comply without reasonable excuse to a request to produce a copy of the authorisation may result in an offence and be liable on summary conviction to a fine not exceeding level 2. Section 317 sets out powers of the constable, enforcement office or authorised person and include inspection of any part of the premises or any machine on anything on the premises, questioning any person, access to written or electronic records, remove or retain evidence of committing an offence or beach of terms and conditions. Section 20 provides that the power of inspection must be exercised only at a reasonable time. The enforcement officer or authorised person must provide evidence of his identify and authority (Section 321). Section 323 provides that a constable, enforcement officer or authorised person may use reasonable force to enter a premises. Section 326 provides that it is an offence to obstruct a constable, enforcement officer or authorised person in carrying out their duties.

GAMBLING ACT 2005
Licence Conditions and Codes of Practice
ADVERTISING STANDARDS AND MARKETING

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedure

All advertising and marketing by the Company complies with standards set by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP). We ensure that our marketing communications, advertisements, and invitations to purchase (within the meaning of the Consumer Protection from Unfair Trading Regulations 2008), including 'free bet' offers, do not amount to or involve misleading actions or misleading omissions within the meaning of those regulations.

We adopt the general principles that our advertising is:

- legal, decent, honest and truthful;
- prepared with a sense of responsibility to consumers and to society;
- respectful to the principles of fair competition generally accepted in business; and
- not intended to bring advertising into disrepute.

Specifically, we ensure that:

- advertising contains nothing that is likely to lead people to adopt styles of gambling that are unwise;
- advertisements and promotions are socially responsible and do not encourage excessive gambling;
- care is taken not to exploit the young, the immature or those who are mentally or socially vulnerable;
- advertising is not directed at people under the age of 18 years through the selection of media, style of presentation, content or context in which they appear. No medium is used to advertise gambling if more than 20% of its audience is under 18 years old;
- persons shown gambling are not, nor do they appear to be, under 25 years of age;
- there is honesty at all times with regard to the chances of winning, the likelihood of a big win, and the odds or payout ratio that applies to the gambling on offer;
- advertising and promotional material carries a reference for the need to keep gambling under control;
- it is never suggested or implied that gambling is a means of getting out of financial difficulty.
- Advertising and marketing material should not appear on any primary web page/screen or micro-site that provides advice or information on responsible gambling

Marketing and Promotion

Any incentive or reward scheme or other arrangement under which the customer may receive money, goods, services or other advantage (including the discharge in whole or in part of any liability (the benefit)) the scheme is designed to operate, and be operated, in such a way that neither the receipt nor the value or amount of the benefit is:

- (a) dependent on or calculated by reference to the length of time for or the frequency with which the customer gambles or has at any time gambled; or
- (b) dependent on the customer gambling for a pre-determined length of time or with a pre-determined frequency.

If the value of the benefit increases with the amount the customer spends it does so at a rate no greater than that at which the amount spent increases. Incentives and rewards are proportional to the type and level of the customer's gambling.

Members of staff, as appropriate, are trained as part of their induction process in the understanding of, and the strict adherence to this policy, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

Company:

Registered Address:

Date:

GAMBLING ACT 2005

Licence Conditions and Codes of Practice

CUSTOMER INTERACTION IN RELATION TO IDENTIFYING CUSTOMERS WHO MAY BE SUSCEPTIBLE TO GAMBLING HARM

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedures

The Company makes use of all relevant sources of information to ensure effective customer interaction and decision making in relation to identifying possible gambling disorders; equally to identify at-risk customers who may not be displaying obvious signs of problem gambling, and in respect of customers designated 'high value' or 'VIP'. We work together with other operators to share experience and deliverance of good practice through bacto.

If members of staff have concerns that a customer's behaviour may be related to having problems with gambling, the Duty Manager is to be informed at the earliest available opportunity. Indicative behaviour may include signs of distress, agitation, aggression, intense mood swings, hysteria, remorse and perhaps even damage to property and violence or the threat of violence to staff or other customers.

Notwithstanding any initial urgent action taken to deal with the customer's behaviour, the Duty Manager is required thereafter to observe the individual and make a judgement as to whether it is appropriate to suggest to the customer that they might want to be provided with information regarding where they can seek professional advice about the nature of their gambling activity or have the process of self-exclusion explained for consideration.

If the customer refuses such information and continues to behave in a manner which could reasonably be considered to be disruptive or puts the staff or other customers in potential danger, the Duty Manager will implement the Company's procedures for dealing with antisocial situations.

The Duty Manager may give consideration to refusing service or barring the customer from the premises and, in extreme situations, contacting police for assistance. *Whenever police are called to the premises for assistance in handling any incident, a log entry will be made whether police attend or not.*

Notwithstanding any other action that may have to be taken immediately to prevent an incident from worsening, the Duty Manager will log all such reports which may result in future customer interaction or where it has been ruled out where otherwise it would have taken place. The interaction is conducted between the appointed manager and the customer in a confidential and meaningful manner.

Members of staff are aware of the appointed Manager who is specifically designated to deal with requests for self-exclusion, and are aware of where customers can be directed for confidential advice should they be directly approached for assistance.

This policy and procedure is consistent with, and implemented with due regard to the Company's duty in respect of the health and safety of members of staff.

Members of staff are trained as part of their induction process in the understanding of, and the strict adherence to this policy and accompanying log, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

Company:

Registered Address:

Date:

GAMBLING ACT 2005

Licence Conditions and Codes of Practice

EMPLOYMENT OF CHILDREN AND YOUNG PERSONS

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedures

It is an offence for children (under-16s) and young persons (those aged 16 and 17) to be engaged, or permitted to be engaged in:

- Providing facilities for gambling.
- Performing any function (including cleaning) in connection with a gaming machine at any time.
- Carrying out any other function on Adult Gaming Centre licensed premises, whether directly employed or not, whilst any gambling activity is being carried on in reliance on the premises licence.

All relevant staff, including children and young persons, employed by this Company have been trained about the laws relating to access to gambling by children and young persons.

It is strict Company policy that:

- Children and young persons are not employed to carry out any work in an adult-only area of family entertainment licensed premises at a time when any gambling is taking place.
- Gaming machines sited in Adult Gaming Centres or adult gaming areas are turned off if children and/or young persons are working on the premises outside the hours when the premises are open for business.
- Due diligence is given to verifying the age of all new members of staff where there is reason to doubt authenticity of birth dates supplied.
- The movement of children and young persons employed on the premises are carefully monitored and supervised so as to ensure compliance.

Members of staff are trained as part of their induction process in the understanding of, and the strict adherence to this policy, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

Company:

Registered Address:

Date

GAMBLING ACT 2005

Licence Conditions and Codes of Practice

FAIR AND OPEN PRACTICE ~ COMPLAINT AND DISPUTE RESOLUTION

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Complaints Procedure

The Company is committed to providing a high quality, accessible and responsive service to customers and the local community. However, dissatisfied customers may communicate a complaint to us either verbally or in writing. All complaints are taken seriously, investigated thoroughly and handled in a confidential manner. If the complaint cannot be resolved to the satisfaction of both parties on site, a copy of our written procedure for dealing with complaints, together with a complaint form, is supplied to the complainant at the earliest opportunity together with the name and status of the Company representative delegated to deal with the complaint.

Complainants should provide us with a comprehensive description and nature of the complaint; whether it is an original complaint, or where the outcome of a previous complaint was found unacceptable, and their name and postal address including a contact telephone number.

A 'complaint' means a complaint about any aspect of the Company's conduct of the licensed activities, and a 'dispute' is any complaint which:

- (a) is not resolved at the first stage of the complaints procedure; and
- (b) relates to the outcome of the complainant's gambling transaction.

In the first instance, the Company will endeavour to resolve the complaint to the satisfaction of both parties within fifteen working days. Should this not be possible we will explain why and provide a date by which the complainant can expect a full response.

In the event of a complaint relating to the outcome of a customer's gambling is unable to be satisfactorily resolved between the Company and the complainant, the complainant will be given contact details of an Alternative Dispute Resolution (ADR) entity.

- Complainants also have the means and opportunity of submitting their own version of events.
- The dispute is investigated in full by the ADR entity.
- Both parties are notified in writing of the review outcome with suggestions of a resolution if appropriate.
- This procedure may, but need not, provide for the ADR entity's resolution of the dispute to be binding on both parties.

The Company is obliged to keep a record of all complaints and disputes, other than those considered to be trivial, including all disputes referred to the ADR entity that are not resolved at the initial stages of the complaints procedure. There is a requirement to submit reports of the outcome of disputes referred to the ADR entity to the Gambling Commission at intervals determined by the Commission either by the ADR entity or by the Company.

The Company is satisfied that the terms on which gambling is offered are not unfair within the meaning of the Consumer Rights Acts 2015 and is compliant with those terms.

An accurate summary of the contractual terms on which gambling is offered is available to customers who are notified of material changes to terms before they come into effect.

Company:

Registered Address:

Date:

GAMBLING ACT 2005

Licence Conditions and Codes of Practice

INFORMATION ON HOW TO GAMBLE RESPONSIBLY AND HELP FOR GAMBLERS WITH PROBLEMS

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Stay in control advice

Without breaching the principle that customers are responsible for their own gambling, the nature of the activity suggests that they should be reminded of the need to exercise caution. Accordingly, signage in the form of an appropriate number of posters or other appropriate means is displayed on our premises:

- Giving clear guidance that in order to keep gambling a fun social activity the customer needs to 'stay in control'.
- Drawing attention to further information, such as leaflets that are available on the premises.
- Indicating sources of help such as the National Gambling Helpline operated by GamCare.
- Large enough and written in language so as to be easily seen and understood.
- Prominently displayed.
- Maintained in a clean and tidy condition, preferably within a glass fronted frame.

Advertising sources of help

At the core of exercising a duty of care is the principle of assisting customers who may wish to express concern about their gambling. This tenet is drawn to the attention of customers on our premises in the following ways:

- The prominent display of 'Responsible Gambling' or 'Stay in Control' information.
- There are holders or racks containing leaflets in appropriate places that emphasise the need to keep gambling under control and where to seek help should anyone be concerned about their own or a family member's gambling. These leaflets are available to be taken away from the premises without the necessity of having to ask for them.
- The leaflets are available at all times for customers to take discreetly without having to ask a member of staff, and are located in the gambling area either near to exit doors, ATMs or toilets. We endeavour to maintain an effective stock control system to ensure that such leaflets are always available to supply. Signposting Information may also be made available through the use of links for online or smart technology.
- Details of GamCare, giving the National Helpline telephone number is inscribed on all appropriate categories of gaming machines.

Protecting those who seek assistance

Responding to someone who admits to having a problem with their gambling is a delicate matter that has to be timely and needs to be approached sensitively. It is our policy that:

- rules and procedures relating to a policy of responding to problem gamblers are clearly formulated and incorporated into our day-to-day operation;
- at least one member of staff who has been trained to deal with situations that might require a response is on duty at any one time, or available without undue delay;
- a positive response including communicating sources of help and the possibility of self-exclusion is offered to any customer who admits to having lost control of their gambling;
- the facility of a self-exclusion policy for customers who wish to voluntarily self-exclude themselves from these premises, and other premises offering the same style of gambling in the locality, that stipulates a minimum exclusion period of six months - with a further 24-hour 'cooling off' period thereafter;
- we draw to the attention of relatives who express concern about a family member's gambling the options available to that person should they wish to address the extent of their gambling;
- members of staff do not collude with customers when asked to lie on their behalf, and
- where services are marketed in one or more foreign languages, we make available information on how to gamble responsibly, access to help, guides to the playing of any game, and a summary of the contractual terms on which gambling is offered in that, or those, foreign languages.

Company:

Registered Address:

Date:

GAMBLING ACT 2005
Licence Conditions and Codes of Practice
MONEY LAUNDERING, CASH HANDLING AND SUSPICIOUS TRANSACTIONS

Introduction

As part of its procedures for compliance with the requirements in respect of the prevention and detection of money laundering in the Proceeds of Crime Act 2002 and the Terrorism Act 2000, the Company takes into account the Commission's advice on the Proceeds of Crime Act 2002, *Duties and responsibilities under the proceeds of Crime Act 2002 – Advice for operators (excluding Casino operators)*.

Money Laundering Definition

Money laundering is a process by which the proceeds of crime are converted into assets which appear to have a legitimate origin, so that they can be retained permanently or recycled into further criminal enterprises. This definition of money laundering means that potentially any employee could contravene the Regulations if they were to become aware of or suspect the existence of criminal property and continue to be involved in a matter which relates to that property without reporting their concerns.

Policy

- The Company is committed to ensuring that all necessary safeguards are in place with regard to the receipt of money in order to avoid it being used to launder money that may originate from the proceeds of crime.
- The Company has appointed a Designated Money Laundering Officer (MLO)
- All relevant staff are trained on the requirements of the Regulations and told of the need to report any suspicious cash transactions to the MLO for the purpose of informing the relevant authorities.

Disclosure Procedure

- Where it is suspected by a member of staff that money laundering activity is taking/has taken place, a disclosure must be made to the MLO as soon as possible. Because of the importance attached to the process, notification should normally take place immediately by telephone or, where that is not possible, by any other expedient means.
- No discussion will take place with colleagues as confidentiality is paramount.
- The MLO will determine whether or not to submit - online or otherwise - a suspicious activity report (SAR) to the National Crime Agency (NCA) and will maintain records of all notifications received detailing the method of verification used to identify the suspected person.

Cash Handling

Operating policies and procedures are in place with regard to accounting practices and record keeping in respect of:

- (i) Monetary stakes introduced to machines (gross takings),
- (ii) Money introduced to re-float machines
- (iii) Token transactions
- (iv) Customer refunds due to machine malfunctions.
- (v) Money removed from machines (net takings)

Members of staff, where appropriate, are trained as part of their induction process in the understanding of, and the strict adherence to this policy, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

Company:

Registered Address:

Date:

Anti-Money Laundering

Prevention of money laundering and terrorist financing

Licence Condition 12.1.1

1. Licensees must conduct an assessment of the risks of their business being used for money laundering and terrorist financing. Such risk assessment must be appropriate and must be reviewed as necessary in the light of any changes of circumstances, including the introduction of new products or technology, new methods of payment by customers, changes in the customer demographic or any other material changes, and in any event reviewed at least annually.
2. Following completion of and having regard to the risk assessment, and any review of the assessment, licensees must ensure they have appropriate policies, procedures and controls to prevent money laundering and terrorist financing.
3. Licensees must ensure that such policies, procedures and controls are implemented effectively, kept under review, revised appropriately to ensure that they remain effective, and take into account any applicable learning or guidelines published by the Gambling Commission from time to time.

As part of their procedures for compliance with the requirements in respect of the prevention and detection of money laundering in the Proceeds of Crime Act 2002 and the Terrorism Act 2000, licensees should take into account the Commission's advice on the Proceeds of Crime Act 2002, *Duties and responsibilities under the Proceeds of Crime Act 2002 - Advice for operators (excluding casino operators)*.

HM Treasury has decided to exempt all gambling sectors from the EU 4th Anti-Money Laundering Directive with the exception of non-remote and remote casinos.

This means that only remote and non-remote casinos will have to comply with the new Money Laundering Regulations which will be introduced in June 2017.

GAMBLING ACT 2005
Licence Conditions and Codes of Practice

SELF-EXCLUSION

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedures

Whilst most customers are able to enjoy and control their gambling, this Company recognises its duty of care to those who cannot. Accordingly, we provide a self-exclusion process for those customers who seek to prevent their own access to our premises and others in the locality offering a similar style of gambling as defined by the premises licence.

- When a customer has requested that they be refused entry to our premises, the customer and the appointed manager will formally acknowledge and document the request on a self-exclusion request form, or directly on the web-based AGC national self-exclusion scheme. This will be preceded by a meaningful discussion about the terms and conditions applicable to the scheme and will include other options available to assist a person having a gambling disorder, including being signposted to counselling and support services. A copy of the terms and conditions will be signed by the excluder as acknowledgement of understanding and consent. Customers are given the opportunity of discussing self-exclusion in private where possible.
- Photo identification and signature of the excluder is required for self-exclusion agreements except where an alternative means of identification is at least as effective. Photographs, preferably of the passport style, should be full-faced and a good likeness both initially and throughout the duration of the self-exclusion agreement.
- The Duty Manager will offer the exclusion for a minimum duration of not less than six months, nor more than twelve months; the customer thereafter may request to extend the length of the self-exclusion for one or more further periods of at least six months, reliant on the Company's ability to manage longer agreements. The Company will not allow the excluder admittance to the premises during the term of the self-exclusion agreement, and will have in place procedures for preventing self-excluded individuals from gambling during the period of the self-exclusion agreement including taking into account the internal structure and layout of the premises.
- It is made clear to the customer that they may not revoke the self-exclusion during the agreed period and that if found either in the gambling area or attempting to gamble they will be asked to leave. Members of staff are trained to be alert to self-excluded individuals attempting to breach agreements and instances of them getting another person to gamble on their behalf. It is a requirement that staff regularly pay heed to self-exclusion agreement records that are currently active (particularly photographs) in order to stay alert to the identity of those excluded in the locality of the premises.
- Self-excluders have the opportunity of also excluding from other premises owned by the Company without necessarily having to enter areas licenced for gambling. Where the self-exclusion agreement is extended to other Company's premises we will consider any specific requests made by a customer in setting the bounds of the exclusion area.
- The Company will offer customers with whom they enter into a self-exclusion agreement in respect of facilities for any kind of gambling we offer, the ability to exclude from facilities for the same kind of gambling offered in our locality by any other holder of an operating licence to whom this provision applies, by participating in one or more available multi-operator self-exclusion schemes. In addition, the Company is participating in the possible development of a multi-operator self-exclusion scheme that will apply to all styles of gambling.
- A self-exclusion log is maintained on the premises for recording detail of those currently excluded in addition to records stored digitally.

- Those self-excluded will be removed from any marketing databases held by this Company within two days of receiving the completed self-exclusion form, but we will take all reasonable steps to prevent details being knowingly sent as soon as practicable.
- At the end of the self-exclusion period, the exclusion will remain in place for a further six months, unless the customer takes positive action in order to gamble again.
- At the end of the exclusion period, the Duty Manager and customer will, together, review the terms of agreement either by telephone or in person. The review process is recorded on a self-exclusion review form.
- Where a customer chooses not to extend the self-exclusion and makes a positive request to begin gambling again, the customer is offered a 24-hour 'cooling off' period before being allowed access to the gambling facilities.
- Customers are given the opportunity to discuss self-exclusion in private where possible.
- The Company retains self-exclusion records for the length of the agreement plus a further 6 months.
- Members of staff are trained both on induction and refresher sessions thereafter in the understanding of, and the strict adherence to this policy and accompanying log, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

Company:

Registered Address:

Date:

Company: **Site Address:** **GAMBLING ACT 2005** / **Site Ref:** **Serial No.** /

Licence Conditions and Codes of Practice

Attempts by Children and Young Persons to enter an Adult Gaming Centre or Adult Gaming Area to Gamble

Note: This log is used where it is established that a person, known to be under the age of 18 years, enters an adult gaming centre or adult gaming area, and attempts to gamble therein. Instances where proof of age has been sought by staff, and verified as being over 18 years, may be recorded for other purposes on a 'customer refusal register'.

| Date | Time | Circumstances including at what stage the young person was asked for identification | Identity or Description | Action, outcome & preventative measures adopted | Member of Staff requesting identification | Duty Manager Informed (signature) |
|------|------|-------------------------------------------------------------------------------------|-------------------------|-------------------------------------------------|-------------------------------------------|-----------------------------------|
| | | | | | | |
| | | | | | | |
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| | | | | | | |

TO BE RETAINED ON THE PREMISES To be used in conjunction with the Company's policy and procedure concerning 'Access to Gambling by Children & Young Persons'.

Company:

Site Address:

Site Ref:

Serial No. /

GAMBLING ACT 2005

Licence Conditions and Codes of Practice

Customer Interaction in Relation to Identifying Customers who may have a Gambling Disorder or the Potential of Developing Difficulty with their Gambling

To be completed in circumstances when a customer has either requested information on who to contact for help with a gambling disorder, or where a member of staff considers it appropriate to interact with a customer who is showing signs of distress associated with their gambling, or where it is suspected that a customer's gambling style is no longer under control. It should also be recorded where interaction has been subsequently ruled out, where otherwise it would have taken place.

An entry should also be made where an approach has been made by a relative or friend of a customer considered by them to be experiencing difficulties with their gambling.

| Date | Time | Circumstances including signs of distress or where it is suspected that a customer's gambling is no longer in control. | Identity or Description of Customer | Limited Exposure Offered (Y/N) | Referred to GamCare (Y/N) | Self-Exclusion Explained (Y/N) | Notes of outcome including where interaction has been ruled out. | Duty Manager Informed (signature) |
|------|------|------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------------|---------------------------|--------------------------------|------------------------------------------------------------------|-----------------------------------|
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

TO BE RETAINED ON THE PREMISES

To be used in conjunction with the Company's policy and procedure concerning 'Customer Interaction'.

Company:

Site Address:

Site Ref:

Serial No.

/

GAMBLING ACT 2005

Licence Conditions and Codes of Practice

Incidents Requiring Police Assistance

| Ref | Date | Time | Nature of Incident | Time Police Called | Time Police Arrived | Outcome | Duty Manager |
|-----|------|------|--------------------|--------------------|---------------------|---------|--------------|
| 1 | | | | | | | |
| 2 | | | | | | | |
| 3 | | | | | | | |
| 4 | | | | | | | |
| 5 | | | | | | | |
| 6 | | | | | | | |
| 7 | | | | | | | |
| 8 | | | | | | | |

TO BE RETAINED ON THE PREMISES

To be used when police are called to the premises to assist the licensee whether they attend or not.

Company: Site Address: Site Ref: Serial No. /

GAMBLING ACT 2005

Licence Conditions and Codes of Practice

SELF-EXCLUSION LOG FOR RECORDING DETAIL IF NO IMMEDIATE ACCESS TO THE BACTA WEB-BASED SCHEME

| Ref | Name | Start Date | Attempts to Enter Date(s) | Attempts to Gamble Date(s) | Preventative Measures Deployed | End Date | 'Cooling off' (Y/N) | Resumed Gambling Y/N |
|-----|------|------------|---------------------------|----------------------------|--------------------------------|----------|---------------------|----------------------|
| 1 | | | | | | | | |
| 2 | | | | | | | | |
| 3 | | | | | | | | |
| 4 | | | | | | | | |
| 5 | | | | | | | | |
| 6 | | | | | | | | |
| 7 | | | | | | | | |
| 8 | | | | | | | | |
| 9 | | | | | | | | |
| 10 | | | | | | | | |
| 11 | | | | | | | | |
| 12 | | | | | | | | |
| 13 | | | | | | | | |
| 14 | | | | | | | | |
| 15 | | | | | | | | |
| 16 | | | | | | | | |
| 17 | | | | | | | | |
| 18 | | | | | | | | |

TO BE RETAINED ON THE PREMISES

To be used in conjunction with the Company's policy and procedure concerning 'Self-Exclusion'.

Company: Site Address: Site Ref: Serial No. /

ACCESS TO GAMBLING BY CHILDREN AND YOUNG PERSONS

It is illegal for any person who is under 18 years of age to be permitted entry to an Adult Gaming Centre or Adult Gaming Area.

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedures

- Our policies and procedures with regard to age restriction take into account the structure and layout of our gambling premises so as to prevent access to gambling by children and young persons, and that our facilities do not appeal to children and young persons.
- Clear and prominent signage is placed at the entrance(s) to our Adult Gaming Centre(s) and adult area(s) stating that it is illegal for persons under the age of 18 years to enter and for the Company to permit entry.
- It is a matter of gross misconduct if a member of staff knowingly allows entry by any person who is under the age of 18 years to our Adult Gaming Centre(s) or Adult Gaming Area(s).
- Any person known to be under 18 years of age is refused entry.
- Any person who appears to be under 18 years of age, and has not previously provided satisfactory proof to the contrary, is asked to provide appropriate identification when it comes to the attention of staff and before an attempt to gamble occurs. *Members of staff are trained to 'think 21' as a minimum.*
- If the person admits to being under the age of 18, they are refused entry.
- Should they claim to be 18 or over and there is still doubt, satisfactory proof of age is requested and has to be provided before entry is allowed. *Incidents involving suspected forged documents will be recorded and reported.*
- Proof of age documents must contain a photograph from which the individual can be identified; state the individual's date of birth; be valid, and legible. It should bear no visible signs of tampering or reproduction. *Acceptable forms of identification include those that carry the PASS logo (e.g. CitizenCard); a driving licence (including a provisional licence) with photograph, a passport and military identification cards.*
- Where there is still doubt and the person cannot produce proof of age, they are advised that they will not be permitted to enter until such time as they provide such proof.
- They will be shown, have explained to them, and be given a 'proof of age card' application form or offered an explanation on how to apply for a card.
- Should the person then refuse to leave, they are advised that the age restriction is a legal requirement.
- If they still will not leave, the Duty Manager is immediately contacted to take over the situation.
- Any attempts by under-18s to enter the premises or designated adult area(s) and gamble are brought to the attention of the Duty Manager immediately and recorded as an entry on a log retained on the premises for this purpose. *Details of entry to include date, time, identity of the individual if known - or detailed description if unknown – member of staff dealing, action taken, the outcome and measures put in place to prevent a re-occurrence. Log to be countersigned by the Duty Manager.*
- Service is refused in all circumstances where any adult is accompanied by a child or young person.
- All gaming machines, other than category 'D' machines, are inscribed with a notice prohibiting play by persons under the age of 18 years.
- Stakes are returned to under-18s where they have been identified as gambling in AGCs or adult-only areas, and under-18s are not allowed to retain any monetary prize.

Members of staff are trained as part of their induction process in the understanding of, and the strict adherence to this policy and accompanying log, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file. Staff training policy covers all relevant prohibitions against inviting children or young persons to gamble or to enter gambling premises, and refresher training is carried out at appropriate intervals.

I have read, understood and agree to implement the provisions of the above Company Policy and Procedures.

Signed:

Name: (please print) **Date:**

Company: **Position:**

A copy of this signed document must be given to the employee for on-going reference; the original document to be retained on the employee's personnel file for the duration of his/her employment.

GAMBLING ACT 2005

Licence Conditions and Codes of Practice

ACCESS TO PREMISES BY THE GAMBLING COMMISSION’S ENFORCEMENT OFFICERS

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedures:

The Company acknowledges its obligation to ensure that staff openly co-operate with the Gambling Commission in the proper performance of their compliance functions and that they are made aware of those officers’ rights of entry to premises contained under Part 15 (S.303 to S.326) of the Gambling Act 2005 (refer to page 2 of the Company policy document) and that:

- The Company must provide the Gambling Commission with any information that the Commission would reasonably need to be aware of in exercising its regulatory functions or suspect may relate to the commission of an offence under the Act, including an offence resulting from a breach of a licence condition or a code of practice provision having the effect of a licence condition. Changes in key circumstances must be reported within five days of their occurrence in accordance with the terms set out in the Operating Licence.
- The Company must provide the Gambling Commission with such information as the Commission may require from time to time about the use of facilities provided such as:
 - (a) the numbers of people making use of the facilities and the frequency of such use;
 - (b) the range of gambling activities provided by the licensee and the number of staff employed in connection with them; and
 - (c) the licensee’s policies in relation to, and experience of, problem gambling.
- The Company must submit a Regulatory Return to the Gambling Commission containing such information as the Commission may require from time to time, and provide evidence that the terms on which gambling is offered are not unfair under the Unfair Terms in Consumer Contracts Regulations 1999 and, where applicable, meet the reasonableness test under the Unfair Contract Terms Act 1977.
- The Appointed Manager will be informed immediately a Gambling Commission Enforcement Officer properly identifies himself on the premises, and will attend to the Officer without undue delay. Staff will co-operate at all times with the Commission’s Enforcement Officers.
- Members of staff are trained as part of their induction process in the understanding of, and the strict adherence to this policy, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee’s personnel file.

I have read, understood and agree to implement the provisions of the above Company Policy and Procedures.

Signed:

Name: (please print) **Date:**

Company: **Position:**

A copy of this signed document must be given to the employee for on-going reference; the original document to be retained on the employee’s personnel file for the duration of his/her employment.

GAMBLING ACT 2005
Licence Conditions and Codes of Practice
ADVERTISING STANDARDS AND MARKETING

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedure

All advertising and marketing by the Company complies with standards set by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP). We ensure that our marketing communications, advertisements, and invitations to purchase (within the meaning of the Consumer Protection from Unfair Trading Regulations 2008), including ‘free bet’ offers, do not amount to or involve misleading actions or misleading omissions within the meaning of those regulations.

We adopt the general principles that our advertising is:

- legal, decent, honest and truthful;
- prepared with a sense of responsibility to consumers and to society;
- respectful to the principles of fair competition generally accepted in business; and
- not intended to bring advertising into disrepute.

Specifically, we ensure that:

- advertising contains nothing that is likely to lead people to adopt styles of gambling that are unwise;
- advertisements and promotions are socially responsible and do not encourage excessive gambling;
- care is taken not to exploit the young, the immature or those who are mentally or socially vulnerable;
- advertising is not directed at people under the age of 18 years through the selection of media, style of presentation, content or context in which they appear. No medium is used to advertise gambling if more than 20% of its audience is under 18 years old;
- persons shown gambling are not, nor do they appear to be, under 25 years of age;
- there is honesty at all times with regard to the chances of winning, the likelihood of a big win, and the odds or payout ratio that applies to the gambling on offer;
- advertising and promotional material carries a reference for the need to keep gambling under control; and
- it is never suggested or implied that gambling is a means of getting out of financial difficulty.
- Advertising and marketing material should not appear on any primary web page/screen or micro-site that provides advice or information on responsible gambling

Marketing and Promotion

Any incentive or reward scheme or other arrangement under which the customer may receive money, goods, services or other advantage (including the discharge in whole or in part of any liability (the benefit)) the scheme is designed to operate, and be operated, in such a way that neither the receipt nor the value or amount of the benefit is:

- (a) dependent on or calculated by reference to the length of time for or the frequency with which the customer gambles or has at any time gambled; or
- (b) dependent on the customer gambling for a pre-determined length of time or with a pre-determined frequency.

If the value of the benefit increases with the amount the customer spends it does so at a rate no greater than that at which the amount spent increases. Incentives and rewards are proportional to the type and level of the customer’s gambling.

Members of staff, as appropriate, are trained as part of their induction process in the understanding of, and the strict adherence to this policy, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee’s personnel file.

I have read, understood and agree to implement the provisions of the above Company Policy and Procedures.

Signed:

Name: (please print) **Date:**

Company: **Position:**

A copy of this signed document must be given to the employee for on-going reference; the original document to be retained on the employee’s personnel file for the duration of his/her employment.

GAMBLING ACT 2005
Licence Conditions and Codes of Practice

CUSTOMER INTERACTION IN RELATION TO IDENTIFYING CUSTOMERS WHO MAY BE SUSCEPTIBLE TO GAMBLING HARM

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedures

The Company makes use of all relevant sources of information to ensure effective customer interaction and decision making in relation to identifying possible gambling disorders; equally to identify at-risk customers who may not be displaying obvious signs of problem gambling, and in respect of customers designated 'high value' or 'VIP'. We work together with other operators to share experience and deliverance of good practice through BACTA.

If members of staff have concerns that a customer's behaviour may be related to having problems with gambling, the Duty Manager is to be informed at the earliest available opportunity. Indicative behaviour may include signs of distress, agitation, aggression, intense mood swings, hysteria, remorse and perhaps even damage to property and violence or the threat of violence to staff or other customers.

Notwithstanding any initial urgent action taken to deal with the customer's behaviour, the Duty Manager is required thereafter to observe the individual and make a judgement as to whether it is appropriate to suggest to the customer that they might want to be provided with information regarding where they can seek professional advice about the nature of their gambling activity or have the process of self-exclusion explained for consideration.

If the customer refuses such information and continues to behave in a manner which could reasonably be considered to be disruptive or puts the staff or other customers in potential danger, the Duty Manager will implement the Company's procedures for dealing with antisocial situations.

The Duty Manager may give consideration to refusing service or barring the customer from the premises and, in extreme situations, contacting police for assistance. *Whenever police are called to the premises for assistance in handling any incident, a log entry will be made whether police attend or not.*

Notwithstanding any other action that may have to be taken immediately to prevent an incident from worsening, the Duty Manager will log all such reports which may result in future customer interaction or where it has been ruled out where otherwise it would have taken place. The interaction is conducted between the appointed manager and the customer in a confidential and meaningful manner.

Members of staff are aware of the appointed Manager who is specifically designated to deal with requests for self-exclusion, and are aware of where customers can be directed for confidential advice should they be directly approached for assistance.

This policy and procedure is consistent with, and implemented with due regard to the Company's duty in respect of the health and safety of members of staff.

Members of staff are trained as part of their induction process in the understanding of, and the strict adherence to this policy and accompanying log, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

I have read, understood and agree to implement the provisions of the above Company Policy and Procedures.

Signed:

Name: (please print) **Date:**

Company: **Position:**

A copy of this signed document must be given to the employee for on-going reference; the original document to be retained on the employee's personnel file for the duration of his/her employment.

EMPLOYMENT OF CHILDREN AND YOUNG PERSONS

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedures

It is an offence for children (under-16s) and young persons (those aged 16 and 17) to be engaged, or permitted to be engaged in:

- Providing facilities for gambling.
- Performing any function (including cleaning) in connection with a gaming machine at any time.
- Carrying out any other function on Adult Gaming Centre licensed premises, whether directly employed or not, whilst any gambling activity is being carried on in reliance on the premises licence.

All relevant staff, including children and young persons, employed by this Company have been trained about the laws relating to access to gambling by children and young persons.

It is strict Company policy that:

- Children and young persons are not employed to carry out any work in an adult-only area of family entertainment licensed premises at a time when any gambling is taking place.
- Gaming machines sited in Adult Gaming Centres or adult gaming areas are turned off if children and/or young persons are working on the premises outside the hours when the premises are open for business.
- Due diligence is given to verifying the age of all new members of staff where there is reason to doubt authenticity of birth dates supplied.
- The movement of children and young persons employed on the premises are carefully monitored and supervised so as to ensure compliance.

Members of staff are trained as part of their induction process in the understanding of, and the strict adherence to this policy, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

I have read, understood and agree to implement the provisions of the above Company Policy and Procedures.

Signed:

Name: (please print) Date:

Company: Position:

A copy of this signed document must be given to the employee for on-going reference; the original document to be retained on the employee's personnel file for the duration of his/her employment.

GAMBLING ACT 2005

Licence Conditions and Codes of Practice

FAIR AND OPEN PRACTICE ~ COMPLAINT AND DISPUTE RESOLUTION

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Complaints Procedure

The Company is committed to providing a high quality, accessible and responsive service to customers and the local community. However, dissatisfied customers may communicate a complaint to us either verbally or in writing. All complaints are taken seriously, investigated thoroughly and handled in a confidential manner. If the complaint cannot be resolved to the satisfaction of both parties on site, a copy of our written procedure for dealing with complaints, together with a complaint form is supplied to the complainant at the earliest opportunity together with the name and status of the Company representative delegated to deal with the complaint.

Complainants should provide us with a comprehensive description and nature of the complaint; whether it is an original complaint, or where the outcome of a previous complaint was found unacceptable, and their name and postal address including a contact telephone number.

A 'complaint' means a complaint about any aspect of the Company's conduct of the licensed activities, and a 'dispute' is any complaint which:

- is not resolved at the first stage of the complaints procedure; and
- relates to the outcome of the complainant's gambling transaction.

In the first instance, the Company will endeavour to resolve the complaint to the satisfaction of both parties within fifteen working days. Should this not be possible we will explain why and provide a date by which the complainant can expect a full response.

In the event of a complaint relating to the outcome of a customer's gambling is unable to be satisfactorily resolved between the Company and the complainant, the complainant will be given contact details of an Alternative Dispute Resolution (ADR) entity.

- Complainants have the means and opportunity of submitting their own version of events.
- The dispute is reviewed in full by the ADR entity.
- Both parties are notified in writing of the review outcome with suggestions of a resolution if appropriate.
- This procedure may, but need not, provide for the ADR entity's resolution of the dispute to be binding on both parties.

The Company is obliged to keep a record of all complaints and disputes, other than those considered to be trivial, including all disputes referred to the ADR entity that are not resolved at the initial stages of the complaints procedure. There is a requirement to submit reports of the outcome of disputes referred to the ADR entity to the Gambling Commission at intervals determined by the Commission either by the ADR entity or by the Company.

The Company is satisfied that the terms on which gambling is offered are not unfair within the meaning of the Consumer Rights Act 2015 and is compliant with those terms

An accurate summary of the contractual terms on which gambling is offered is available to customers who are notified of material changes to terms before they come into effect.

I have read, understood and agree to implement the provisions of the above Company Policy and Procedures.

Signed:

Name: (please print) **Date:**

Company: **Position:**

A copy of this signed document must be given to the employee for on-going reference; the original document to be retained on the employee's personnel file for the duration of his/her employment.

GAMBLING ACT 2005

Licence Conditions and Codes of Practice

INFORMATION ON HOW TO GAMBLE RESPONSIBLY AND HELP FOR GAMBLERS WITH PROBLEMS

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Stay in control advice

Without breaching the principle that customers are responsible for their own gambling, the nature of the activity suggests that they should be reminded of the need to exercise caution. Accordingly, signage in the form of an appropriate number of posters or other appropriate means is displayed on our premises:

- Giving clear guidance that in order to keep gambling a fun social activity the customer needs to ‘stay in control’.
- Drawing attention to further information, such as leaflets that are available on the premises.
- Indicating sources of help such as the National Gambling Helpline operated by GamCare.
- Large enough and written in language so as to be easily seen and understood.
- Prominently displayed.
- Maintained in a clean and tidy condition, preferably within a glass fronted frame.

Advertising sources of help

At the core of exercising a duty of care is the principle of assisting customers who may wish to express concern about their gambling. This tenet is drawn to the attention of customers on our premises in the following ways:

- The prominent display of ‘Responsible Gambling’ or ‘Stay in Control’ information.
- There are holders or racks containing leaflets in appropriate places that emphasise the need to keep gambling under control and where to seek help should anyone be concerned about their own or a family member’s gambling. These leaflets are available to be taken away from the premises without the necessity of having to ask for them.
- The leaflets are available at all times for customers to take discreetly without having to ask a member of staff, and are located in the gambling area either near to exit doors, ATMs or toilets. We endeavour to maintain an effective stock control system to ensure that such leaflets are always available to supply. Signposting Information may also be made available through the use of links for online or smart technology.
- Details of GamCare, giving the National Helpline telephone number is inscribed on all appropriate categories of gaming machines.

Protecting those who seek assistance

Responding to someone who admits to having a problem with their gambling is a delicate matter that has to be timely and needs to be approached sensitively. It is our policy that:

- rules and procedures relating to a policy of responding to problem gamblers are clearly formulated and incorporated into our day-to-day operation;
- at least one member of staff who has been trained to deal with situations that might require a response is on duty at any one time, or available without undue delay;
- a positive response including communicating sources of help and the possibility of self-exclusion is offered to any customer who admits to having lost control of their gambling;
- the facility of a self-exclusion policy for customers who wish to voluntarily self-exclude themselves from these premises, and other premises offering the same style of gambling in the locality, that stipulates a minimum exclusion period of six months - with a further 24-hour ‘cooling off’ period thereafter;
- we draw to the attention of relatives who express concern about a family member’s gambling the options available to that person should they wish to address the extent of their gambling;
- members of staff do not collude with customers when asked to lie on their behalf, and
- where services are marketed in one or more foreign languages, we make available information on how to gamble responsibly, access to help, guides to the playing of any game, and a summary of the contractual terms on which gambling is offered in that, or those, foreign languages.

I have read, understood and agree to implement the provisions of the above Company Policy and Procedures.

Signed:

Name: (please print) Date:

Company: Position:

A copy of this signed document must be given to the employee for on-going reference; the original document to be retained on the employee’s personnel file for the duration of his/her employment.

GAMBLING ACT 2005
Licence Conditions and Codes of Practice
MONEY LAUNDERING, CASH HANDLING AND SUSPICIOUS TRANSACTIONS

Introduction

As part of its procedures for compliance with the requirements in respect of the prevention and detection of money laundering in the Proceeds of Crime Act 2002 and the Terrorism Act 2000, the Company takes into account the Commission’s advice on the Proceeds of Crime Act 2002, *Duties and responsibilities under the proceeds of Crime Act 2002 – Advice for operators (excluding Casino operators)*.

Money Laundering Definition

Money laundering is a process by which the proceeds of crime are converted into assets which appear to have a legitimate origin, so that they can be retained permanently or recycled into further criminal enterprises. This definition of money laundering means that potentially any employee could contravene the Regulations if they were to become aware of or suspect the existence of criminal property and continue to be involved in a matter which relates to that property without reporting their concerns.

Policy

- The Company is committed to ensuring that all necessary safeguards are in place with regard to the receipt of money in order to avoid it being used to launder money that may originate from the proceeds of crime.
- The Company has appointed a Designated Money Laundering Officer (MLO)
- All relevant staff are trained on the requirements of the Regulations and told of the need to report any suspicious cash transactions to the MLO for the purpose of informing the relevant authorities.

Disclosure Procedure

- Where it is suspected by a member of staff that money laundering activity is taking/has taken place, a disclosure must be made to the MLO as soon as possible. Because of the importance attached to the process, notification should normally take place immediately by telephone or, where that is not possible, by any other expedient means.
- No discussion will take place with colleagues as confidentiality is paramount.
- The MLO will determine whether or not to submit - online or otherwise - a suspicious activity report (SAR) to the National Crime Agency (NCA) and will maintain records of all notifications received detailing the method of verification used to identify the suspected person.

Cash Handling

Operating policies and procedures are in place with regard to accounting practices and record keeping in respect of:

- Monetary stakes introduced to machines (gross takings),
- Money introduced to refloat machines
- Token transactions
- Customer refunds due to machine malfunctions.
- Money removed from machines (net takings)

Members of staff, where appropriate, are trained as part of their induction process in the understanding of, and the strict adherence to this policy, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee’s personnel file.

I have read, understood and agree to implement the provisions of the above Company Policy and Procedures.

Signed:

Name: (please print) **Date:**

Company: **Position:**

A copy of this signed document must be given to the employee for on-going reference; the original document to be retained on the employee’s personnel file for the duration of his/her employment.

GAMBLING ACT 2005

Licence Conditions and Codes of Practice

SELF-EXCLUSION

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedures

Whilst most customers are able to enjoy and control their gambling, this Company recognises its duty of care to those who cannot. Accordingly, we provide a self-exclusion process for those customers who seek to prevent their own access to our premises and others in the locality offering a similar style of gambling as defined by the premises licence.

- When a customer has requested that they be refused entry to our premises, the customer and the appointed manager will formally acknowledge and document the request on a self-exclusion request form, or directly on the web-based AGC national self-exclusion scheme. This will be preceded by a meaningful discussion about the terms and conditions applicable to the scheme and will include other options available to assist a person having a gambling disorder, including being signposted to counselling and support services. A copy of the terms and conditions will be signed by the excluder as acknowledgement of understanding and consent. Customers are given the opportunity of discussing self-exclusion in private where possible.
- Photo identification and signature of the excluder is required for self-exclusion agreements except where an alternative means of identification is at least as effective. Photographs, preferably of the passport style, should be full-faced and a good likeness both initially and throughout the duration of the self-exclusion agreement.
- The Duty Manager will offer the exclusion for a minimum duration of not less than six months, nor more than twelve months; the customer thereafter may request to extend the length of the self-exclusion for one or more further periods of at least six months, reliant on the Company's ability to manage longer agreements. The Company will not allow the excluder admittance to the premises during the term of the self-exclusion agreement, and will have in place procedures for preventing self-excluded individuals from gambling during the period of the self-exclusion agreement including taking into account the internal structure and layout of the premises.
- It is made clear to the customer that they may not revoke the self-exclusion during the agreed period and that if found either in the gambling area or attempting to gamble they will be asked to leave. Members of staff are trained to be alert to self-excluded individuals attempting to breach agreements and instances of them getting another person to gamble on their behalf. It is a requirement that staff regularly pay heed to self-exclusion agreement records that are currently active (particularly photographs) in order to stay alert to the identity of those excluded in the locality of the premises.
- Self-excluders have the opportunity of also excluding from other premises owned by the Company without necessarily having to enter areas licenced for gambling. Where the self-exclusion agreement is extended to other Company's premises we will consider any specific requests made by a customer in setting the bounds of the exclusion area.
- The Company will offer customers with whom they enter into a self-exclusion agreement in respect of facilities for any kind of gambling we offer, the ability to exclude from facilities for the same kind of gambling offered in our locality by any other holder of an operating licence to whom this provision applies, by participating in one or more available multi-operator self-exclusion schemes. In addition, the Company is participating in the possible development of a multi-operator self-exclusion scheme that will apply to all styles of gambling.
- A self-exclusion log is maintained on the premises for recording detail of those currently excluded in addition to records stored digitally.

- Those self-excluded will be removed from any marketing databases held by this Company within two days of receiving the completed self-exclusion form, but we will take all reasonable steps to prevent details being knowingly sent as soon as practicable.
- At the end of the self-exclusion period, the exclusion will remain in place for a further six months, unless the customer takes positive action in order to gamble again.
- At the end of the exclusion period, the Duty Manager and customer will, together, review the terms of agreement either by telephone or in person. The review process is recorded on a self-exclusion review form.
- Where a customer chooses not to extend the self-exclusion and makes a positive request to begin gambling again, the customer is offered a 24-hour 'cooling off' period before being allowed access to the gambling facilities.
- Customers are given the opportunity to discuss self-exclusion in private where possible.
- The Company retains self-exclusion records for the length of the agreement plus a further 6 months.
- Members of staff are trained both on induction and refresher sessions thereafter in the understanding of, and the strict adherence to this policy and accompanying log, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

I have read, understood and agree to implement the provisions of the above Company Policy and Procedures.

Signed:

Name: (please print) **Date:**.....

Company: **Position:**

A copy of this signed document must be given to the employee for on-going reference; the original document to be retained on the employee's personnel file for the duration of his/her employment.

GAMBLING ACT 2005

The Licensing Objectives

- To prevent gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- To ensure that gambling is conducted in a fair and open way.
- To protect children and other vulnerable persons from being harmed or exploited by gambling.

GAMBLING ACT 2005
Licence Conditions and Codes of Practice

PRINCIPAL CONCEPTS

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Licensing Objectives

1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
2. Ensuring that gambling is conducted in a fair and open way.
3. Protecting children and other vulnerable persons from being harmed or exploited by gambling.

Policy and Procedures

We put into effect policies and procedures intended to promote socially responsible gambling that includes making an annual financial contribution for education and research into the prevention and treatment of gambling-related harm, the development of harm prevention measures and the treatment of those with gambling related disorders.

- We operate an on-going training program for staff to ensure awareness and compliance of our social responsibility and other statutory requirements. Individual written policies and procedures are in place and adhered to in respect of:
 - (a) Access to Gambling by Children and Young Persons
 - (b) Access to Premises by the Gambling Commission's Enforcement Officers
 - (c) Advertising Standards and Marketing
 - (d) Customer Interaction
 - (e) Employment of Children and Young Persons
 - (f) Fair and Open Practice and Dispute Resolution
 - (g) Information on how to Gamble Responsibly and Help for Problem Gamblers
 - (h) Suspicious Monetary Transactions and Cash Handling
 - (i) Self-Exclusion
- We operate our business with integrity, due care and diligence with necessary systems in place to combat crime and disorder. Written policies and procedures are in place concerning the handling of cash and cash equivalents designed to minimise the risk of crime, such as money laundering and the avoidance of illicit credit.
- Conflicts of interest between the Company and our customers are managed transparently and fairly, and, where complaints related to the outcome of gambling are not resolved to the satisfaction of both parties, we will refer the complainant to an approved alternative dispute resolution (ADR) entity.
- Gaming machines comply with the Gambling Commission's technical standards; exhibit the applicable maximum stake and monetary prize levels, and the chances of winning. Gambling general terms and conditions are displayed.
- We do not provide credit in connection with gambling nor participate in, arrange, permit or knowingly facilitate the giving of credit in connection with gambling.
- We seek to prevent systematic or organised money lending between customers on the premises, and staff are trained to be alert to such practice, and to report any instances of substantial money lending to the Duty Manager should they become aware of such instances.
- It is prohibited to consume alcohol on our premises.

Company:

Registered Address:

Date:

GAMBLING ACT 2005

Licence Conditions and Codes of Practice

Customer Complaints

Terms & Conditions

Policy & Procedure

These are the Company's Terms and Conditions by which customer complaints are dealt with. Also included is the Company's policy and procedure document and complaint form. Copies of the complaint procedure and form are available on site for the benefit of customers making a complaint about the outcome of their gambling where the complaint has not been resolved on-site in the initial stages.

A 'complaint' means a grievance about any aspect of the licensee's conduct of the licensed gambling activities, and should be raised with the company as follows:

- The complaint should initially be raised with an available member of staff at the venue at the time of the incident giving cause for complaint. **Stage 1**
- If the member of staff approached is unable to deal with the complaint or the matter is not resolved to the customer's satisfaction, then it should be directed to the duty manager at the venue at the earliest opportunity. **Stage 2**
- Should the matter still not be resolved, the customer will be provided with a copy of the policy & procedure document, together with a complaint form that should be completed by the customer and submitted to the Company for consideration by a director or appointed senior manager. **Stage 3**
- If the matter remains unresolved, the customer should be referred to an alternative dispute resolution (ADR) entity with whom the Company has registered. The complaint will not be considered by the ADR entity unless:
 - **the matter relates to the outcome of the complainant's gambling transaction; and**
 - **it is not resolved during the three-stage complaint procedure as outlined above.**

It is permissible for an ADR entity to have terms enabling it to reject complaints referred for dispute resolution if the complaint is frivolous or vexatious, but the Company will not refuse to refer disputes on those grounds.

The Company will ensure that:

1. information about the complaint procedure is set out in these terms and conditions;
2. such information is readily accessible on our gambling premises to be taken away;
3. information includes details of how to make a complaint to the Company and the identity and contact details of the person deputed to handle the complaint;
4. the information names the ADR entity to whom disputes can normally be referred and, where necessary, details of any limitation on the nature and subject matter of disputes with which a particular ADR entity deals.
5. customers are given a copy of the complaint policy and procedure document on request or on making a complaint; and
6. all complaints are handled in accordance with the procedure.

Should the Company refer a complaint to ADR entity other than one in respect of which contact details were given in accordance with 1 to 6 above it will, at the same time as making the reference, inform the Commission of the reference and reason for selection of the ADR entity concerned.

The Company keeps a record of all complaints that are not resolved at the initial three-stage complaint procedure.

The Company arranges for a copy of the decision on, or a note of the outcome of, each dispute referred to an ADR entity to be provided to the Commission, either by the ADR entity or by the Company. This information is provided in such format and within such timescale as the Commission may from time to time specify.

The Company also arranges for any outcome adverse to the Company of any proceedings taken against the licensee (in whatever jurisdiction) by a customer in relation to a gambling transaction to be notified to the Commission as a key event; but excluding proceedings allocated to the County Court small claims track or equivalent in jurisdictions outside England and Wales.

Under no circumstances are members of staff put in physical danger nor will they be subjected to abuse. If a customer is threatening, then that person will be offered the complaint policy & procedure document together with a complaint form, and be referred to the Company's strict policy of 'No Abuse'. If the customer continues to be threatening the circumstances will be treated in accordance with a disturbance on the premises, and the person will be asked to leave, and the police contacted to assist if necessary.

Which complaints are covered?

A complaint, in the context of the LCCP, means a complaint solely about the conduct of the Company's activities. A dispute means a complaint which has not been resolved by the operator's complaints procedure to the satisfaction of both parties, and relates to the outcome of a gambling transaction.

Responsibility of the Employer.

The Company has a written procedure in place to:

- advise employees of the name of the appointed person who is to be contacted about complaints;
- ensure that all complaints are handled in accordance with the procedure throughout the investigative process;
- have arrangements in place for reference by a customer of a dispute to an alternative dispute resolution service for disputes (an 'ADR entity'); and
- maintain a record of all complaints, and those that evolve into disputes. All instances where the complaint is referred to an ADR entity will also be recorded together with the outcome.

Responsibility of the Employee

Members of staff not authorised to deal with complaints, or where the customer is not satisfied with the initial outcome, will ensure that:

- the complainant is informed of the name of the appointed Company representative who will deal with the complaint, together with the appropriate contact details of that person;
- the complainant is issued with the Company's complaint policy & procedure document and complaint form;
- the circumstances are recorded as contemporaneous notes as soon as possible following the incident and the notes are signed, dated and timed by the member of staff dealing. The notes are to be comprehensive and a true record of events, and
- members of staff, unless properly authorised by the Company, are not allowed to voice their own opinion as to the merits or otherwise of a complaint. Procedure is strictly adhered to.

Complaint Procedure

The Company endeavours to provide a high quality service to its customers and members of staff are trained how to deal with complaints at the initial stage. However, if you believe that things have gone wrong and your complaint was not resolved to your satisfaction at our premises, then please inform us as we take such reports seriously.

The Company will review your complaint and will be dealt with by:

(name)..... who is (job title)

at (address).....
.....

Email Address:

How to make a complaint

- Complaints, which we will deal with confidentially, should be submitted in writing, by letter or e-mail.
- The attached form should be used to record and submit complaints.
- Give as much detail as possible including details of independent witnesses and any other relevant information in order to assist the Company in the investigative process.

What happens next?

The Company will investigate and provide a full explanation of what we have done within **15 working days** of receiving a complaint. If this is not possible we will explain why and give a date by which a full response can be expected.

If you are not satisfied with our response

If you are still not satisfied with our response to the complaint, you may consider writing to an alternative dispute resolution (ADR) entity requesting that the matter be reviewed, enclosing all previous correspondence relating to the complaint including the original complaint form. The ADR entity will acknowledge receipt of your correspondence without undue delay and, after review, inform you of its findings and recommendations, usually within **60 days**. The review process is thorough and based upon the information that both parties and other independent sources provide.

This Company is registered with the following ADR entity:

Name of ADR Entity: bacta ADR Service

Email Address: enqs@bactaadrservice.org.uk

Website: www.bactaadrservice.org.uk

Postal Address: 29-30 Ely Place, London EC1N 6TD

It is highly recommended that you visit the ADR entity's website (as above) so that you are fully aware of the procedural rules and other related information.

Complaint Form

CUSTOMER

Name:

Address:

..... Postcode

Daytime Telephone No .:

E-mail address:

Signature: Date:

Is this an initial complaint or a follow up to a previous incident?

.....

.....

VENUE WHERE COMPLAINT OCCURRED

Reference (if known):.....

Company:

Name of Premises:

Address:

.....

Name(s) of staff member(s) that you initially raised your complaint with:

.....

.....

Date of Incident:

Time of Incident:

Names & Addresses or contact telephone numbers of any **independent** witnesses.

.....

.....

.....

Name and Category of Gambling Machine subject of complaint:

Record of Suspicious Monetary Transactions

| TIME | LOCATION | CIRCUMSTANCES | REPORTED TO MLO | SAR SENT TO NCA | OUTCOME |
|--------------------------------|-----------------------------------|--------------------------------------------------------------------------------------|--------------------------------|--------------------------------|---------|
| Day: Date: Time: | Site: Address: Ref: | Notes: Photographs/CCTV Y/N Identity, if known, or description: | Day: Date: Time: | Day: Date: Time: | Notes: |
| Day: Date: Time: | Site: Address: Ref: | Notes: Photographs/CCTV Y/N Identity, if known or description: | Day: Date: Time: | Day: Date: Time: | Notes: |

To be retained on Site

Company:

Site Reference:

Serial No. /

GAMBLING ACT 2005

SELF-EXCLUSION REVIEW FORM FOR RECORDING DETAIL IF NO IMMEDIATE ACCESS TO THE BACTA WEB-BASED SCHEME

Company:

Site Name:

Site Address:

.....

Post Code:

Customer Name:

Customer Date of Birth:

Customer Address:

.....

Post Code:

Review of self-exclusion agreement on: (date)

Customer's Decision:

.....

Signature: (Customer) Date:

Signature: (Appointed Manager) Date:

Request to resume access and gambling following the self-exclusion period.

I confirm that I voluntarily no longer wish to be self-excluded from this site and other venues in the locality to which the agreement applies; that all options have been explained to me by the Company, and that I have experienced a cooling off period of at least 24 hours.

Signature: (Customer) Date:

Signature: (Appointed Manager) Date:

To be retained on Site

Company: **Site Reference:** **Serial No. /**

GAMBLING ACT 2005
Licence Conditions and Codes of Practice
COMPLIANCE EVALUATION

Section 1 - Observation

Company:.....

Site: **Date:** **Time:**

Please circle either 'Y' (yes) or 'N' (no) as appropriate

- | | | | |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------|
| 1. | Are age restriction signs displayed prominently at the entrances to Adult Gaming Centers, (AGCs) clearly stating that it is illegal for persons under the age of 18 years to enter the premises or, equally prominent with the same clear message, at the entrances to adult gaming areas within a Licensed Family Entertainment Centre (Lic. FECs)? | Y | N |
| 2. | Are entrances to AGCs and/or adult gaming areas appropriate so as not to attract children or young persons from entering? | Y | N |
| 3. | Are the entrances to AGCs or adult gaming areas effectively monitored, controlled and supervised taking into account the structure and layout of the premises so as to ensure that age restriction is adhered to? | Y | N |
| 4. | Are the barriers separating different licensed premises within the parameters of one 'building' of a solid construction, including the unlicensed areas separating different licensed premises? | Y | N |
| 5. | Are 'Stay in Control' posters prominently displayed, preferably framed, so as to be easily seen and read by all customers? | Y | N |
| 6. | Are 'Stay in Control' leaflets available in a dedicated rack, preferably below a 'Stay in Control' poster and discretely accessible to customers without the need to be asked for, and available for taking away? | Y | N |
| 7. | Are approved 'Proof of Age' application forms readily available for distribution, or are alternative and suitable schemes adopted to assist with compliance of age restriction policy? | Y | N |
| 8. | Do advertising, marketing and promotional notices comply with advertising standards? | Y | N |
| 9. | Is the Premises Licence clearly displayed (summary is sufficient)? | Y | N |
| 10. | Is the Company registered for MGD? | Y | N |
| 11. | Are machines correctly and clearly labeled according to category of machine? | Y | N |
| 12. | Are 'No Alcohol' signs clearly displayed? | Y | N |
| 13. | Are 'No Smoking' signs clearly displayed? | Y | N |

- | | | | |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| 14. | Is the operation fully compliant with gaming legislation and other regulatory requirements, e.g. only the correct category of gaming machines provided on site; stake and prize levels appropriate for the type of premises; correct number of machines? | Y | N |
| 15. | Is the National Gambling Helpline telephone number on all categories of machines? | Y | N |
| 16. | Are labels displayed on gaming machines (with the exception of Category 'D' machines located in Licensed FECs) stating that under 18s are prohibited from playing? | Y | N |

Comment:

Please comment on all instances where 'N' is circled, giving a full explanation and what measures are to be adopted so as to comply with requirements.

GAMBLING ACT 2005
Licence Conditions and Codes of Practice
COMPLIANCE EVALUATION

Section 2 - Management

Company:.....

Site: **Date:**..... **Time:**

Manager: **Length of Service:**

Please circle either 'Y' (yes) or 'N' (no) as appropriate

- | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| 1. Are you aware of, and understand, the three licensing objectives? | Y | N |
| 2. Are you aware of procedures on how to respond to 'authorised persons' who properly identify themselves on the premises. | Y | N |
| 3. Are the following Licence Conditions and Codes of Practice written policy and procedure documents fully understood and available for inspection? | | |
| • Principal Concepts | Y | N |
| • Access to gambling by children and young persons | Y | N |
| • Access to premises by the GC's Enforcement Officers | Y | N |
| • Advertising standards and marketing | Y | N |
| • Customer interaction | Y | N |
| • Employment of children and young persons | Y | N |
| • Fair and open practice and dispute resolution | Y | N |
| • Information on how to gamble responsibly and help for those with problems | Y | N |
| • Money laundering, cash handling and suspicious transactions | Y | N |
| • Self-exclusion | Y | N |
| 4. Are the following logs up-to-date and available for inspection? | | |
| • Attempted child or young person entry | Y | N |
| • Customer interaction | Y | N |
| • Incidents requiring police assistance | Y | N |
| • Self-exclusion | Y | N |
| • Staff training summary | Y | N |
| 5. Are the following systems in place to demonstrate staff training and awareness of Company policies and procedures? | | |
| • Written policy and procedure records signed by staff | Y | N |
| • Complaints and dispute resolution records | Y | N |
| • Training attendance certificates | Y | N |

| | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| 6. Can the Company demonstrate robust risk assessment of age-verification and restriction by regularly conducting test purchases or other satisfactory and appropriate methods? | Y | N |
| 7. Is age restriction policy strictly adhered to, and are members of staff effectively trained in its implementation? | Y | N |
| 8. Are members of staff aware that it may be construed to be an act of 'gross misconduct' should they knowingly allow persons under the age of 18 years to enter an Adult Gaming Centre or adult gaming area(s) within a Licensed FEC, and is this a clause included in their contract of employment? | Y | N |
| 8. Has a 'proof of age' scheme been adopted, and are approved application forms available? | Y | N |
| 9. Are customers not inappropriately encouraged to play on gaming machines? | Y | N |
| 10. Is there is a policy in place that precludes staff colluding with customers who ask them to lie on their behalf? | Y | N |
| 11. Is it company policy to allow customers to change coins back to notes? | Y | N |
| 12. Are relevant staff members trained to respond positively to customers who exhibit distress, say they have a problem with their gambling, or wish to be self-excluded? | Y | N |
| 13. Is it accepted that the initial minimum period for self-exclusion is not less than 6 months, nor more than 12 months and are you aware of the requirement of implementing a 24-hour 'cooling off' period thereafter? | Y | N |
| 14. Are all members of staff who interface with customers familiar with the AGC sector self-exclusion web-based scheme and know what to do if a self-excluded person attempts to enter the gaming area or attempts to gamble before the period of the self-exclusion agreement expires? | Y | N |
| 15. Do stock control procedures ensure that 'Stay in Control' leaflets are always in the rack(s) and that a reserve supply is always available? | Y | N |
| 16. Are you aware of how to order new stocks of 'Stay in Control' leaflets and posters? | Y | N |
| 17. Are you aware of the requirements relating to advertising, marketing and promotions? | Y | N |
| 18. Are copies of self-exclusion request forms retained on site and readily available for supply should the web-based system fail for any reason? | Y | N |
| 19. Are all members of staff aware of requirements concerning young Persons who may be employed by the Company? | Y | N |

| | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| 20. Can you demonstrate that annual financial contributions (RET) are being paid to GambleAware or other appropriate care agencies? | Y | N |
| 21. Are you aware of the requirement to submit an annual regulatory Return to the Gambling Commission, and what information is required? | Y | N |
| 22. Are you aware of procedures necessary under money laundering laundering regulations, and has the Company appointed a designated money laundering officer (MLO)? | Y | N |
| 23. Has the Company participated in a recognised social responsibility awareness course? | Y | N |
| 24. Are you aware that stakes must be returned to under-18s who have gambled in AGCs and adult areas and that they are not permitted to retain any monetary prize paid out? | Y | N |
| 25. With regard to customer complaints and disputes, do you have a written policy and complaint form available to be handed to a complainant, and have you registered with an approved ADR entity? | Y | N |
| 26. Are you aware of the importance of ensuring the ongoing process of staff training in respect of adhering to the requirements of the LCCP, and the need to train new members of staff if when they are recruited to the Company? | Y | N |
| 27. Are you aware of your obligations to inform the Gambling Commission should there be any 'key event' changes to your Operating Licence? | Y | N |
| 28. Has a Local Risk Assessment Document been written and is it available on site for Inspection if requested? | Y | N |
| 29. Has an Anti-Money Laundering Risk Assessment been written and is it available on site for the benefit of staff and inspection if requested? | Y | N |

Comment:

Please comment on all instances where 'N' is circled, giving a full explanation and what measures are to be adopted so as to comply with requirements.

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GAMBLING ACT 2005
Licence Conditions and Codes of Practice
COMPLIANCE EVALUATION

Section 3 - Members of Staff

Company:

Site:..... **Date**.....**Time:**

Member of Staff:**Length of Service:**

Please circle either 'Y' (yes) or 'N' (no) as appropriate

1. Do you have a good understanding of the following Licensing Conditions and Codes of Practice written policies and procedures where they are relevant to your particular duties?
 - Access to gambling by children and young persons Y N
 - Access to premises by the GC's Enforcement Officers Y N
 - Customer interaction Y N
 - Employment of children and young persons Y N
 - Fair and open practice and dispute resolution Y N
 - Information on how to gamble responsibly Y N
 - Money laundering Y N
 - Self-exclusion Y N

2. Are you aware of and understand the content and maintenance of the following logs?
 - Attempted child entry Y N
 - Customer interaction Y N
 - Incidents requiring police assistance Y N
 - Self-exclusion Y N
 - Staff training summary Y N

3. Do you understand the systems in place to demonstrate staff training and awareness of the following Company policies and procedures?
 - Written policy and procedure records signed by staff Y N
 - Staff training summary sheet Y N
 - Complaints and dispute resolution records Y N

4. Is age restriction policy known to you and applied? Y N

5. What 'Proof of Age' scheme is in use and are you aware of where the application forms are located? Y N

6. Are you instructed that customers are not inappropriately encouraged to play on gaming machines? Y N

| | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| 7. Are you aware that you must not collude with customers who ask you to lie on their behalf? | Y | N |
| 8. Are you aware that it is an act of 'gross misconduct' if you knowingly allow a person under the age of 18 years to enter an Adult Gaming Centre or adult gaming area(s) within a FEC? | Y | N |
| 9. Do your instructions permit that a customer may change coins back into notes? | Y | N |
| 10. Are you aware of what your actions should be if you were to be approached by a customer who asks for help to deal with a gambling problem to do with themselves or with a relative or friend? | Y | N |
| 11. Do you know which member of staff has been appointed by the Company to supervise 'customer interaction' and 'self-exclusion' issues? | Y | N |
| 12. Are you aware of what behavior might be characteristic in a person whose gambling is out of control, and what your actions should be if you observe a customer displaying such behavior? | Y | N |
| 13. Are you aware that the Company offers a web-based self-exclusion scheme for customers who are experiencing difficulties with their gambling; that the minimum period of self-exclusion is 6 months and that excluders can also be excluded from other company premises offering a similar style of gambling in the locality, and have you been shown and understand the guide to the self-exclusion scheme? | Y | N |
| 14. Are you aware of the requirement of a 24-hour 'cooling off' period following a term of self-exclusion? | Y | N |
| 15. Are you aware of what your actions must be should a self-excluded customer enter the gambling area or attempt to gamble during the course of their self-exclusion period? | Y | N |
| 16. Are you aware that 'Stay in Control' leaflets should always be available in the racks, and where replacement stock is stored? | Y | N |
| 17. Are you aware of where the self-exclusion request forms are kept in the event that the web-based scheme cannot be accessed? | Y | N |
| 18. Do you know what your actions must be when a Gambling Commission enforcement officer or other authorized person enters the premises? | Y | N |
| 19. Are you aware of the employment limitations with regard to children and young persons employed by the Company? | Y | N |
| 20. Are you aware of procedures required under the money laundering regulations and who the Company appointed MLO is? | Y | N |
| 21. Have you received LCCP training? | Y | N |

- | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| 22. Are you aware that stakes must be returned to under-18s who you have identified as having gambled in the AGC (or adult area) and that they are not permitted to retain any monetary prize? | Y | N |
| 23. Are you aware of the company's policy in dealing with complaints and disputes and where written copies of this policy and complaint forms are kept? | Y | N |
| 24. Do you know what the three Licensing Objectives are? | Y | N |
| 25. Do you feel that you have received sufficient training in what is expected of you in respect of knowledge and implementation of gambling law requirements? | Y | N |
| 26. Do you have copy of the staff training booklet provided by bacta and have you Completed the training modules? | Y | N |
| 27. Have you been shown and understand the local risk assessment and money Laundering risk assessment documents? | | |

Comment:

Please comment on all instances where 'N' is circled, giving a full explanation and what measures are to be adopted so as to comply with requirements.

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Responsibility for Third Parties

Licensees must take responsibility for third parties with whom they contract for the provision of any aspect of the licensee's business related to the licensed activities and ensure that the terms on which they contract with such third parties:

- a) require the third party to conduct themselves in so far as they carry out activities on behalf of the licensee as if they were bound by the same licence conditions and subject to the same codes of practice as the licensee
- b) oblige the third party to provide such information to the licensee as they may reasonably require in order to enable the licensee to comply with their information reporting and other obligations to the Commission
- c) enable the licensee, subject to compliance with any dispute resolution provisions of such contract, to terminate the third party's contract promptly if, in the licensee's reasonable opinion, the third party is in breach of contract (including in particular terms included pursuant to this code provision) or has otherwise acted in a manner which is inconsistent with the licensing objectives.

Notes:

- The Commission is not interested in cleaning activities etc unless that has an impact on the licensed activities.
- Operators must also build in terms to those contracts to enable termination of the contract when things go wrong.
- There can be dispute resolution procedures which apply when these termination clauses are invoked.

Qualified Persons

1. In this condition the terms 'small-scale operator', 'qualifying position' and 'qualified person' have the meanings respectively ascribed to them by the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006.
2. Schedule X lists those individuals notified to the Commission as qualified persons.
3. If, whilst the licensee remains a small-scale operator, an individual begins or ceases to occupy a qualifying position in relation to the licensee, the licensee must within 28 days apply to the Commission under section 104(1)(b) of the Act for amendment of the details of the licence set out in Schedule X.
4. An application for amendment under section 104(1)(b) of the Act may be made in advance of an individual beginning or ceasing to occupy a qualifying position provided it specifies the date from which the change to which it relates is to be effective.
5. In this condition 'qualified person' has the same meaning as in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006.

PERSONAL LICENCES

1. Subject to 6 and 7 below, licensees must ensure:
 - that each individual who occupies one of the management offices specified in 2 below in respect of the licensee or in connection with the licensed activities holds a personal licence authorising the performance of the functions of that office (hereafter ‘a personal management licence’); and
 - that at least one person occupies at least one of those offices.
2. The specified management offices are those offices (whether or not held by a director in the case of a licensee which is a company, a partner in the case of a licensee which is a partnership or an officer of the association in the case of a licensee which is an unincorporated association) the occupier of which is by virtue of the terms of their appointment responsible for:
 - a) the overall management and direction of the licensee’s business or affairs
 - b) the licensee’s finance function as head of that function
 - c) the licensee’s gambling regulatory compliance function as head of that function. The Commission makes explicit the approach that the head of compliance will not normally occupy (without Commission approval) any other specified management office, such as head of marketing. This LCCP requirement does not apply to small scale operators
 - d) the licensee’s marketing function as head of that function
 - e) the licensee’s information technology function as head of that function in so far as it relates to gambling-related information technology and software
 - f) oversight of the day to day management of the licensed activities at an identified number of premises licensed under Part 8 of the Act or across an identified geographical area
 - g) in the case of casino and bingo licences only, oversight of the day to day management of a single set of premises licensed under Part 8 of the Act.
3. **The person responsible for the licensee’s gambling regulatory compliance function as head of that function shall not, except with the Commission’s express approval, occupy any other specified management office.**
4. Licensees must take all reasonable steps to ensure that anything done in the performance of the functions of a specified management office is done in accordance with the terms and conditions of the holder’s personal management licence.
5. Where an individual is authorised by a personal licence and that licence comes under review under section 116(2) of the Act, the operating licensee must comply with any conditions subsequently imposed on that licence by the Commission about redeployment, supervision, or monitoring of the individual’s work and any requirements of the Commission in respect of such matters applicable during the period of the review.

6. Paragraphs 1 to 5 above shall not apply to a licensee for so long as the licensee is a 'small-scale operator' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006 ('the Regulations').
7. During the period of 3 years commencing with the date on which a licensee ceases to be a small-scale operator paragraphs 1 to 6 above shall apply subject to the proviso that the phrase 'each individual' in paragraph 1a shall not include any individual who was a 'qualified person' (as defined in the Regulations) in relation to the licensee 28 days immediately prior to the licensee ceasing to be a small-scale operator.

Key Events

A key event is an event that could have a significant impact on the nature or structure of a licensee's business. Licensees must notify the Commission, or ensure the Commission is notified, in such form or manner as the Commission may from time to time specify, of the occurrence of any of the following key events as soon as reasonably practicable and in any event within five working days of the licensee becoming aware of the event's occurrence.

Operator status

1. In the case of licensees which are companies, a petition being presented for their winding up or the winding up of any group company of theirs, or they or any group company being placed in administration or receivership or their directors proposing to creditors a composition in satisfaction of its debts or a scheme of arrangement of its affairs.
2. In the case of licensees which are bodies corporate, but not companies, any event substantially equivalent to those listed at 1 above.
3. In the case of a licensee who is an individual (or a partner in a partnership licensee) their being presented with a petition for their bankruptcy or sequestration or their entering into an individual voluntary arrangement.

Relevant persons and positions

4. In the case of licensees who are companies or other bodies corporate having a share capital, the name and address of any person who (whether or not already a shareholder or member) becomes a shareholder or member holding 3% or more of the issued share capital of the licensee or its holding company.
5. Any investment in a licensee which is not by way of subscription for shares.
6. The taking of any loan by the licensee, or by a group company who then makes an equivalent loan to the licensee, from any person not authorised by the Financial Conduct Authority: a copy of the loan agreement must be supplied.
7. The entering into an arrangement whereby a third party provides services to, or grants any licence concession or permission to, the licensee other than for full value: full details of the arrangements must be supplied.
8. The appointment of a person to, or a person ceasing to occupy, a 'key position': a 'key position' in relation to a licensee is:
 - a) in the case of a small-scale operator, a 'qualifying position' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006
 - b) in the case of an operator which is not a small-scale operator, a 'specified management office' as set out in (current) LCCP licence condition 1.2

- c) a position the holder of which is responsible for the licensee's anti-money laundering procedures, including suspicious activity reporting
 - d) any other position for the time being designated by the Commission as a 'key position'. (Notification is required whether or not the person concerned is required to hold a personal management licence and whether or not the event notified requires the licensee to apply for a variation to amend a detail of their licence.)
9. Any change to the structure or organisation of the licensee's business which affects a 'key position' or the responsibilities of its holders

Financial events

10. Any material change in the licensee's banking arrangements, in particular the termination of such arrangements or a particular facility and whether by the licensee or the provider of the arrangements.
11. Any breach of a covenant given to a bank or other lender.
12. Any default by the licensee or, where the licensee is a body corporate, by a group company in making repayment of the whole or any part of a loan on its due date.
13. Any court judgments (in whatever jurisdiction) against the licensee or, where the licensee is a body corporate, a group company, remaining unpaid 14 days after the date of judgment.
14. Where the licensee is required to have their accounts independently audited, any qualification to an auditors' report; and any unplanned change of auditor including a change prompted by a dispute or resulting from auditors being unable or unwilling to sign an unqualified audit report.
15. Any change in the licensee's arrangements for the protection of customer funds in accordance with the general licence condition 4 relating to the protection of customer funds (where applicable).
16. Where the licensee holds customer funds in a separate bank account, any deficit on reconciliation of such bank account.
17. Any change in the licensee's arrangements as to the methods by which, and/or the payment processors through which, the licensee accepts payment from customers using their gambling facilities (this key event applies to remote casino, bingo and betting operating licences, except ancillary and remote betting intermediary (trading room only) licences).

Legal or regulatory proceedings or reports

18. The grant, withdrawal or refusal of any application for a licence or other permission made by the licensee, or in the case of a licensee which is a body corporate, any group company of theirs, to a gambling regulator in another jurisdiction. In the case of a withdrawal or refusal of the application, the licensee must also notify the reasons for such withdrawal or refusal. (This condition does not apply to applications for licences or other permissions to carry on activities which would fall outside the scope of a Gambling Commission operating licence if carried out in Britain or with customers in Great Britain.)

- 19a. Any investigation by a professional, statutory, regulatory or government body (in whatever 10 jurisdiction) into the licensee's activities, or the activities in relation to the licensed entity of a personal licence holder or a person occupying a qualifying position employed by them, where such an investigation could result in the imposition of a sanction or penalty which, if imposed, could reasonably be expected to raise doubts about the licensee's continued suitability to hold a Gambling Commission licence.
- 19b. Any criminal investigation by a law enforcement agency in any jurisdiction in relation to which:
- the licensee is involved (including, but not limited to investigations of crimes allegedly committed against the licensee or involving the gambling facilities provided under the licence), AND
 - the circumstances are such that the Commission might reasonably be expected to question whether the licensee's measures to keep crime out of gambling had failed.
- Notification of the event must occur as soon as practicable after the licensee becomes aware of any such investigation in which the licensee is involved and measures may have failed.
20. The receipt of any report from a professional, statutory or other regulatory or government body (in whatever jurisdiction) of the outcome of a compliance assessment in relation to the gambling activity of the licensee or, where the licensee is a body corporate, of any group company in which at least one person who holds a key position in or in respect of the licensee holds a key position: a copy of the report should be provided where available to the licensee.
21. The referral to the licensee's Board, or persons performing the function of an audit or risk committee, of material concerns raised by a third party (such as an auditor) about the provision of facilities for gambling which are expressed (in whatever terms) as requiring attention as a high priority: a summary of the nature of the concerns must be provided.
22. The imposition by the licensee of a disciplinary sanction, including dismissal, against the holder of a personal licence or a person occupying a qualifying position for gross misconduct; or the resignation of a personal licence holder or person occupying a qualifying position following commencement of disciplinary proceedings in respect of gross misconduct against that person.
23. The commencement (in whatever jurisdiction) of any material litigation against the licensee or, where the licensee is a body corporate, a group company: the licensee must also notify the outcome of such litigation.
24. The making of a disclosure pursuant to section 330, 331, 332 or 338 of the Proceeds of Crime Act 2002 or section 19, 20, 21, 21ZA, 21ZB or 21A of the Terrorism Act 2000 (a suspicious activity report): the licensee should inform the Commission of the unique reference number issued by the United Kingdom Financial Intelligence Unit of the National Crime Agency in respect of each disclosure and for the purposes of this key event the five working day period referred to above runs from the licensee's receipt of the unique reference number.

Gambling facilities

25. Any breach in the licensee's information security that adversely affects the confidentiality of customer data or prevents customers from accessing their accounts for longer than 24 hours.
26. Any change in the identity of the ADR entity or entities for the handling of customer disputes, as required by the social responsibility code provision on complaints and disputes.

27. The reference of a dispute to an ADR entity other than one in respect of which contact details were given in accordance with the social responsibility code provision on complaints and disputes; the reason for selection of that ADR entity should be given.
28. In the case of remote gambling, the commencement or cessation of trading on website domains (including mobile sites or mobile device applications) or broadcast media through which the licensee provides gambling facilities.

In this condition:

- 'body corporate' has the meaning ascribed to that term by section 1173 of the Companies Act 2006 or any statutory modification or re-enactment thereof
- in respect of a company, 'holding company' and 'subsidiary' have the meaning ascribed to that term by section 1159 of the Companies Act 2006 or any statutory modification or re-enactment thereof
- a 'group company' is any subsidiary or holding company of the licensee and any subsidiary of such holding company. 1 Key events can be reported securely online at the Commission's website through our eServices system www.gamblingcommission.gov.uk
- Alternatively, for operators unable to access this system, you can report a key event by email to: key.events@gamblingcommission.gov.uk

Other Reportable Events

Licensees must also notify the Commission in such form or manner as the Commission may from time to time specify, or ensure that the Commission is so notified, as soon as reasonably practicable of the occurrence of any of the following events:

- a the conclusion of a dispute referred to an ADR entity and in such case providing the Commission with a copy of the decision or note of the outcome.
- b any outcome adverse to the licensee of any proceedings taken against the licensee (in whatever jurisdiction) by a customer in relation to a gambling transaction; but excluding proceedings allocated to the County Court small claims track or equivalent in jurisdictions outside England and Wales.
- c their becoming aware that a group company which is not a Commission licensee is advertising remote gambling facilities to those residing in a jurisdiction in or to which it has not previously advertised.

General and Regulatory Returns

1. On request, licensees must provide the Commission with such information as the Commission may require about the use made of facilities provided in accordance with this licence, and the manner in which gambling authorised by this licence and the licensee's business in relation to that gambling are carried on, including in particular information about:
 - a) the numbers of people making use of the facilities and the frequency of such use
 - b) the range of gambling activities provided by the licensee and the numbers of staff employed in connection with them
 - c) the licensee's policies in relation to, and experiences of, problem gambling.

- 2 In particular within 28 days of the end of each quarterly period or, for those only submitting annual returns, within 42 days of the end of each annual period, licensees must submit a Regulatory Return to the Commission containing such information as the Commission may from time to time require.

Protection of Customer Funds

Disclosure to Customers

Licence condition 4.2.1,

1. Licensees who hold customer funds must set out clearly in the terms and conditions, under which they provide facilities for gambling, information about whether customer funds are protected in the event of insolvency, the level of such protection and the method by which this achieved.
2. Such information must be according to such rating system and in such form the Commission may from time to time specify. It must be provided in writing to each customer, in a manner which requires the customer to acknowledge receipt of the information and does not permit the customer to utilise the funds for gambling until they have done so, both on the first occasion on which the customer deposits funds and on the occasion of any subsequent deposit which is the first since a change in the licensee's terms in relation to protection of such funds.
3. In this condition 'customer funds' means the aggregate value of funds held to the credit of customers including, without limitation:
 - a. cleared funds deposited with the licensee by customers to provide stakes in, or to meet participation fees in respect of, future gambling;
 - b. winnings or prizes which the customer has chosen to leave on deposit with the licensee or for which the licensee has yet to account to the customer; and
 - c. any crystallised but as yet unpaid loyalty or other bonuses, in each case irrespective of whether the licensee is a party to the gambling contract.

Payment

Cash and cash equivalents, payment methods and services

Licence condition 5.1.1

1. Licensees, as part of their internal controls and financial accounting systems, must implement appropriate policies and procedures concerning the usage of cash and cash equivalents (eg bankers drafts, cheques and debit cards and digital currencies) by customers, designed to minimize the risk of crimes such as money laundering, to avoid the giving of illicit credit to customers and to provide assurance that gambling activities are being conducted in a manner which promotes the licensing objectives.
2. Licensees must ensure that such policies and procedures are implemented effectively, kept under review, and revised appropriately to ensure that they remain effective, and take into account any applicable learning or guidelines published by the Gambling Commission from time to time.

Provision of Credit by Licensees and the Use of Credit Cards

Licence Condition 6.1.1

1. Licensees must neither:
 - a. provide credit themselves in connection with gambling; nor
 - b. participate in, arrange, permit or knowingly facilitate the giving of credit in connection with gambling.

Reporting Suspicion of Offences

Licence Condition 15.1.1

2. Licensees must as soon as reasonably practicable provide the Commission or ensure that the Commission is provided with any information that they know relates to or suspect may relate to the commission of an offence under the Act, including an offence resulting from a breach of a licence condition or a code provision having the effect of a licence condition.

Responsible Placement of Digital Adverts

Licence Condition 16.1.1

1. Licensees must:
 - a. ensure that they do not place digital advertisements on websites providing unauthorised access to copyrighted content;
 - b. take all reasonable steps to ensure that third parties with whom they contract for the provision of any aspect of their business related to the licensed activities do not place digital advertisements on websites providing unauthorised access to copyrighted content; and
 - c. ensure that the terms upon which they contract with such third parties enable them, subject to compliance with any dispute resolution provisions, to terminate the third party's contract promptly if, in the Licensee's reasonable opinion, the third party has been responsible for placing digital advertisements for the licensed activities on such websites.

Customer Notice

Gaming General Terms & Conditions

These Terms and Conditions (the “Generic Terms”) apply to all gaming transactions entered into on these premises (the “Premises”) *except for Promotions which are covered by separate terms and conditions available on the premises.*

Any gaming transactions entered into on the premises shall be between the customer taking part in the particular transaction (the “Customer”) (1) and (the “Company”) (2)

In these General Terms, the terms/conditions/rules displayed on the particular gaming machine are referred to as the “Specific Terms”.

Customers are strongly advised to read the Specific Terms. By entering into any gaming transaction by use of the particular gaming machine, the Customer shall be deemed to have read and accepted the Specific Terms applying.

Minimum and maximum stakes and maximum prizes/wins are those displayed on the gaming machine in the Specific Terms.

Members of staff have no authority to vary or amend the General Terms or the Specific Terms and any assistance or advice offered by them in relation to any gaming transaction shall be without prejudice to that position.

In the event of a disputed outcome to any game, the Company complaint procedure will apply, a copy of which is available from a member of staff or from the Company at the address below:

.....
.....
.....
.....

APPENDIX B - GUIDE TO THE BACTA SELF-EXCLUSION SERVICES SCHEME

INTRODUCTION

In 2015, the Gambling Commission revised the Licence Conditions and Codes of Practice. As part of that revision, the way in which the gambling industry is expected to handle those customers who wished to self-exclude was changed.

Whereas previously operators simply self-excluded a customer in ways dependent upon the gambling premises, the change requires operators to offer self-excluders the opportunity to self-exclude from other premises offering similar gambling facilities in the locality. Self-exclusion lasts between six and twelve months but can be extended by the self-excluder.

The relevant section of the LCCP can be found at: <http://www.gamblingcommission.gov.uk/pdf/Latest-LCCP-and-Extracts/Licence-conditions-and-codes-of-practice.pdf>

What this means in practice is that an AGC has to allow someone to also self-exclude from other AGCs nearby without the excluder having to visit them.

Bacta has worked with a software company to build a web-based application that will allow this process to be automated. The scheme is administered via a separate company called Bacta Self-Exclusion Services Ltd (BSESL).

This software allows operators to input details of a self-excluder and then tell other operators nearby that a particular person has self-excluded and that they will need to stop them entering the premises should they try. Attempted breaches of a self-exclusion can also be recorded on the system. The system uses a radius from the post code of the AGC to determine which other AGCs are notified.

The scheme is for use by those operators who possess an Adult Gaming Centre premises licence. A separate scheme is available for those using a bingo licence. Details of that scheme are available from the Bingo Association.

Motorway Service Areas (MSAs) that operate AGCs use this scheme but self-excluders will be able to select individual service areas or multiple service areas on particular motorways or A roads, rather than using a radius from a postcode.

A self-excluder wishing to exclude themselves from High Street AGCs and from AGCs on Motorway Service Areas, need to do so separately.

A separate guide to the software package has been produced and is available from bacta.

It is important to emphasise that self-exclusion is a last resort for an individual who wishes to stop gambling. It is one of the tools available to them to help. Operators have a duty of care towards those who wish to self-exclude and should seek to point those individuals to other self-exclusion schemes operated by other gambling sectors, as well as to care agencies and helplines such as GamCare or GambleAware.

BRIEF DESCRIPTION OF THE SCHEME

- a. In order to offer the scheme to customers, operators need to register with BSESL by signing a contract that sets out the nature of the service BSESL is providing and the obligations BSESL and operators must fulfil.
- b. A login and password to the system is provided and operators need to upload details of their company and their sites onto the system.
- c. Operators need to give relevant members of staff their own login and password.
- d. Operators are able to customize the software to suit their businesses.

- e. Once the registration process is complete the operator is able to upload details of any self-excluder using a screen for that purpose.
- f. The screen requires key information to be provided.
- g. It is necessary to upload a copy of a photograph of the self-excluder.
- h. It is also necessary to obtain consent from the self-excluder to their details being used for the purposes of ensuring they are self-excluded from the premises from which they choose to be excluded.¹
- i. Once the details of the self-excluder have been uploaded, namely their photograph and details of from where they wish to be excluded (either using a radius from a post code in the case of AGCs or individually in the case of MSAs), the system alerts the operators of those other premises that someone has excluded themselves from the source premises.
- j. Those operators then have to access the system and implement whatever procedures they have in place to ensure that person cannot enter the premises. For example, at an MSA vehicle number plate recognition can in some circumstances alert staff that a person who has self-excluded is coming on site. AGCs may simply use staff recognition.
- k. For people who do not wish to visit an AGC or MSA operators should provide a contact telephone number to the relevant person within their organization who can then fill in the details of the self-excluder remotely. Acceptance of the Terms and Conditions needs to be given by the self-excluder in writing, either by post or by hand.
- l. All records can be printed off and stored securely by the operator.
- m. When a self-exclusion period comes to an end, the person who has self-excluded has to visit the AGC from which they originally excluded themselves either to extend their self-exclusion or to notify the operator that they wish to start gambling again. A screen needs to be completed and an alert to other operators is generated so everyone is aware that the self-exclusion agreement has come to an end. There is a 24-hour cooling off period before this can become active.
- n. A self-excluder that does not notify the operator that they either wish to gamble again or that they wish to extend their self-exclusion period will automatically be deleted from the system after six months from the end of the self-exclusion period they originally selected. Again, an alert is generated at that time by the system to all relevant operators advising that the particular self-excluder is no longer on the database and staff no longer need to be aware of their potential to enter the premises.

¹ The information about a self-excluder is likely to be regarded as “sensitive personal data” under the Data Protection Act. As a result the Act requires additional safeguards in the processing and securing of that data, which would extend to a person’s photograph. Policies and procedures within the company to do this should be written down and understood by members of staff. Further advice is given under the FAQ Section of this Guide but please note that it is ultimately your responsibility to ensure that you are complying with the Data Protection Act.

THE ROLE OF STAFF

The role of members of staff interfacing with customers is crucial in the successful implementation of the self-exclusion scheme. It is expected therefore that staff will be well versed in the necessary conversations that need to be had with those wishing to exclude and the way to have them.

It is nevertheless important to remember that in all cases a safety-first policy must be adopted; staff members should never put themselves, customers or colleagues at risk.

This might be when a particular customer has become agitated or potentially violent. Staff members should not put themselves in a position where they are alone with an individual whether on site or off site. If necessary, they should ensure another member of staff is present to witness that no inappropriate behavior occurs.

Staff must be told that it is imperative that they behave at all times in a way that does not jeopardize the confidentiality of the information about an individual that they have been given either as the member of staff handling the self-exclusion or as a member of staff policing the system.

Here are some do's and don'ts around sensitive personal information of this kind:

- Limit staff access to the data to those who need to enforce the self-exclusion scheme.
- Do not allow anyone to remove self-exclusion data from the premises or to refer to any individuals opting into the scheme outside of an immediate and necessary work context.
- If staff members attach a photograph of a self-excluder to the wall in the office, make sure it cannot be seen by any members of the public (e.g. if the door is opened).
- Treat as gross misconduct the sharing of any personal data with any third party.
- Obtain independent verification that your business is operating in compliance with data protection and privacy laws.
- Members of staff should never use their own mobile devices to take photographs of self-excluders.

TERMS AND CONDITIONS

The terms and conditions, to which every self-excluder needs to understand and agree to, is provided to operators separately. These T&Cs are designed to minimise liability in the event that someone who has self-excluded successfully enters your premises undetected and gambles, and claims damages from you for not properly exercising your duty of care to keep them from the premises and any damages they may be seeking as a result.

This does not mean that operators can ignore the need for robust and proper policies and procedures to enforce a self-exclusion. That is a key requirement of the LCCP and is contained in the terms and conditions BSESL has with operators. If policies and procedures are not sufficiently robust, an excluder could be successful in an action irrespective of the fact they have signed a copy of the standard terms and conditions.

Some scheme members may wish to amend the self-excluder terms and conditions. They do so at their own risk. Whatever BSESL's contract with you requires, should you amend the standard terms then you must include what we regard as certain minimum or mandatory conditions. BSESL cannot warrant that the self-excluder terms and conditions will meet the Gambling Commission's requirements nor that they will protect you from all claims. You need to obtain your own legal advice before using the self-excluder terms and conditions.

Operators are recommended to keep and store signed copies of the terms and conditions.

FREQUENTLY ASKED QUESTIONS

Do High Street bingo operators have to join the BSESL scheme?

Operators that have a bingo licence have to use the Bingo Association self-exclusion scheme. That scheme does not exclude someone from AGCs. To do that they will need to initiate a separate self-exclusion using the BSESL self-exclusion scheme for AGCs

Why are the details of people deemed sensitive information?

The processing of personal data is both defined and regulated by the Data Protection Act. You will need a registration in any case with the Information Commissioner (www.ico.org.uk) if you process any personal data. Most companies will be registered already.

In addition there is another category of personal data which is called sensitive personal data and is defined as any data fulfilling certain requirements, such as data relating to medical conditions. Given that self-exclusion potentially relates to problem gambling it should be treated as sensitive data. This means operators must ensure that they have robust policies and procedures in place to ensure that data relating to self-excluders is not used for any other purpose than ensuring the self-exclusion is effective. Also, the data must not be disclosed to those that are not involved in making the self-exclusion effective. All members of staff must understand this.

Operators must make sure that they remove access to the system by any member of staff that leaves their employ.

How do Holiday Parks deal with self-exclusions?

If a self-excluder is going on holiday to a holiday park and wishes to self-exclude from the AGC(s) on the Holiday Park whilst there, they should contact the Park direct to ensure that for the duration of their holiday they are prevented from entering the AGC. Each Holiday Park will have to devise appropriate arrangements to give effect to the self-exclusion in light of their unique circumstances.

I am having trouble registering a self-exclusion. Is there anyone I can call?

In the first instance please call 0207 730 6444.

What should I do if I notice someone attempting to breach their self-exclusion?

Firstly, the person attempting to breach should be approached to remind them that they have self-excluded from the premises and you are bound to ask them to leave the premises. Again, safety must come first and if a situation escalates then company procedures should be followed.

All attempted breaches should be recorded on the BSESL system. A form is available on the system for this purpose. You will also need to record this on your self-exclusion incident log.

What if someone won't agree to sign the terms and conditions or have their photograph taken?

Simply put, the system cannot be used and they cannot be self-excluded from premises in the locality. You can continue to self-exclude them from your premises in the usual way if that can be arranged under your existing system.

What if someone comes to an MSA in a friend's car

Whilst number plate recognition can be used by MSA's to identify a self-excluder's car if that information has been provided, it clearly will not identify a friend's car. The use of number plate recognition technology is not part of the BSESL scheme but provides a potential tool MSA operators can use to help them, alongside other procedures, to prevent a self-excluder from entering the AGC located at the MSA.

APPENDIX C – SYSTEM CHECKLIST

Premises Signage

| | Yes (tick) | No (tick) | N/A (tick) | Notes |
|------------------|---------------|--------------|---------------|-------|
| No Under 18s | | | | |
| No Alcohol | | | | |
| No Smoking | | | | |
| BACTA Membership | | | | |

| Machine Signage | | | | |
|------------------------|--|--|--|--|
| Under 18s | | | | |
| GamCare | | | | |
| Category Labels | | | | |
| Legacy Labels | | | | |

Posters (P) & Leaflets (L)

| | | | | |
|----------------------|--|--|--|--|
| Stay in Control (P) | | | | |
| Stay in Control (L) | | | | |
| Proof of Age Scheme | | | | |
| Think 21/25 Material | | | | |

Licences

| | | | | |
|-------------------|--|--|--|--|
| Premises Licence | | | | |
| Operating Licence | | | | |
| Personal Licence | | | | |
| Link Licence | | | | |

Forms

| | | | | |
|----------------------|--|--|--|--|
| Self-Exclusion | | | | |
| Complaints & Dispute | | | | |

Policy & Procedure Documents

| | | | | |
|-------------------------|--|--|--|--|
| Access by C & YP | | | | |
| Access by G C | | | | |
| Advertising | | | | |
| Employment of C & YP | | | | |
| Customer Interaction | | | | |
| Fair & Open | | | | |
| Signposting Information | | | | |
| Money Laundering | | | | |
| Self-Exclusion | | | | |

Logs

| | Yes (tick) | No (tick) | N/A tick) | Notes |
|---------------------------|---------------|--------------|--------------|-------|
| Attempts to Gamble C & YP | | | | |
| Customer Interaction | | | | |
| Police Assistance | | | | |
| Self-Exclusion | | | | |
| Staff Training | | | | |

Entitlement

| | | | | |
|-----------------|--|--|--|--|
| B3 Numbers | | | | |
| Stakes & Prizes | | | | |

Misc.

| | | | | |
|--------------------------------------------|--|--|--|--|
| Age Verification Tests | | | | |
| Contribution to RET | | | | |
| Notifying Key Events | | | | |
| Regulatory Return | | | | |
| Knowledge of MLO | | | | |
| Advertising Practice | | | | |
| Payment of MGD | | | | |
| ADR Entity | | | | |
| Licensing Objectives | | | | |
| Attractive to Children | | | | |
| Supervision | | | | |
| Self-Exclusion Scheme | | | | |
| Return to Player (%) | | | | |
| Responsibility for 3 rd Parties | | | | |
| Register of Machines | | | | |

Risk Assessment Documents

| | | | | |
|--------------------------|--|--|--|--|
| Local Risk | | | | |
| Money Laundering | | | | |
| Guide to bacta SE Scheme | | | | |

Registrations

| | | | | |
|--------------------------|--|--|--|--|
| ADR Entity | | | | |
| Self-Exclusion Scheme | | | | |
| Age Verification Testing | | | | |
| Primary Authority | | | | |

OPERATOR NOTES:

TAB 11

Extract of Licence Conditions and Codes of Practice (LCCP) for Arcades

Version effective from 31 October 2020

1.1.1 - Qualified persons – qualifying position

Applies to:

All operating licences, except ancillary remote licences, issued to small-scale operators

1. In this condition the terms 'small-scale operator', 'qualifying position' and 'qualified person' have the meanings respectively ascribed to them by the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006.
2. Schedule X¹ lists those individuals notified to the Commission as qualified persons.
3. If, whilst the licensee remains a small-scale operator, an individual begins or ceases to occupy a qualifying position in relation to the licensee, the licensee must within 28 days apply to the Commission under section 104(1)(b) of the Act for amendment of the details of the licence set out in Schedule X¹.
4. An application for amendment under section 104(1)(b) of the Act may be made in advance of an individual beginning or ceasing to occupy a qualifying position provided it specifies the date from which the change to which it relates is to be effective.
5. In this condition 'qualified person' has the same meaning as in the Gambling Act 2005(Definition of Small-scale Operator) Regulations 2006.

¹ The schedules mentioned here will be attached to individual licences.

4.2.1 - Disclosure to customers

Applies to:

All operating licences, except gaming machine technical, gambling software, host, ancillary, remote bingo, and ancillary remote casino licences

1. Licensees who hold customer funds must set out clearly in the terms and conditions under which they provide facilities for gambling information about whether customer funds are protected in the event of insolvency, the level of such protection and the method by which this is achieved.
2. Such information must be according to such rating system and in such form the Commission may from time to time specify. It must be provided in writing to each customer, in a manner which requires the customer to acknowledge receipt of the information and does not permit the customer to utilise the funds for gambling until they have done so, both on the first occasion on which the customer deposits funds and on the occasion of any subsequent deposit which is the first since a change in the licensee's terms in relation to protection of such funds.
3. In this condition 'customer funds' means the aggregate value of funds held to the credit of customers including, without limitation:
 - a. cleared funds deposited with the licensee by customers to provide stakes in, or to meet participation fees in respect of, future gambling;
 - b. winnings or prizes which the customer has chosen to leave on deposit with the licensee or for which the licensee has yet to account to the customer; and
 - c. any crystallised but as yet unpaid loyalty or other bonuses, in each case irrespective of whether the licensee is a party to the gambling contract.

5.1.1 - Cash and cash equivalents

Applies to:

All operating licences except gaming machine technical, gambling software and host licences

1. Licensees, as part of their internal controls and financial accounting systems, must implement appropriate policies and procedures concerning the usage of cash and cash equivalents (eg bankers drafts, cheques and debit cards and digital currencies) by customers, designed to minimise the risk of crimes such as money laundering, to avoid the giving of illicit credit to customers and to provide assurance that gambling activities are being conducted in a manner which promotes the licensing objectives.
2. Licensees must ensure that such policies and procedures are implemented effectively, kept under review, and revised appropriately to ensure that they remain effective, and take into account any applicable learning or guidelines published by the Gambling Commission from time to time.

6.1.1 - Provision of credit

Applies to:

All gaming machine general operating licences for adult gaming centres and family entertainment centres

1. Licensees must neither:
 - a. provide credit themselves in connection with gambling; nor
 - b. participate in, arrange, permit or knowingly facilitate the giving of credit in connection with gambling.

7.1.1 - Fair and transparent terms and practices

Applies to:

All operating licences except gaming machine technical and gambling software licences

1. Licensees must ensure that the terms on which gambling is offered, and any consumer notices relating to gambling activity, are not unfair within the meaning of the Consumer Rights Act 2015. Licensees must comply with those terms.
2. The contractual terms on which gambling is offered and any consumer notices relating to gambling activity must be transparent within the meaning of the Consumer Rights Act 2015. The contractual terms on which gambling is offered must be made available to customers in an easily accessible way.
3. Licensees must ensure that changes to customer contract terms comply with the fairness and transparency requirements under the Consumer Rights Act 2015. Customers must be notified of material changes to terms before they come into effect.
4. Licensees must ensure that they do not commit any unfair commercial practices within the meaning of the Consumer Protection from Unfair Trading Regulations 2008, at any stage of their interactions with consumers.

12.1.1 - Anti-money laundering - Prevention of money laundering and terrorist financing

Applies to:

All operating licences except gaming machine technical and gambling software licences

1. Licensees must conduct an assessment of the risks of their business being used for money laundering and terrorist financing. Such risk assessment must be appropriate and must be reviewed as necessary in the light of any changes of circumstances, including the introduction of new products or technology, new methods of payment by customers, changes in the customer demographic or any other material changes, and in any event reviewed at least annually.
2. Following completion of and having regard to the risk assessment, and any review of the assessment, licensees must ensure they have appropriate policies, procedures and controls to prevent money laundering and terrorist financing.
3. Licensees must ensure that such policies, procedures and controls are implemented effectively, kept under review, revised appropriately to ensure that they remain effective, and take into account any applicable learning or guidelines published by the Gambling Commission from time to time.

14.1.1 - Access to premises

Applies to:

All operating licences

1. Licensees must have and put into effect policies and procedures (including staff training programmes) designed to ensure that their staff co-operate with the Commission's enforcement officers in the proper performance of their compliance functions and are made aware of those officers' rights of entry to premises contained in Part 15 of the Act.

15.1.1 - Reporting suspicion of offences etc – non-betting licences

Applies to:

All operating licences except betting, betting intermediary, ancillary remote betting, betting host and remote betting intermediary (trading rooms only) licences

1. Licensees must as soon as reasonably practicable, in such a form or manner as the Commission may from time to time specify, provide the Commission with any information that they know relates to or suspect may relate to the commission of an offence under the Act, including an offence resulting from a breach of a licence condition or a code provision having the effect of a licence condition.¹

Read additional guidance on the information requirements contained within this section.

¹ These matters are to be reported to us online via our 'eServices' digital service on our website

15.1.3 - Reporting of systematic or organised money lending

Applies to:

All non-remote casino, non-remote bingo, general betting, adult gaming centre, family entertainment centre and remote betting intermediary (trading rooms only) licences

1. Licensees must as soon as reasonably practicable, in such form or manner as the Commission may from time to time specify, provide the Commission with any information relating to cases where they encounter systematic, organised or substantial money lending between customers on their premises, in accordance with the ordinary code provisions on money lending between customers.¹

Read additional guidance on the information requirements contained within this section.

¹ These matters are to be reported to us online via our 'eServices' digital service on our website

15.2.1 - Reporting key events

Applies to:

All operating licences

A key event is an event that could have a significant impact on the nature or structure of a licensee's business. Licensees must notify the Commission, in such form or manner as the Commission may from time to time specify, of the occurrence of any of the following key events as soon as reasonably practicable and in any event within five working days of the licensee becoming aware of the event's occurrence¹.

Operator status

1. Any of the following applying to a licensee, any person holding a key position for a licensee, a group company or a shareholder or member (holding 3% or more of the issued share capital of the licensee or its holding company):
 - presenting of a petition for winding up
 - making of a winding up order
 - entering into administration or receivership
 - bankruptcy (applying to individuals only)
 - sequestration (applicable in Scotland), or
 - an individual voluntary arrangement.

Relevant persons and positions

2. In the case of licensees who are companies or other bodies corporate having a share capital, the name and address of any person who (whether or not already a shareholder or member) becomes a shareholder or member holding 3% or more of the issued share capital of the licensee or its holding company.
3. The taking of any loan by the licensee, or by a group company who then makes an equivalent loan to the licensee, from any person not authorised by the Financial Conduct Authority: a copy of the loan agreement must be supplied.
4. The appointment of a person to, or a person ceasing to occupy, a 'key position' (including leaving one position to take up another). A 'key position' in relation to a licensee is:
 - a. in the case of a small-scale operator, a 'qualifying position' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006
 - b. in the case of an operator which is not a small-scale operator, a 'specified management office' as set out in (current) LCCP licence condition 1.2
 - c. a position where the holder of which has overall responsibility for the licensee's anti-money laundering and/or terrorist financing compliance, and/or for the reporting of known or suspected money laundering or terrorist financing activity.
 - d. any other position for the time being designated by the Commission as a 'key position'. (Notification is required whether or not the person concerned is required to hold a personal management licence and whether or not the event notified requires the licensee to apply for a variation to amend a detail of their licence.)

Financial events

5. Any material change in the licensee's banking arrangements, in particular the termination of such arrangements or a particular facility and whether by the licensee or the provider of the arrangements.
6. Any breach of a covenant given to a bank or other lender.
7. Any default by the licensee or, where the licensee is a body corporate, by a group company in making repayment of the whole or any part of a loan on its due date.
8. Any change in the licensee's arrangements as to the methods by which, and/or the payment processors through which, the licensee accepts payment from customers using their gambling facilities (this key event applies to remote casino, bingo and betting operating licences, except ancillary and remote betting intermediary (trading room only) licences).

Legal or regulatory proceedings or reports

9. The grant, withdrawal or refusal of any application for a licence or other permission made by the licensee, or in the case of a licensee which is a body corporate, any group company of theirs, to a gambling regulator in another jurisdiction. In the case of a withdrawal or refusal of the application, the licensee must also notify the reasons for such withdrawal or refusal. (This condition does not apply to applications for licences or other permissions to carry on activities which would fall outside the scope of a Gambling Commission operating licence if carried out in Britain or with customers in Great Britain.)
10. Any investigation by a professional, statutory, regulatory or government body (in whatever jurisdiction) into the licensee's activities, or the activities of a person in a 'key position', where such an investigation could result in the imposition of a sanction or penalty which could reasonably be expected to raise doubts about the licensee's continued suitability to hold a Gambling Commission licence.
11. Any criminal investigation by a law enforcement agency in any jurisdiction in which the licensee, or a person in a 'key position' related to the licensee, is involved and where the Commission might have cause to question whether the licensee's measures to keep crime out of gambling had failed.
12. The referral to the licensee's Board, or persons performing the function of an audit or risk committee, of material concerns raised by a third party (such as an auditor, or a professional, statutory or other regulatory or government body (in whatever jurisdiction)) about the provision of facilities for gambling: a summary of the nature of the concerns must be provided.
13. The imposition by the licensee of a disciplinary sanction, including dismissal, against the holder of a personal licence or a person occupying a qualifying position for gross misconduct; or the resignation of a personal licence holder or person occupying a qualifying position following commencement of disciplinary proceedings in respect of gross misconduct against that person.
14. The commencement (in whatever jurisdiction) of any material litigation against the licensee or, where the licensee is a body corporate, a group company: the licensee must also notify the outcome of such litigation.
15. The making of a disclosure pursuant to section 330, 331, 332 or 338 of the Proceeds of Crime Act 2002 or section 19, 20, 21, 21ZA, 21ZB or 21A of the Terrorism Act 2000 (a suspicious activity report): the licensee should inform the Commission of the unique reference number issued by the United Kingdom Financial Intelligence Unit of the National Crime Agency in

respect of each disclosure and for the purposes of this key event the five working day period referred to above runs from the licensee's receipt of the unique reference number. The licensee should also indicate whether the customer relationship has been discontinued at the time of the submission.

Gambling facilities

16. Any security breach to the licensee's environment that adversely affects the confidentiality of customer data; or prevents the licensee's customers, staff, or legitimate users from accessing their accounts for longer than 12 hours.
17. Where a gaming system fault has resulted in under or overpayments to a player (this includes instances where a fault causes an incorrect prize/win value to be displayed).
18. In the case of remote gambling, the commencement or cessation of trading on website domains (including mobile sites or mobile device applications) or broadcast media through which the licensee provides gambling facilities (including domains covered by 'white label' arrangements). In this condition: 'body corporate' has the meaning ascribed to that term by section 1173 of the Companies Act 2006 or any statutory modification or re-enactment thereof
 - a. in respect of a company, 'holding company' and 'subsidiary' have the meaning ascribed to that term by section 1159 of the Companies Act 2006 or any statutory modification or re-enactment thereof
 - b. a 'group company' is any subsidiary or holding company of the licensee and any subsidiary of such holding company.

Read additional guidance on the information requirements contained within this section.

¹Key events are to be reported to us online via the 'eServices' digital service on our website.

15.2.2 - Other reportable events

Applies to:

All operating licences

1. Licensees must also notify the Commission in such form or manner as the Commission may from time to time specify, as soon as reasonably practicable of the occurrence of any of the following events¹:
 - a. any material change in the licensee's arrangements for the protection of customer funds in accordance with licence condition 4 (protection of customer funds) (where applicable)
 - b. any change in the identity of the ADR entity or entities for the handling of customer disputes, as required by the social responsibility code provision on complaints and disputes.
 - c. their becoming aware that a group company which is not a Commission licensee is advertising remote gambling facilities to those residing in a jurisdiction in or to which it has not previously advertised, or their becoming aware of a sustained or meaningful generation of 3% or 10% of group Gross Gambling Yield being exceeded by the group in that jurisdiction.
 - d. any actual or potential breaches by the licensee of the requirements imposed by or under Parts 7 or 8 of the Proceeds of Crime Act 2002, or Part III of the Terrorism Act 2000, or any UK law by which those statutes are amended or superseded.

In this condition:

- a. 'group company' has the same meaning as in condition 15.2.1; and
- b. without prejudice to section 327 of the Gambling Act 2005, 'advertising' includes: having a home page directed towards a jurisdiction and written in, or in one of, that jurisdiction's official language(s), having arrangements enabling that jurisdiction's currency to be selected for gambling or the use of payment methods available only in that jurisdiction, and providing a specific customer service facility referable to that jurisdiction.

Read additional guidance on the information requirements contained within this section.

¹ Other reportable events are to be reported to us online via the 'eServices' digital service on our website.

15.3.1 - General and regulatory returns

Applies to:

All operating licences

1. On request, licensees must provide the Commission with such information as the Commission may require, in such a form or manner as the Commission may from time-to-time specify, about the use made of facilities provided in accordance with this licence and the manner in which gambling authorised by this licence and the licensee's business in relation to that gambling are carried on.
2. In particular within 28 days of the end of each quarterly period or, for those only submitting annual returns, within 42 days of the end of each annual period, licensees must submit an accurate Regulatory Return to the Commission containing such information as the Commission may from time to time specify.¹

Read additional guidance on the information requirements contained within this section.

¹ Regulatory returns are to be submitted to us online via the 'eServices' digital service on our website.

Ordinary code

These do not have the status of operator licence conditions but set out good practice. Operators may adopt alternative approaches to those set out in ordinary code provisions if they have actively taken account of the ordinary code provision and can demonstrate that an alternative approach is reasonable in the operator's particular circumstances; or that to take an alternative approach would be acting in a similarly effective manner.

Ordinary codes of practice are admissible in evidence in criminal or civil proceedings and must be taken into account in any case in which the court or tribunal think them relevant, and by the Commission in the exercise of its functions; any departure from ordinary code provisions by an operator may be taken into account by the Commission on a licence review, but cannot lead to imposition of a financial penalty.

Social responsibility code

Compliance with these is a condition of licences; therefore any breach of them by an operator may lead the Commission to review the operator's licence with a view to suspension, revocation or the imposition of a financial penalty and would also expose the operator to the risk of prosecution.

1.1.1 - Cooperation with the Commission

Ordinary code

Applies to:

All licences

1. As made plain in its Statement of principles for licensing and regulation, the Commission expects licensees to conduct their gambling operations in a way that does not put the licensing objectives at risk, to work with the Commission in an open and cooperative way and to disclose anything which the Commission would reasonably need to be aware of in exercising its regulatory functions. This includes, in particular, anything that is likely to have a material impact on the licensee's business or on the licensee's ability to conduct licensed activities compliantly. Licensees should have this principle in mind in their approach to, and when considering their compliance with, their obligations under the conditions attached to their licence and in relation to the following provisions of this code.

1.1.2 - Responsibility for third parties – all licences

Social responsibility code

Applies to:

All licences

1. Licensees are responsible for the actions of third parties with whom they contract for the provision of any aspect of the licensee's business related to the licensed activities.
2. Licensees must ensure that the terms on which they contract with such third parties:
 - a. require the third party to conduct themselves in so far as they carry out activities on behalf of the licensee as if they were bound by the same licence conditions and subject to the same codes of practice as the licensee
 - b. oblige the third party to provide such information to the licensee as they may reasonably require in order to enable the licensee to comply with their information reporting and other obligations to the Commission
 - c. enable the licensee, subject to compliance with any dispute resolution provisions of such contract, to terminate the third party's contract promptly if, in the licensee's reasonable opinion, the third party is in breach of contract (including in particular terms included pursuant to this code provision) or has otherwise acted in a manner which is inconsistent with the licensing objectives, including for affiliates where they have breached a relevant advertising code of practice.

1.1.3 - Responsibility for third parties – remote

Social responsibility code

Applies to:

All remote licences

1. Remote licensees must ensure in particular:
 - a. that third parties who provide user interfaces enabling customers to access their remote gambling facilities:
 - i. include a term that any such user interface complies with the Commission's technical standards for remote gambling systems; and
 - ii. enable them, subject to compliance with any dispute resolution provisions of such contract, to terminate the third party's contract promptly if, in the licensee's reasonable opinion, the third party is in breach of that term.

2.1.2 - Anti-money laundering – other than casino

Ordinary code

Applies to:

All licences except casino licences

1. As part of their procedures for compliance with the requirements in respect to the prevention and detection of money laundering in the Proceeds of Crime Act 2002 and the Terrorism Act 2000, licensees should take into account the Commission's advice on the Proceeds of Crime Act 2002, *Duties and responsibilities under the Proceeds of Crime Act 2002 – Advice for operators (excluding casino operators). *

3.1.1 - Combating problem gambling

Social responsibility code

Applies to:

All licences

1. Licensees must have and put into effect policies and procedures intended to promote socially responsible gambling including the specific policies and procedures required by the provisions of section 3 of this code.
2. Licensees must make an annual financial contribution to one or more organisation(s) which are approved by the Gambling Commission, and which between them deliver or support research into the prevention and treatment of gambling-related harms, harm prevention approaches and treatment for those harmed by gambling.

3.2.3 - AGC SR code

Social responsibility code

Applies to:

All adult gaming centre licences

1. Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
2. This must include procedures for:
 - a. checking the age of apparently underage customers
 - b. removing anyone who appears to be under age and cannot produce an acceptable form of identification
 - c. taking action when there are attempts by under-18s to enter the premises.
3. Licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises.
4. Licensees must not deliberately provide facilities for gambling in such a way as to appeal particularly to children or young people, for example by reflecting or being associated with youth culture.
5. In premises restricted to adults, service must be refused in any circumstances where any adult is accompanied by a child or young person.
6. Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This must include appropriate training which must cover all relevant prohibitions against inviting children or young persons to gamble or to enter gambling premises, and the legal requirements on returning stakes and not paying prizes to underage customers.
7. Licensees must only accept identification which:
 - a. contains a photograph from which the individual can be identified
 - b. states the individual's date of birth
 - c. is valid
 - d. is legible and has no visible signs of tampering or reproduction.
8. Licensees in fee category C or higher must conduct test purchasing or take part in collective test purchasing programmes, as a means of providing reasonable assurance that they have effective policies and procedures to prevent underage gambling, and must provide their test purchase results to the Commission, in such a form or manner as the Commission may from time to time specify.

Read additional guidance on the information requirements contained within this section.

3.2.4 - AGC ordinary code

Ordinary code

Applies to:

All adult gaming centre licences

1. The Commission considers acceptable forms of identification to include any identification carrying the PASS logo (for example Citizencard or Validate); a military identification card; a driving licence (including a provisional licence) with photocard; or a passport.
2. Licensees should put into effect procedures that require their staff to check the age of any customer who appears to them to be under 21.
3. Licensees should consider permanent exclusion from premises for any adult accompanied by a child or young person on more than one occasion to premises restricted to adults, or if there is reason to believe the offence was committed knowingly or recklessly.
4. Procedures should be put into effect for dealing with cases where a child or young person repeatedly attempts to gamble on premises restricted to adults, including oral warnings, reporting the offence to the Gambling Commission¹ and the police, and making available information on problem gambling.
5. Licensees in fee categories A or B should consider how they monitor the effectiveness of their policies and procedures for preventing underage gambling (for example by taking part in a collective test purchasing programme) and should be able to explain to the Commission or licensing authority what approach they have adopted.
6. In providing training to staff on their responsibilities for preventing underage gambling, licensees should have, as a minimum, policies for induction training and refresher training.

Read additional guidance on the information requirements contained within this section.

¹ These matters are to be reported to us online via our 'eServices' digital service on our website.

3.2.5 - Bingo and FEC SR code

Social responsibility code

Applies to:

All non-remote bingo and family entertainment centre licences

1. Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
2. This must include procedures for:
 - a. checking the age of apparently underage customers
 - b. refusing entry to any adult-only areas to anyone unable to produce an acceptable form of identification
 - c. taking action when there are unlawful attempts to enter the adult-only areas.
3. Licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises.
4. Licensees must not permit children or young people to gamble in the adults-only areas of premises to which they have access. If there is a 'no under-18s' premises policy, licensees must pay particular attention to the procedures they use at the entrance to the premises to check customers' ages.
5. Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This must include appropriate training which must cover:
 - a. all relevant prohibitions against inviting children or young persons to gamble on age-restricted products or to enter age-restricted areas;
 - b. the legal requirements on returning stakes and not paying prizes to underage customers; and
 - c. procedures for challenging any adult who may be complicit in allowing a child or young person to gamble.
6. Licensees must only accept identification which:
 - a. contains a photograph from which the individual can be identified
 - b. states the individual's date of birth
 - c. is valid
 - d. is legible and has no visible signs of tampering or reproduction.
7. Licensees in fee category C or higher must conduct test purchasing or take part in collective test purchasing programmes, as a means of providing reasonable assurance that they have effective policies and procedures to prevent underage gambling, and must provide their test purchase results to the Commission, in such a form or manner as the Commission may from time to time specify.

Read additional guidance on the information requirements contained within this section.

3.2.6 - Bingo and FEC ordinary code

Ordinary code

Applies to:

All non-remote bingo and family entertainment centre licences

1. The Commission considers acceptable forms of identification to include: any identification carrying the PASS logo (for example Citizencard or Validate); a military identification card; a driving licence (including a provisional licence) with photocard; or a passport.
2. Licensees should require a person who appears to relevant staff to be under the age of 21 to be asked to produce proof of age, either at the point of entry to the gambling area or as soon as it comes to the attention of staff that they wish to access gambling facilities.
3. Licensees should have procedures for dealing with cases where an adult knowingly or recklessly allows a child or young person to gamble. These procedures might include refusing to allow the adult to continue to gamble, removing them from the premises, and reporting the incident to the police or local authorities, or taking action where forged identification is produced.
4. Procedures should be put into effect for dealing with cases where a child or young person repeatedly attempts to gamble on their premises, including oral warnings, reporting the offence to the Gambling Commission¹ and the police, and making available information on problem gambling to the child or young person concerned.
5. Where it is likely that customers' young or otherwise vulnerable children will be left unattended on or adjacent to their premises, licensees should consider reminding customers of their parental responsibilities and assess whether there is a need to develop procedures for minimising the risk to such children.
6. Licensees in fee categories A or B should consider how they monitor the effectiveness of their policies and procedures for preventing underage gambling (for example by taking part in a collective test purchasing programme) and should be able to explain to the Commission or licensing authority what approach they have adopted.
7. In providing training to staff on their responsibilities for preventing underage gambling, licensees should have, as a minimum, policies for induction training and refresher training.

Read additional guidance on the information requirements contained within this section.

¹ These matters are to be reported to us online via our 'eServices' digital service on our website.

3.2.11 - Remote SR code

Social responsibility code

Applies to:

All remote licences (including ancillary remote betting licences in respect of bets made or accepted by telephone or email), except lottery licences, gaming machine technical, gambling software, host, ancillary remote casino, and ancillary remote bingo licences

1. Licensees must have and put into effect policies and procedures designed to prevent underage gambling and monitor the effectiveness of these.
2. Such procedures must include:
 - a. Verifying the age of a customer before the customer is able to:
 - i. deposit any funds into their account;
 - ii. access any free-to-play versions of gambling games that the licensee may make available; or
 - iii. gamble with the licensee using either their own money or any free bet or bonus.
 - b. warning potential customers that underage gambling is an offence;
 - c. regularly reviewing their age verification systems and implementing all reasonable improvements that may be made as technology advances and as information improves;
 - d. ensuring that relevant staff are properly trained in the use of their age verification procedures; in particular customer services staff must be appropriately trained in the use of secondary forms of identification when initial verification procedures fail to prove that an individual is of legal age; and
 - e. enabling their gambling websites to permit filtering software to be used by adults (such as parents or within schools) in order to restrict access to relevant pages of those sites.

3.2.12 - Remote ordinary code

Ordinary code

Applies to:

All remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences

1. Licensees should, and should request their contracted partners to, draw attention to parental responsibility as part of the purchasing process of facilities such as mobile phones and interactive television.

3.3.1 - Responsible gambling information

Social responsibility code

Applies to:

All licences, except gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino and remote betting (remote platform) licences

1. Licensees must make information readily available to their customers on how to gamble responsibly and how to access information about, and help in respect of, problem gambling.
2. The information must cover:
 - a. any measures provided by the licensee to help individuals monitor or control their gambling, such as restricting the duration of a gambling session or the amount of money they can spend
 - b. timers or other forms of reminders or 'reality checks' where available
 - c. self-exclusion options
 - d. information about the availability of further help or advice.
3. The information must be directed to all customers whether or not licensees also make available material which is directed specifically at customers who may be 'problem gamblers'.
4. For gambling premises, information must be available in all areas where gambling facilities are provided and adjacent to ATMs. Information must be displayed prominently using methods appropriate to the size and layout of the premises. These methods may include the use of posters, the provision of information on gambling products, or the use of screens or other facilities in the gambling premises. Information must also be available in a form that may be taken away and may also be made available through the use of links to be accessed online or using smart technology. Licensees must take all reasonable steps to ensure that this information is also readily accessible in locations which enable the customer to obtain it discreetly.

3.3.2 - Foreign languages

Ordinary code

Applies to:

All licences, except gaming machine technical, gambling software, host, ancillary remote bingo and ancillary remote casino licences

1. Licensees who market their services in one or more foreign languages should make available in that, or those, foreign languages:
 - a. the information on how to gamble responsibly and access to help referred to above
 - b. the players' guides to any game, bet or lottery required to be made available to customers under provisions in this code
 - c. the summary of the contractual terms on which gambling is offered, which is required to be provided to customers as a condition of the licensee's operating licence.

3.3.4 - Remote time-out facility

Social responsibility code

Applies to:

All remote licences except: any remote lottery licence the holder of which does not provide facilities for participation in instant win lotteries, ancillary remote betting licences, remote betting (remote platform), gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading room only) licences

- 1 Licensees must offer a 'time out' facility for customers for the following durations:
 - a. 24 hours
 - b. one week
 - c. one month or
 - d. such other period as the customer may reasonably request, up to a maximum of 6 weeks.

3.4.1 - Customer interaction

Social responsibility code

Applies to:

All licences, except non-remote lottery, gaming machine technical, gambling software and host licences

1. Licensees must interact with customers in a way which minimises the risk of customers experiencing harms associated with gambling. This must include:
 - a. identifying customers who may be at risk of or experiencing harms associated with gambling.
 - b. interacting with customers who may be at risk of or experiencing harms associated with gambling.
 - c. understanding the impact of the interaction on the customer, and the effectiveness of the Licensee's actions and approach.
2. Licensees must take into account the Commission's guidance on customer interaction.

3.5.1 - Self exclusion – Non-remote and trading rooms SR code

Social responsibility code

Applies to:

All non-remote licences (except lottery, gaming machine technical and gambling software licences) and remote betting intermediary (trading rooms only) licences

1. Licensees must have and put into effect procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.
2. Licensees must, as soon as practicable, take all reasonable steps to prevent any marketing material being sent to a self-excluded customer.
3. Licensees must take steps to remove the name and details of a self-excluded individual from any marketing databases used by the company or group (or otherwise flag that person as an individual to whom marketing material must not be sent), within two days of receiving the completed self-exclusion notification.
4. This covers any marketing material relating to gambling, or other activities that take place on the premises where gambling may take place. However, it would not extend to blanket marketing which is targeted at a particular geographical area and where the excluded individual would not knowingly be included.
5. Licensees must close any customer accounts of an individual who has entered a self-exclusion agreement and return any funds held in the customer account. It is not sufficient merely to prevent an individual from withdrawing funds from their customer account whilst still accepting wagers from them. Where the giving of credit is permitted, the licensee may retain details of the amount owed to them by the individual, although the account must not be active.
6. Licensees must put into effect procedures designed to ensure that an individual who has self-excluded cannot gain access to gambling. These procedures must include:
 - a. a register of those excluded with appropriate records (name, address, other details, and any membership or account details that may be held by the operator);
 - b. photo identification (except where the Licensee can reasonably satisfy themselves that in the circumstances in which they provide facilities for gambling an alternative means of identification is at least as effective) and a signature;
 - c. staff training to ensure that staff are able to administer effectively the systems; and
 - d. the removal of those persons found in the gambling area or attempting to gamble from the premises.
7. Licensees must ensure that their procedures for preventing access to gambling by self-excluded individuals take account of the structure and layout of the gambling premises.
8. Licensees must, when administering the self-exclusion agreement, signpost the individual to counselling and support services.

3.5.2 - Self-exclusion – non-remote ordinary code

Ordinary code

Applies to:

All non-remote licences and remote betting intermediary (trading rooms only) licences, but not gaming machine technical and gambling software licences

1. Self-exclusion procedures should require individuals to take positive action in order to self-exclude. This can be a signature on a self-exclusion form.
2. Individuals should be able to self-exclude without having to enter gambling premises.
3. Before an individual self-excludes, licensees should provide or make available sufficient information about what the consequences of self-exclusion are.
4. Licensees should take all reasonable steps to extend the self-exclusion to premises of the same type owned by the operator in the customer's local area. In setting the bounds of that area licensees may take into account the customer's address (if known to them), anything else known to them about the distance the customer ordinarily travels to gamble and any specific request the customer may make.
5. Licensees should encourage the customer to consider extending their self-exclusion to other licensees' gambling premises in the customer's local area.
6. Customers should be given the opportunity to discuss self-exclusion in private, where possible.
7. Licensees should take steps to ensure that:
 - a. the minimum self-exclusion period offered is of a duration of not less than 6 nor more than 12 months
 - b. any self-exclusion may, on request, be extended for one or more further periods of at least 6 months each
 - c. a customer who has decided to enter a self-exclusion agreement is given the opportunity to do so immediately without any cooling-off period. However, if the customer wishes to consider the self-exclusion further (for example to discuss with problem gambling groups), the customer may return at a later date to enter into self-exclusion
 - d. at the end of the period chosen by the customer, the self-exclusion remains in place for a further 6 months, unless the customer takes positive action in order to gamble again
 - e. where a customer chooses not to renew the self-exclusion, and makes a positive request to begin gambling again during the 6 month period following the end of their initial self-exclusion, the customer is given one day to cool off before being allowed access to gambling facilities. The contact must be made via telephone or in person
 - f. notwithstanding the expiry of the period of self-exclusion chosen by a customer, no marketing material should be sent to them unless and until they have asked for or agreed to accept such material.

8. The licensee should retain the records relating to a self-exclusion agreement at least for the length of the self-exclusion agreement plus a further 6 months.
9. Please note that the Commission does not require the licensee to carry out any particular assessment or make any judgement as to whether the previously self-excluded individual should again be permitted access to gambling. The requirement to take positive action in person or over the phone is purely to a) check that the customer has considered the decision to access gambling again and allow them to consider the implications; and b) implement the one day cooling-off period and explain why this has been put in place.
10. Licensees should have, and put into effect, policies and procedures which recognise, seek to guard against and otherwise address, the fact that some individuals who have self-excluded might attempt to breach their exclusion without entering a gambling premises, for example, by getting another to gamble on their behalf.
11. Licensees should have effective systems in place to inform all venue staff of self-excluded individuals who have recently attempted to breach a self-exclusion in that venue, and the licensees neighbouring venues.
12. In providing training to staff on their responsibilities for self-exclusion, licensees should have, as a minimum, policies for induction training and refresher training.

3.5.3 - Self-exclusion – remote SR code

Social responsibility code

Applies to:

All remote licences except: gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino, betting intermediary (trading room only) and remote betting (standard) (remote platform) licences. Paragraph 8 does not apply to ancillary remote betting licences, remote general betting (limited), or any remote lottery licence the holder of which does not provide facilities for participation in instant win lotteries

1. Licensees must have and put into effect procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.
2. Licensees must, as soon as practicable, take all reasonable steps to prevent any marketing material being sent to a self-excluded customer.
3. Licensees must take steps to remove the name and details of a self-excluded individual from any marketing databases used by the company or group (or otherwise flag that person as an individual to whom marketing material must not be sent), within two days of receiving the completed self-exclusion notification.
4. This covers any marketing material relating to gambling. However, it would not extend to blanket marketing which is targeted at a particular geographical area and where the excluded individual would not knowingly be included.
5. Licensees must close any customer accounts of an individual who has entered a self-exclusion agreement and return any funds held in the customer account. It is not sufficient merely to prevent an individual from withdrawing funds from their customer account whilst still accepting wagers from them. Where the giving of credit is permitted, the licensee may retain details of the amount owed to them by the individual, although the account must not be active.
6. Licensees must put into effect procedures designed to ensure that an individual who has self-excluded cannot gain access to gambling. These procedures must include:
 - a. a register of those excluded with appropriate records (name, address, other details, and any membership or account details that may be held by the operator);
 - b. a record of the card numbers to be excluded;
 - c. staff training to ensure that staff are able to administer effectively the systems; and
 - d. the removal of access from those persons found to have gambled or who have attempted to gamble on the facilities.
7. Licensees must when administering the self-exclusion signpost the individual to counselling and support services.
8. Customers must be given the opportunity to self-exclude by contacting customer services and in addition by entering an automated process using remote communication. In order to avoid

inadvertent self-exclusion it is acceptable for an automated process to include an additional step that requires the customer to confirm that they wish to self-exclude. The licensee must ensure that all staff who are involved in direct customer service are aware of the self-exclusion system in place, and are able to direct that individual to an immediate point of contact with whom/which to complete that process.

3.5.4 - Self-exclusion – Remote ordinary code

Ordinary code

Applies to:

All remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino, remote betting intermediary (trading rooms only) and remote betting (standard) (remote platform) licences

1. Self-exclusion procedures should require individuals to take positive action in order to self-exclude:
 - a. over the internet; this can be a box that must be ticked in order to indicate that they understand the system
 - b. by telephone; this can be a direct question asking whether they understand the system.
2. Before an individual self-excludes, licensees should provide or make available sufficient information about what the consequences of self-exclusion are.
3. Licensees should encourage the customer to consider extending their self-exclusion to other remote gambling operators currently used by the customer.
4. Within the licensee's information about self-exclusion policies, the licensee should provide a statement to explain that software is available to prevent an individual computer from accessing gambling internet sites. The licensee should provide a link to a site where further information is available.
5. Licensees should take all reasonable steps to ensure that:
 - a. the minimum self-exclusion period offered is of a duration of not less than 6 nor more than 12 months;
 - b. any self-exclusion may, on request, be extended for one or more further periods of at least 6 months;
 - c. the self-exclusion arrangements give customers the option of selecting a self-exclusion period of up to at least five years;
 - d. a customer who has decided to enter a self-exclusion agreement is given the opportunity to do so immediately without any cooling-off period. However, if the customer wishes to consider the self-exclusion further (for example to discuss with problem gambling groups) the customer may return at a later date to enter into self-exclusion;
 - e. at the end of the period chosen by the customer, self-exclusion remains in place, for a minimum of 7 years, unless the customer takes positive action to gamble again;
 - f. where a customer chooses not to renew, and makes a positive request to begin gambling again, during the 7 year period following the end of their initial self-exclusion, the customer is given one day to cool off before being allowed to access gambling facilities. Contact must be made via phone or in person; re-registering online is not sufficient; and
 - g. notwithstanding the expiry of the period of self-exclusion chosen by a customer, no marketing material should be sent to them unless and until they have asked for or agreed to accept such material.

6. The licensee should retain the records relating to a self-exclusion agreement for as long as is needed to enable the self-exclusion procedures set out in paragraph 5 above to be implemented.
7. Please note that the Commission does not require the licensee to carry out any particular assessment or make any judgement as to whether the previously self-excluded individual should again be permitted access to gambling. The requirement to take positive action in person or over the phone is purely to a) check that the customer has considered the decision to access gambling again and allow them to consider the implications; and b) implement the one day cooling-off period and explain why this has been put in place.
8. In providing training to staff on their responsibilities for self-exclusion, licensees should have, as a minimum, policies for induction training and refresher training.

3.5.5 - Remote multi-operator SR code

Social responsibility code

Applies to:

All remote licences except: any remote lottery licence the holder of which does not provide facilities for participation in instant win lotteries, ancillary remote betting, remote general betting (remote platform), remote betting intermediary (trading room only), remote general betting (limited), gaming machine technical, gambling software, host, ancillary remote bingo, and ancillary remote casino licences

1. Licensees must participate in the national multi-operator self-exclusion scheme.

3.5.6 - Multi-operator non-remote SR code

Social responsibility code

Applies to:

All non-remote casino, bingo and betting licences (except in respect of the provision of facilities for betting in reliance on a track premises licence) and holders of gaming machine general operating licences for adult gaming centres

1. Licensees must offer customers with whom they enter into a self-exclusion agreement in respect of facilities for any kind of gambling offered by them at licensed gambling premises the ability to self-exclude from facilities for the same kind of gambling offered in their locality by any other holder of an operating licence to whom this provision applies, by participating in one or more available multi-operator self-exclusion schemes.

3.6.5 - AGCs

Ordinary code

Applies to:

All adult gaming centre licences

1. Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:
 - a. to employ them to provide facilities for gambling;
 - b. if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time; and
 - c. to employ them to carry out any other function on adult gaming centre licensed premises while any gambling activity is being carried on in reliance on the premises licence.
2. As to 1b, it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.
3. Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:
 - a. children and young persons are never asked to perform tasks within 1a or 1b, above
 - b. all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons.
4. Licensees should consider adopting a policy that:
 - a. children and young persons are not employed to work on adult gaming centre licensed premises at any time when the premises are open for business
 - b. gaming machines are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

3.6.6 - FECs

Ordinary code

Applies to:

All family entertainment centre licences

1. Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:
 - a. to employ them to provide facilities for gambling; and
 - b. if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time.
2. As to 1b, it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.
3. Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:
 - a. children and young persons are never asked to perform tasks within 1a or 1b, above; and
 - b. all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons.
4. Licensees should consider adopting a policy that:
 - a. children and young persons are not employed to carry out any work in an adult-only area of family entertainment licensed premises at a time when any gambling is taking place; and
 - b. gaming machines sited in adult-only areas are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

3.8.2 - Money-lending – other than casinos

Ordinary code

Applies to:

All non-remote bingo, general betting, adult gaming centre, family entertainment centre and remote betting intermediary (trading rooms only) licences

1. Licensees should seek to prevent systematic or organised money lending between customers on their premises. As a minimum, they should have arrangements in place to ensure staff are requested to report any instances of substantial money lending when they become aware of them.

3.9.1 - Identification of individual customers - remote

Social responsibility code

Applies to:

All remote licences (including ancillary remote betting licences) except gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences

1. Licensees must have and put into effect policies and procedures designed to identify separate accounts which are held by the same individual.
2. Where licensees allow customers to hold more than one account with them, the licensee must have and put into effect procedures which enable them to relate each of a customer's such accounts to each of the others and ensure that:
 - a. if a customer opts to self-exclude they are effectively excluded from all gambling with the licensee unless they make it clear that their request relates only to some forms of gambling or gambling using only some of the accounts they hold with the licensee;
 - b. all of a customer's accounts are monitored and decisions that trigger customer interaction are based on the observed behaviour and transactions across all the accounts;
 - c. where credit is offered or allowed the maximum credit limit is applied on an aggregate basis across all accounts; and
 - d. individual financial limits can be implemented across all of a customer's accounts.
3. Licensees which are companies or other bodies corporate must take all reasonable steps to comply with the above provision as if reference to a customer holding more than one account with them included a reference to a customer holding one or more accounts with them and one or more accounts with a group company.
4. A company is a 'group company' in relation to a licensee if it is the holding company of, subsidiary of, or shares a common holding company with, the licensee. For these purposes 'holding company' and 'subsidiary' have the meanings ascribed to them by section 1159 of the Companies Act 2006 or any statutory modification or re-enactment thereof.

4.1.1 - Fair terms

Social responsibility code

Applies to:

All licences, except gaming machine technical and gambling software licences

1. Licensees must be able to provide evidence to the Commission, if required, showing how they satisfied themselves that their terms are not unfair.

5.1.1 - Rewards and bonuses – SR code

Social responsibility code

Applies to:

All licences (including ancillary remote licences), except gaming machine technical and gambling software licences

1. If a licensee makes available to any customer or potential customer any incentive or reward scheme or other arrangement under which the customer may receive money, goods, services or any other advantage (including the discharge in whole or in part of any liability of his) ('the benefit') the scheme must be designed to operate, and be operated, in such a way that:
 - a. the circumstances in which, and conditions subject to which, the benefit is available are clearly set out and readily accessible to the customers to whom it is offered;
 - b. neither the receipt nor the value or amount of the benefit is:
 - i. dependent on the customer gambling for a pre-determined length of time or with a pre-determined frequency; or
 - ii. altered or increased if the qualifying activity or spend is reached within a shorter time than the whole period over which the benefit is offered.
 - c. if the value of the benefit increases with the amount the customer spends it does so at a rate no greater than that at which the amount spent increases; and further that:
 - d. if the benefit comprises free or subsidised travel or accommodation which facilitates the customer's attendance at particular licensed premises the terms on which it is offered are not directly related to the level of the customer's prospective gambling.
2. If a licensee makes available incentives or reward schemes for customers, designated by the licensee as 'high value, 'VIP' or equivalent, they must be offered in a manner which is consistent with the licensing objectives.

Licensees must take into account the Commission's guidance on high value customer incentives.

5.1.2 - Proportionate rewards

Ordinary code

Applies to:

All licences (including ancillary remote licences), except gaming machine technical and gambling software licences

1. Licensees should only offer incentive or reward schemes in which the benefit available is proportionate to the type and level of customers' gambling.

5.1.6 - Compliance with advertising codes

Social responsibility code

Applies to:

All licences, except lottery licences

1. All marketing of gambling products and services must be undertaken in a socially responsible manner.
2. In particular, Licensees must comply with the advertising codes of practice issued by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP) as applicable. For media not explicitly covered, licensees should have regard to the principles included in these codes of practice as if they were explicitly covered.
3. The restriction on allowing people who are, or seem to be, under 25 years old (ie: those in the 18-24 age bracket) to appear in marketing communications need not be applied in the case of non-remote point of sale advertising material, provided that the images used depict the sporting or other activity that may be gambled on and not the activity of gambling itself and do not breach any other aspect of the advertising codes.

5.1.8 - Compliance with industry advertising codes

Ordinary code

Applies to:

All licences

1. Licensees should follow any relevant industry code on advertising, notably the Gambling Industry Code for Socially Responsible Advertising.

5.1.9 - Other marketing requirements

Social responsibility code

Applies to:

All licences

1. Licensees must ensure that their marketing communications, advertisement, and invitations to purchase (within the meaning of the Consumer Protection from Unfair Trading Regulations 2008) do not amount to or involve misleading actions or misleading omissions within the meaning of those Regulations.
2. Licensees must ensure that all significant conditions which apply to marketing incentives are provided transparently and prominently to consumers. Licensees must present the significant conditions at the point of sale for any promotion, and on any advertising in any medium for that marketing incentive except where, in relation to the latter, limitations of space make this impossible. In such a case, information about the significant conditions must be included to the extent that it is possible to do so, the advertising must clearly indicate that significant conditions apply and where the advertisement is online, the significant conditions must be displayed in full no further than one click away.
3. The terms and conditions of each marketing incentive must be made available for the full duration of the promotion.

5.1.10 - Online marketing in proximity to information on responsible gambling

Ordinary code

Applies to:

All licences

1. Licensees should ensure that no advertising or other marketing information, whether relating to specific offers or to gambling generally, appears on any primary web page/screen, or micro site that provides advice or information on responsible gambling

5.1.11 - Direct electronic marketing consent

Social responsibility code

Applies to:

All licences

1. Unless expressly permitted by law consumers must not be contacted with direct electronic marketing without their informed and specific consent. Whenever a consumer is contacted the consumer must be provided with an opportunity to withdraw consent. If consent is withdrawn the licensee must, as soon as practicable, ensure the consumer is not contacted with electronic marketing thereafter unless the consumer consents again. Licensees must be able to provide evidence which establishes that consent.

6.1.1 - Complaints and disputes

Social responsibility code

Applies to:

All licences (including ancillary remote licensees) except gaming machine technical and gambling software licences

1. Licensees must put into effect appropriate policies and procedures for accepting and handling customer complaints and disputes in a timely, fair, open and transparent manner.
2. Licensees must ensure that they have arrangements in place for customers to be able to refer any dispute to an ADR entity in a timely manner if not resolved to the customer's satisfaction by use of their complaints procedure within eight weeks of receiving the complaint, and where the customer cooperates with the complaints process in a timely manner.
3. The services of any such ADR entity must be free of charge to the customer.
4. Licensees must not use or introduce terms which restrict, or purport to restrict, the customer's right to bring proceedings against the licensee in any court of competent jurisdiction. Such terms may, however, provide for a resolution of a dispute agreed by the customer (arrived at with the assistance of the ADR entity) to be binding on both parties.
5. Licensees' complaints handling policies and procedures must include procedures to provide customers with clear and accessible information on how to make a complaint, the complaint procedures, timescales for responding, and escalation procedures.
6. Licensees must ensure that complaints policies and procedures are implemented effectively, kept under review and revised appropriately to ensure that they remain effective, and take into account any applicable learning or guidance published by the Gambling Commission from time to time.
7. Licensees should keep records of customer complaints and disputes and make them available to the Commission on request.

In this Code, 'ADR entity' means

- a. a person offering alternative dispute resolution services whose name appears on the list maintained by the Gambling Commission in accordance with The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015 and,
- b. whose name appears on the list of providers that meet the Gambling Commission's additional standards found in the document 'Alternative dispute resolution (ADR) in the gambling industry – standards and guidance for ADR providers'.

Both lists are on the Commission's website and will be updated from time to time.

Read additional guidance on the information requirements contained within this section.

7.1.2 - Responsible gambling information for staff

Social responsibility code

Applies to:

All licences, including betting ancillary remote licences, but not other ancillary remote licences

1. Licensees must take all reasonable steps to ensure that staff involved in the provision of facilities for gambling are made aware of advice on socially responsible gambling and of where to get confidential advice should their gambling become hard to control.

8.1.1 - Ordinary code

Ordinary code

Applies to:

All licences

1. As stated earlier in this code, the Commission expects licensees to work with the Commission in an open and cooperative way and to inform the Commission of any matters that the Commission would reasonably need to be aware of in exercising its regulatory functions. These include in particular matters that will have a material impact on the licensee's business or on the licensee's ability to conduct licensed activities compliantly and consistently with the licensing objectives.
2. Thus, licensees should notify the Commission, or ensure that the Commission is notified, as soon as reasonably practicable and in such form and manner as the Commission may from time to time specify¹, of any matters which in their view could have a material impact on their business or affect compliance. The Commission would, in particular, expect to be notified of the occurrence of any of the following events in so far as not already notified in accordance with the conditions attached to the licensee's licence²:
 - a. any material change in the licensee's structure or the operation of its business
 - b. any material change in managerial responsibilities or governance arrangements
 - c. any report from an internal or external auditor expressing, or giving rise to, concerns about material shortcomings in the management control or oversight of any aspect of the licensee's business related to the provision of gambling facilities.

Read additional guidance on the information requirements contained within this section.

¹ These matters are to be reported to us online via our 'eServices' digital service on our website.

² Events which must be reported, because the Commission considers them likely to have a material impact on the nature or structure of a licensee's business, are set out in general licence condition 15.2.1

10.1.1 - Assessing local risk

Social responsibility code

Applies to:

All non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences.

1. Licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy¹.
2. Licensees must review (and update as necessary) their local risk assessments:
 - a. to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of licensing policy;
 - b. when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
 - c. when applying for a variation of a premises licence; and
 - d. in any case, undertake a local risk assessment when applying for a new premises licence.

¹This is the statement of licensing policy under the Gambling Act 2005.

10.1.2 - Sharing local risk assessments

Ordinary code

Applies to:

All non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences

1. Licensees should share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise on request.

TAB 12

UK Parliament SIs 2000-2009/2007/1401-1450/Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 (SI 2007/1409)/SCHEDULE 3 Mandatory Conditions Attaching to Adult Gaming Centre Premises Licences

SCHEDULE 3 MANDATORY CONDITIONS ATTACHING TO ADULT GAMING CENTRE PREMISES LICENCES

Regulation 12

1

A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.

2

No customer shall be able to access the premises directly from any other premises in respect of which a licence issued under Part 8 of the Act, or a permit issued under Schedule 10, 12 or 13 to the Act, has effect.

3

Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so.

4

(1) No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises.

(2) A notice stating the condition in sub-paragraph (1) shall be displayed in a prominent place at every entrance to the premises.

NOTES

Initial Commencement

Specified date

Specified date: 21 May 2007: see reg 1(1).

| |
|----------------------|
| Document information |
|----------------------|

Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales)

Regulations 2007

Date made

05/05/2007

TAB 13

Part 5: Principles to be applied by licensing authorities

Licensing objectives

5.1 In exercising their functions under the Act, particularly in relation to premises licences, temporary use notices and some permits, licensing authorities must have regard to the licensing objectives set out in s.1 of the Act, namely:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- ensuring that gambling is conducted in a fair and open way
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

5.2 It is expected that the licensing authority will have set out their approach to regulation in their policy statement, having taken into account local circumstances. This is dealt with in more detail at Part 6.

Objective 1 : Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

5.3 Among other matters, licensing authorities may need to consider the location of premises in the context of this licensing objective. For example,

in considering an application for a premises licence or permit that is in an area noted for particular problems with disorder, organised criminal activity etc, the licensing authority should think about what, if any, controls might be appropriate to prevent those premises being associated with or used to support crime. That might include conditions on the premises licence, such as a requirement for door supervisors. The requirement for conditions might be determined by the operator's own risk assessment or the local area profile carried out by the licensing authority, as detailed in Part 6. A non-exhaustive list of licence conditions is provided at Appendix F.

5.4 A licensing authority will need to consider questions raised by the location of gambling premises when:

- formulating its statement of licensing policy
- receiving relevant representations to an application
- dealing with applications as a responsible authority in its own right considering applications before it.

5.5 In the context of gambling premises licences, licensing authorities should generally consider disorder as activity that is more serious and disruptive than mere nuisance. Factors to consider in determining whether a disturbance was serious enough to constitute disorder would include whether police assistance was required and how threatening the behaviour was to those who could see or hear it. There is not a clear line between nuisance and disorder and the licensing authority should take the views of its lawyers before determining what action to take in circumstances in which disorder may be a factor.

5.6 Regulatory issues arising from the prevention of disorder are likely to focus almost exclusively on premises licensing, rather than on operating licences. However, if there are persistent or serious disorder problems that an operator could or should do more to prevent, the licensing authority should bring this to the attention of the Commission so that it can consider the continuing suitability of the operator to hold an operating licence.

5.7 Of course, licensing authorities are experienced in making judgements in relation to the suitability of premises, particularly those for which they have responsibilities under the Licensing Act 2003 (opens in new tab) /Licensing (Scotland) Act 2005 (opens in new tab), in which context they have wider powers to also take into account measures to prevent nuisance.

5.8 In relation to preventing disorder, licensing authorities have the ability under s.169 of the Act to attach additional conditions to premises licences, and are entitled to include a requirement for door supervision, as provided

for in s.178 of the Act. If a person employed on door supervision would be required to hold a licence issued by the Security Industry Authority (opens in new tab) (SIA), that requirement will have force as though it were a condition on the premises licence. Further information on conditions on premises licences can be found in Part 9 of this guidance.

5.9 There are a number of voluntary initiatives that the gambling industry participates in to address issues such as underage access, staff safety and security. These change from time to time and licensing authorities are advised to check with local operators, for example when conducting inspections, as to which (if any) scheme the operator is a part of. For example, The Safe Bet Alliance's Voluntary Code of Safety and Security National Standards for Bookmakers. Further information can often be found on the websites of industry trade associations.

5.10 Licensing authorities do not need to investigate the suitability of an applicant for a premises licence, including in relation to crime. The issue of suitability will already have been considered by the Commission, because any applicant (except occupiers of tracks who do not propose to offer gambling themselves) will have to hold an operating licence from the Commission before the premises licence can be issued. However, if the licensing authority receives information during the course of considering a premises licence application or at any other time, that causes it to question the suitability of the applicant to hold an operating licence, these concerns should be brought to the attention of the Commission without delay.

Objective 2 : Ensuring that gambling is conducted in a fair and open way

5.11 Generally the Commission would not expect licensing authorities to find themselves dealing with issues of fairness and openness frequently. Fairness and openness is likely to be a matter for either the way specific gambling products are provided and therefore subject to the operating licence, or will be in relation to the suitability and actions of an individual and therefore subject to the personal licence. However, if licensing authorities suspect that gambling is not being conducted in a fair and open

way this should be brought to the attention of the Commission so that it can consider the continuing suitability of the operator to hold an operating licence or of an individual to hold a personal licence.

5.12 In relation to the licensing of tracks, the licensing authority's role will be different from other premises in that track owners will not necessarily have an operating licence. In those circumstances the premises licence may need to contain conditions to ensure that the environment in which betting takes place is suitable. Further information can be found in Part 20 of this guidance.

Objective 3 : Protecting children and other vulnerable persons from being harmed or exploited by gambling

5.13 In exercising their powers under s.153, licensing authorities should consider whether staff will be able to adequately supervise the gambling premises, as adequate staffing levels is a factor to consider regarding the prevention of underage gambling. The Commission would expect the operator and the licensing authority to work together to consider how any impediments to the supervision of premises might be most appropriately remedied. Supervision also applies to premises that are themselves not age-restricted (eg bingo and family entertainment centre (FEC) premises) but which make gambling products and facilities available.

5.14 Where a licensing authority considers the structure or layout of premises to be an inhibition or potential inhibition to satisfying this licensing objective, the licensee should consider what changes are required to ensure the risk is mitigated. Such changes might include the positioning of staff or CCTV, the use of floor-walkers and the relocation of the staff counter to enable direct line of sight. Licensing authorities will need to consider the proportionality of changes to the physical layout in relation to other measures that could be put in place.

5.15 If the operator fails to satisfy the licensing authority that the risks are sufficiently mitigated, it may be appropriate to conduct a review of the premises licence.

5.16 In relation to casinos, the Commission has issued a code of practice on access to casino premises by children and young persons, as provided for by s.176 of the Act. The code of practice is available as part of the Licence conditions and codes of practice (LCCP) or as Gambling codes of practice. In accordance with s.176 of the Act, adherence to the code will be a condition of the premises licence. Further information can be found in Parts 9 and 17 of this guidance.

5.17 The Act does not seek to prohibit particular groups of adults from gambling in the same way that it prohibits children. The Commission does not seek to define 'vulnerable persons' but it does, for regulatory purposes, assume that this group includes people who gamble more than they want to, people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to, for example, mental health, a learning disability or substance misuse relating to alcohol or drugs.

5.18 Licensing authorities need to consider, in relation to particular premises, whether any special considerations apply in relation to the protection of vulnerable persons. This could be a local risk that is reflected in the licensing authority's policy statement. Any such considerations need to be balanced against the authority's objective to aim to permit the use of premises for gambling.

Section 153 principles

5.19 S.153 of the Act provides that, in exercising its functions under Part 8 of the Act, a licensing authority shall aim to permit the use of premises for gambling in so far as it thinks it is:

- a. in accordance with any relevant code of practice under s.24 (the LCCP)
- b. in accordance with any relevant guidance issued by the Commission under s.25 (this guidance)
- c. reasonably consistent with the licensing objectives (subject to a and b above)
- d. in accordance with the licensing authority's statement of licensing policy (policy statement) (subject to a to c above).

5.20 Whilst there is a presumption in favour of permitting the relevant premises to be used for gambling, the licensing authority may not do so

unless satisfied that such use would be in accordance with this guidance, any relevant Commission code of practice, its own statement of licensing policy, and the licensing objectives.

5.21 In the unlikely event that a licensing authority perceives a conflict between a provision of a Commission code of practice or this guidance, and its own policy statement or view as to the application of the licensing objectives, the structure of s.153 makes it clear that the Commission's codes and this guidance take precedence.

5.22 In determining applications for premises licences, the Act explicitly sets out two principles that licensing authorities should **not** have regard to:

- s.153 makes it clear that in deciding whether or not to grant a licence, a licensing authority must not have regard to the expected demand for gambling premises that are the subject of the application
- s.210 (1) of the Act states that 'in making a decision in respect of an application...a licensing authority should not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with law relating to planning or building'.

5.23 A licensing authority is therefore afforded significant scope to exercise its powers under s.153 on the grounds that it does not encroach on the two principles set out above.

5.24 The requirements in s.153 are subject to the licensing authority's power under s.166 to resolve not to issue casino premises licences. This means that a resolution not to issue a casino premises licence applies regardless of the matters set out in s.153.

Codes of practice

5.25 The LCCP sets out the Commission's general licence conditions and associated codes of practice provisions under the Act. The codes of practice are set out within the second part of the LCCP.

5.26 To assist licensing authorities in determining premises applications and inspecting premises, all the codes of practice) are also available as a single document. The codes specify a number of requirements, many of which relate to social responsibility issues and these may be of particular interest where a licensing authority has concern about matters such as protection of the young and vulnerable. It should be noted that the codes also apply to situations in which the gambling being offered is not normally the responsibility of an operating licence holder. Examples include the code

of practice for equal chance gaming and the code for gaming machines in clubs and premises with an alcohol licence.

Good practice in regulation

5.27 Under the Legislative and Regulatory Reform Act 2006 (opens in new tab), any person exercising a specified regulatory function has a legal duty to have regard to the statutory principles of good regulation in the exercise of the function (Legislative and Regulatory Reform Act 2006 (opens in new tab), section 21). These provide that regulatory activities should be carried out in a way which is transparent, accountable, proportionate, and consistent and should be targeted only at cases in which action is needed. The Commission has regard to these principles in relation to its responsibilities and also has regard to the requirements of the Regulators' Code (previously the Regulators' Compliance Code), Department of Business, Innovation and Skills⁵, 2014, issued under section 23 of the Legislative and Regulatory Reform Act 2006 (opens in new tab). The purpose of the Code is to promote efficient and effective approaches to regulatory inspection and enforcement which improve regulatory outcomes without imposing unnecessary burdens on business.

5.28 The statutory principles of good regulation and the Code also apply to local authorities, who are under a statutory duty to have regard to them when fulfilling their regulatory functions under the Act. The Legislative and Regulatory Reform (Regulatory Functions) Order 2007 (opens in new tab), was amended by the Legislative and Regulatory Reform (Regulatory Functions) (Amendment) Order 2009 (opens in new tab), which, amongst other things, extended the application of the 2007 Order to local authorities in Wales and Scotland exercising regulatory functions under the Gambling Act 2005 (opens in new tab) - see Parts 3 and 7.

5.29 Guidance produced by Regulatory Delivery now replaced by the Office of Product Safety and Standards seeks to assist local authorities in interpreting the requirements of the Regulator's Code for example in delivering risk-based regulation in relation to age restrictions.

Age-restricted products and services framework (opens in new tab)⁶ sets out an agreed set of shared responsibilities and reasonable expectations for young people, their parents and carers, businesses, employees and regulators with regards to access to age restricted products and services. The document forms the foundations of the Age-restricted products and services: a code of practice for regulatory delivery (opens in new tab)⁷.

Human Rights Act 1998

5.30 The Secretary of State has certified that the Act is compatible with the European Convention on Human Rights. In considering applications, and taking enforcement action under the Act, licensing authorities should bear in mind that they are subject to the Human Rights Act 1998 (opens in new tab) and in particular:

- Article 1, Protocol 1 – peaceful enjoyment of possessions. A licence is considered a possession in law and people should not be deprived of their possessions except in the public interest
- Article 6 – right to a fair hearing
- Article 8 – respect for private and family life. In particular, removal or restriction of a licence may affect a person's private life
- Article 10 – right to freedom of expression.

Other considerations

5.31 Licensing authorities should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions. In determining applications for premises licences and permits, a licensing authority may request as much information as it requires to satisfy itself that all the requirements set out at s.153 of the Act are met.

5.32 Licensing authorities must ensure that the application is in accordance with the relevant codes of practice, this guidance, the licensing objectives and the licensing authority's own policy statement. There is, therefore, significant scope for licensing authorities to request additional information from the applicant where they have concerns about both new applications and variations.

5.33 Where concerns remain, licensing authorities may choose to attach conditions to the premises licence. Further details are provided in Part 9 and a non-exhaustive list of licence conditions is included at Appendix F of this guidance.

5.34 Licensing authorities should be aware that other considerations such as moral or ethical objections to gambling are not a valid reason to reject applications for premises licences. In deciding to reject an application, a licensing authority should rely on reasons that demonstrate that the licensing objectives are not being, or are unlikely to be, met, and such objections do not relate to the licensing objectives. An authority's decision cannot be based on dislike of gambling, or a general notion that it is

undesirable to allow gambling premises in an area (with the exception of the casino resolution powers).

Making a decision

7.56 As explained earlier, the licensing authority's primary obligation under s.153(1) is to permit the use of premises in so far as it thinks that to do so is:

- a. in accordance with any relevant code of practice issued by the Commission
- b. in accordance with any relevant guidance issued by the Commission
- c. reasonably consistent with the licensing objectives (subject to a and b above)
- d. in accordance with the licensing authority's statement of licensing policy (policy statement) (subject to a to c above).

7.57 Further information and guidance as to the meaning and effect of s.153 is set out at paragraph 5.19 above.

Default conditions

9.27 S.169 of the Act gives licensing authorities:

- the ability to exclude from premises licences any default conditions that have been imposed under s.168
- the power to impose conditions on premises licences that they issue.

9.28 Licensing authorities should make decisions on conditions on a case-by-case basis, and in the context of the principles of s.153. They must aim to permit the use of premises for gambling and so should not attach conditions that limit their use except where it is necessary in accordance with the licensing objectives, the Commission's codes of practice and this guidance, or their own statement of policy. Conversely, licensing authorities should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions.

9.29 Licensing authority statements of policy will need to consider the local circumstances which might give rise to the need for conditions. Where there are specific risks associated with a particular locality, the licensing authority might decide to attach conditions to the premises licence to mitigate those risks. For example, local issues associated with a high crime rate may put a premises at risk of not being consistent with the licensing objectives, and specific conditions may be necessary to address the risk.

9.30 Where there are risks associated with a specific premises or class or premises, the licensing authority may consider it necessary to attach conditions to the licence to address those risks, taking account of the local circumstances.

9.31 Conditions imposed by the licensing authority must be proportionate to the circumstances which they are seeking to address. In particular, licensing authorities should ensure that the premises licence conditions are:

- relevant to the need to make the proposed building suitable as a gambling facility
- directly related to the premises (including the locality and any identified local risks) and the type of licence applied for
- fairly and reasonably related to the scale and type of premises
- reasonable in all other respects.

TAB 14

PATERSON'S LICENSING ACTS 2021

PART 5 GAMBLING ACT 2005

PART 8: PREMISES LICENCES

Determination of application

[5.158]

In determining an application the licensing authority must hold a hearing¹ if:

- representations have been made by an interested party or responsible authority and have not been withdrawn;
- the authority intend to use their discretion under s 169(1) to attach a condition to a licence; or
- the authority intend to use their discretion under s 169 to exclude a default condition (ie a condition automatically attached to the licence under s 168 unless excluded by the authority in its discretion)².

A hearing may, however, be dispensed with if the applicant and any interested party or responsible authority who have made representations consents to this course³, or the authority think that the representations are vexatious or frivolous or will certainly not influence their determination of the application⁴. If the authority do propose to dispense with a hearing on these latter grounds they must as soon as is reasonably practicable notify the person who made the representations⁵, presumably to enable him to seek a remedy by way of judicial review if so advised.

Where the applicant for the premises licence is an applicant for an operating licence⁶ the authority cannot determine the application until the relevant operating licence has been issued⁷.

On considering an application for a premises licence (whether at a hearing or not) the licensing authority must either grant it or reject it⁸. In making that determination the licensing authority will be subject to the provisions of s 153 which sets out the principles to be applied by the authority in exercising all their functions under Part 8 GA 2005 (ie including, but not limited to, the grant or refusal of an application for a premises licence). Section 153(1) provides as follows:

"In exercising their functions under this Part a licensing authority shall aim to permit the use of premises for gambling in so far as the authority think it—

- (a) in accordance with any relevant code of practice under s 24,
- (b) in accordance with any relevant guidance issued by the Commission under s 25,
- (c) reasonably consistent with the licensing objectives (subject to paras (a) and (b)), and
- (d) in accordance with the statement published by the authority under s 349 (subject to paras (a) to (c))."

The subsection starts by imposing a general duty on the authority to 'aim to permit the use of premises for gambling' and then sets out a series of four factors which may, in any individual case, qualify or override the general duty. The first point to note is that the provision imposes a duty on the licensing authority: it must, subject to the qualifying factors, aim to permit the use of premises for gambling. What is the scope of this duty? It is suggested that there are two elements: first, it creates a presumption in favour of granting the premises licence since it is only if the licence is granted that the premises may lawfully be used for gambling. But the duty seems to go further than that. The verb 'to aim' is defined by the OED9 as meaning: '5. To calculate one's course with a view to arriving (at a point); to direct one's course, to make it one's object to attain. Hence fig To have it as an object, to endeavour earnestly'. The Shorter OED10 defines it as: '3. Direct one's course, make it one's object to attain, intend, try'. A person who 'aims' to achieve a result will usually take active steps to bring it about. The provision appears to place a duty upon the licensing authority to exercise their powers so far as is lawfully possible to achieve a position in which they can grant the premises licence and thus permit the premises to be used for gambling. The most obvious way in which the authority will be able to exercise their powers in this way will be by an imaginative use of their power to frame and impose conditions (see para 5.159 below) so as to overcome objections to the application which might, in the absence of suitable conditions, lead to the application being rejected. No doubt the authority could also, in a case where a licence application gave rise to issues which could not be addressed by suitably drafted conditions, seek to consider with the applicant whether amendments to the application might overcome the objections and enable it to be granted. However, it is also necessary to recognise that the language of s 153(1) stops short of being mandatory; 'aim to permit' provides a strong steer to look favourably on an application, but no more.

As to the list of qualifying factors, these are set out in s 153(1)(a)–(d). Section 153(1)(a) qualifies the duty to aim to permit use of premises for gambling to the extent that such use must be in accordance with any relevant code of practice issued by the Gambling Commission under s 24. That section requires the Gambling Commission to issue codes of practice about the manner in which facilities for gambling are to be provided (whether by the holder of a licence or by another person). In issuing a code of practice the Gambling Commission will be subject to a duty under s 22 to promote the licensing objectives. Accordingly any code of practice should be consistent with those objectives. Section 153(1)(b) qualifies the licensing authority's duty to aim to permit the use of premises for gambling to the extent that such use must be in accordance with any relevant guidance issued by the Gambling Commission under s 25. This section requires the Gambling Commission to issue guidance to local authorities¹¹ as to the manner in which they are to exercise their functions under the Act and the principles that they should apply in exercising those functions. Again the effect of s 22 is that in issuing such guidance the Commission will be under a duty to promote the licensing objectives, so again such guidance should be consistent with those objectives. The effect of all this is that any code of practice and any guidance to local authorities ought to promote the licensing objectives and no inconsistencies between the two should arise. On that basis codes of practice and guidance are placed (by s 153(1)(a) and (b)) as enjoying equal importance at the top of the hierarchy of factors set out in s 153(1)(a)–(d).

Next comes s 153(1)(c): this provides that the duty of the licensing authority to aim to permit the use of premises for gambling is qualified to the extent that such use must be reasonably consistent with the licensing objectives, but it goes on to provide that this condition is 'subject to paras (a) and (b)'. In principle there should, of course, be no conflict between (a) and (b) (which will both reflect the Gambling Commission's duty to promote the licensing objectives) and (c) (which will reflect the

licensing authority's view of what the licensing objectives require). However the effect of the legislation appears to be that should there be any conflict between the two then the guidance set out in codes of practice or guidance emanating from the Gambling Commission will 'trump' any factors which the licensing authority themselves would otherwise have taken into account as relevant to the licensing objectives under s 153(1)(c).

Finally, s 153(1)(d) provides that the duty of a licensing authority to aim to permit the use of premises for gambling is qualified to the extent that such use must be in accordance with the authority's own statement issued under s 349. In preparing that statement the authority are not themselves expressly required to have regard to the licensing objectives, but they are obliged to have regard to guidance issued by the Gambling Commission under s 25 and such guidance deals, amongst other things, with the formulation by the authority of their licensing policy. Since the s 25 guidance must itself promote the licensing objectives the effect should be that the authority's licensing policy will itself be consistent with those objectives so that it should not conflict with any code of practice or guidance issued by the Commission nor with the licensing objectives themselves. However, s 153(1)(d) provides that consideration of the licensing authority's own policy is 'subject to paras (a) to (c)' which appears to mean that in the case of an inconsistency a relevant Commission code of practice, relevant guidance or the licensing objectives themselves would 'trump' the authority's licensing policy.

In determining the application the authority may not have regard to the expected demand for the facilities which it is proposed to provide¹², nor may they have regard to the question whether or not the proposal is likely to be granted planning permission or building regulation approval¹³. Where the authority have resolved under s 166 not to issue casino premises licences an application for such a licence will, of course, necessarily fail and be rejected¹⁴.

Where the application is granted the authority must as soon as reasonably practicable give notice of the grant in the form prescribed to the applicant, the Commission, any person who made representations, the chief officer of police for any area in which the premises are wholly or partly situated and HMRC¹⁵ and must issue the licence to the applicant and must give him a summary of the terms and conditions in the prescribed form. If they have attached a condition to the licence under s 169(1)(a) or have excluded a default condition¹⁶ they must give their reasons¹⁷. If representations were made by an interested party or a responsible authority they must give their response to the representations¹⁸.

Where the application is rejected the authority must as soon as reasonably practicable give notice of the rejection in the form prescribed to the applicant and to the same parties as are entitled to be notified of a grant¹⁸. The notice must give the authority's reasons for rejecting the application¹⁹.

1 As to procedure at hearings in relation to applications see SI 2007/173.

2 GA 2005, s 162. See further para 5.159 below.

3 GA 2005, s 162.

- 4 GA 2005, s 162(3).
- 5 GA 2005, s 162(4).
- 6 le under GA 2005, s 159(3)(b).
- 7 GA 2005, s 163(2).
- 8 GA 2005, s 163(1).
- 9 The Oxford English Dictionary (2nd edn, 1989).
- 10 (5th Edn, OUP).
- 11 See 'Guidance to Licensing Authorities'.
- 12 GA 2005, s 153(2).
- 13 GA 2005, s 210.
- 14 GA 2005, s 153(3), 166.
- 15 GA 2005, s 164 and see SI 2007/459, regs 17 and 19.
- 16 le a condition under GA 2005, s 168.
- 17 GA 2005, s 164(2)(b).
- 18 GA 2005, s 164(2)(c).
- 19 GA 2005, s 165 and SI 2007/459, regs 18 and 19.

TAB 15

[Home](#) [Browse Legislation](#) [New Legislation](#) [Coronavirus Legislation](#) [Changes To Legislation](#)

[Search Legislation](#)

Title: Year: Number: Type: ▼

[Search](#)

[Advanced Search](#)

Gambling Act 2005

UK Public General Acts 2005 c. 19 Part 8 Licensing authorities' functions **Section 153**

[Table of Contents](#) [Content](#) [Explanatory Notes](#) [More Resources](#)

[Previous: Provision](#) [Next: Provision](#)

[Plain View](#) [Print Options](#)

Changes over time for: Section 153



21/05/2007

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 153. [?](#)

153 Principles to be applied

- (1) In exercising their functions under this Part a licensing authority shall aim to permit the use of premises for gambling in so far as the authority think it—
 - (a) in accordance with any relevant code of practice under section 24,
 - (b) in accordance with any relevant guidance issued by the Commission under section 25,
 - (c) reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b)), and
 - (d) in accordance with the statement published by the authority under section 349 (subject to paragraphs (a) to (c)).
- (2) In determining whether to grant a premises licence a licensing authority may not have regard to the expected demand for the facilities which it is proposed to provide.
- (3) This section is subject to section 166.

Commencement Information

I1 S. 153 in force at 21.5.2007 by [S.I. 2006/3272](#), art. 2(2), [Sch. 2](#) (with arts. 7-11, 7-12, [Sch. 4](#)) (as amended by [S.I. 2007/1157](#), arts. 3(3), 4)

[Previous: Provision](#) [Next: Provision](#)

[Help](#) [About Us](#) [Site Map](#) [Accessibility](#) [Contact Us](#) [Privacy Notice](#) [Cookies](#)

[Back to top](#)

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