Milestone Foundation's Society Policy for Identifying Problem Gamblers

Policy for Identifying Problem Gamblers

1. A problem gambler is a person whose gambling causes harm or may cause harm.

   Harm –

   a. Means harm or distress of any kind arising from, or caused or exacerbated by, a person's gambling; and

   b. Includes personal, social, or economic harm suffered –

      i. By the person; or

      ii. The person's spouse, partner, family, whānau, or wider community; or

      iii. In the workplace; or

      iv. By society at large.

2. Problem gambling can be described as occasional or regular gambling to excess to the extent that it leads to problems in other areas of life, particularly with finances and inter-personal relationships. These problems range from minor ones involving, for example, arguments with the family over gambling expenditure, to problems involving a compulsive addiction to gambling resulting in major financial or inter-personal difficulties.

3. The venue manager and venue personnel who supervise gambling in the course of their duties participate in training to keep up to date with procedures for identifying problem gamblers and the problem gambler intervention process. A summary of the training requirements is included in the attached schedule.

4. The training is provided by Milestone Foundation or the Foundation's representative. Training must be provided to venue staff before they first start supervising gambling in the course of their duties at the venue (induction training is required for new staff). Training must be provided at least once a year.

5. A person who has received problem gambling awareness training must be present at the venue at all times when gambling activities are available to players.

6. If one or more signs of harm is observed, the venue personnel must have a conversation with the player to assist with identifying whether the player is a problem gambler. A record of the conversation must be kept. This process is described further in the accompanying venue statement.

7. A sign of harm is a source of information to assist in identifying problem gambling. The

observation of a sign of harm does not automatically mean the person is a problem gambler.

8. The signs of harm include:

   a. Withdrawing, or attempting to withdraw, cash from an automatic teller machine or EFTPOS on two or more occasions in one day to use for gambling at the venue;

   b. Gambling during nine or more consecutive gambling area sweeps;

   c. Attempting to borrow money from venue personnel or other venue customers to use for gambling;

   d. Leaving children (persons under 14 years of age) in a car or otherwise unattended at the venue;

   e. Waiting to gamble as soon as the venue opens;

   f. Refusing to stop gambling at the venue when the venue is closing, or otherwise appearing unable to stop gambling; and

   g. Appearing visibly distressed or angry either during or after gambling (for example, crying, holding their head in their hands, or hitting a machine).

9. The sign of harm "gambling during nine or more consecutive gambling area sweeps" requires the player to be actually gambling, not merely present in the gaming room during the sweep.

10. A non-observed withdrawal, made outside the venue, does not count as a withdrawal for the purposes of the two withdrawals sign of harm.

11. The above signs of harm are listed in the schedule of the Gambling (Harm Prevention and Minimisation) Regulations 2004. The above list is, however, not exhaustive; venue staff must monitor for all signs of gambling harm.

12. In addition to the above, if a person is identified as a problem gambler, the venue manager, or person acting on their behalf, is required to approach the person and offer information and advice to the person about problem gambling. This information or advice must include a description of the self-exclusion procedure.

13. References in this policy and the subsequent statement to "gambling" are references to class 4 gambling only, not to other forms of gambling such as TAB gambling or purchasing raffle tickets.

Schedule – Harm Minimisation Training Content

The training must enable the venue manager and venue personnel to —

a. Approach a player whom the venue manager or venue personnel have reasonable grounds to believe may be experiencing difficulties relating to gambling;

b. Provide information to a player about the characteristics of problem gambling (including recognised signs of problem gambling);

c. Provide information to a player about the potential dangers of problem gambling;

d. Provide information to a player about how to access problem gambling services;

e. Remind a player that the venue manager or a person acting on the manager's behalf may identify a person they have reasonable grounds to believe is a problem gambler and exclude the player from the gambling area of the venue for up to two years;

f. Remind a player that they can identify themselves as a problem gambler and request that the venue manager or a person acting on the manager's behalf exclude them from the gambling area of the venue for up to two years; and

g. Monitor for signs of harm, including by conducting sweeps.

The training must also—

a. Include practical and interactive sessions on—

   ii. Interacting with players to gain familiarity and build rapport with them;

   iii. Initiating conversations with a player who may be experiencing harm;

   iv. How to interact with a player who is distressed or agitated; and

   v. How venue personnel can support problem gamblers through the exclusion process, including how to start conversations with players about the exclusion process and how players can access multivenue exclusion.

b. Include the following information:

   i. Information about identifying the signs of harm;

   ii. Basic information about how gaming machines work, including why they can be addictive;

   iii. First-hand accounts (which may be pre-recorded) from people who have experienced or been affected by harm;

   iv. Information about the types of harm;

v. Information about local and national problem gambling services and other organisations that can provide support to people affected by harm;

vi. Information about what resources are available to support venue managers or venue personnel to help prevent and minimise harm; and

vii. The procedure for self-exclusion and venue-initiated exclusion, including when it is appropriate for the venue manager or a person acting on their behalf to consider excluding an individual.

c. Guidance on the following matters:

i. How to maintain records to ensure that information is retained so that actual or potential problem gamblers can be identified, and obligations under the Privacy Act 2020 can be complied with; and

ii. How to conduct sweeps.

Milestone Foundation's Society Statement on How it Proposes to Minimise the Risk of Problem and Underage Gambling at its Venues

Problem Gambling Prevention

1. Brochures and notices are clearly displayed in the gaming area. The brochures and notices inform players about the hazards of gambling, encourage players not to spend more than they can afford, and set out information on assistance for gambling problems. The brochures include information about the odds of winning, such as "You might sometimes have a win but, if you keep playing, you are likely to lose all the money you put in". The brochures also include information on the characteristics of problem gambling (including recognised signs of problem gambling). The notices include a statement that the venue has a problem gambling policy and that a copy of the policy will be made available on request.

2. The gaming machines operated do not have banknote acceptors that accept notes higher than $20.00 in denomination.

3. A clock is located on each gaming machine screen.

4. Credit is not provided by the venue for the purpose of gambling.

5. The venue staff will prevent customers showing signs of intoxication from playing the gaming machines and will request that they leave the premises if necessary.

6. Automatic teller machines available in the venue must be in the line of sight of staff at the main bar area of the venue or, if the venue does not have a bar area, the main customer service area of the venue.

7. If the venue licence has a defined gaming area, the gaming machines must not be visible from outside the venue (except intermittently when an external door is in use). "Outside" the venue is interpreted as outside the boundaries of the venue as defined on the venue licence. External gaming signage is still permitted, provided it does not make any reference to the venue having a jackpot.

Sweeps

8. A "sweep" is defined as a physical observation of the place where gaming machines are located (the gaming room) to:

    a. Observe player behaviour; and

    b. Monitor for signs of harm, including those set out in the schedule to the Gambling (Harm Prevention and Minimisation) Regulations 2004.

9. The venue manager must ensure that venue personnel conduct sweeps of the gambling area at least three times per hour while the gambling area is operating, with each sweep being at least 10 minutes after the previous sweep. The hour starts whenever the venue makes gambling available; e.g., if the venue opens at 10.45am, the venue must complete three sweeps before 11.45am.

10. When conducting a sweep, the venue personnel must take all reasonable steps to identify whether any player has been gambling during nine or more consecutive sweeps.

11. A sweep is not required if the personnel can verify through other means (e.g., CCTV) that the gambling area is unoccupied by players.

12. Sweeps and records are not required when gambling is not operating; i.e., the gaming area is closed, the machines are turned off, or the venue is closed.

<u>Sweep Records and Monitoring for Gambling During Nine or More Consecutive Gambling Area Sweeps</u>

13. The following information must be recorded:

    a. The name or ID of the venue personnel who conducted the sweep;

    b. The date and time that the venue personnel conducted the sweep;

    c. How many players were present in the gambling area during the sweep. The persons recorded need to be "players"; i.e., persons who play a gaming machine, but do not need to be gambling at the time the sweep is undertaken. For example, a player should be recorded as being present if they are partway through their session but not gambling during the sweep due to machine-hopping or waiting for a machine to become available;

    d. Evidence of the steps taken by the venue personnel to monitor and identify whether players have been gambling during consecutive gambling area sweeps. This requirement may be met by:

        Option 1

        i. A photo or photos being taken, during or shortly after the sweep, of the gaming room that clearly shows the persons gambling;

        ii. The photo or photos being stored with the sweep record; and

        iii. The sweep record having a mechanism for venue personnel to go back over the last 9 photos (as a minimum) to check for extended play.

        Option 2

        i. Via the use of facial recognition technology, photos being displayed on a mobile tablet of the persons who have recently been in the gaming room;

ii. Venue personnel marking the persons as gambling and present during a sweep by tapping their respective photo (the "roll call");

iii. The roll call being recorded with the sweep record; and

iv. The sweep record having a mechanism for venue personnel to go back over the last 9 roll calls to check for extended play.

Option 3

i. Via a manual system where venue staff note an identifying feature of the person in a sweep record booklet. This could be their name, nickname, or some other unique feature sufficient for staff to identify that person in subsequent sweeps. For example, a particular item of clothing may be noted. Only enough information to identify the player is required.

ii. At each sweep, staff should note in the booklet whether the player is present.

e. If a gambling area sweep is not conducted because venue personnel can verify through other means that the gambling area is unoccupied by players, a record must be provided showing:

i. The method by which venue personnel verified that the gambling area was unoccupied by players; and

ii. The date and time that the gambling area sweep was not conducted.

<u>ATM Observation and Cash Withdrawals for the Purpose of Gambling</u>

14. Venue staff are aware that a sign of harm is making two or more cash withdrawals for the purpose of gambling, which requires a conversation to take place, and will be aware that they need to observe for this.

15. The monitoring of cash withdrawals may be met by:

Option 1

a. The use of a facial recognition and/or card tracking system that automatically records the number of cash withdrawals made by each player.

Option 2

a. Noting observed cash withdrawals electronically, including making a note in the venue's QEC.

Option 3

a. A manual system where venue staff note the withdrawal next to the player's name or description in the sweep booklet, or make a note in a cash withdrawal notebook/incident log.

16. Only withdrawals that are made for gambling count as a sign of harm. The venue staff will consider a withdrawal has been made for the purpose of gambling if the player withdraws money from an ATM or EFTPOS and immediately goes into the gaming room.

Conversation Requirement – Regulation 15

17. After identifying that a player is exhibiting one or more of the signs of harm, a conversation must be had with that player to assist with identifying whether the player is a problem gambler.

18. The exact content of the conversation should be tailored according to the situation and can be as minimal as a gentle check-in.

19. There is no formal requirement during this conversation to provide the player with information and advice about problem gambling (such as providing a problem gambling pamphlet) or advice about the exclusion order system, but the venue staff should provide this information or advice if they have reasonable grounds to believe the person is a problem gambler. This is discussed further below under the heading *Approaching a Player and Undertaking an Intervention – Sections 308 and 309*.

20. The conversation does not need to be immediate. Venue staff may wait until an appropriate interaction opportunity.

21. A second or subsequent conversation is not required every time a subsequent sign of harm is observed but, if other signs are observed during the course of the day, subsequent conversations may be required. A single conversation may address several observed signs of harm. A subsequent conversation is required whenever it is reasonable for venue staff to believe that the conversation may assist with identifying a problem gambler.

22. If one of the signs of harm is observed, venue personnel do not automatically have to stop the person gambling, although in some cases, such as leaving children in a car unattended, asking to borrow money, or showing distress or anger, this may be appropriate.

Records of Signs of Harm Identified – Regulation 16

23. When a sign of harm is identified, the following information must be recorded:

a. The name of the venue personnel who identified the sign of harm;

b. The date and time that the venue personnel identified the sign of harm;

c. Information that would help venue personnel to identify a player who displayed the sign of harm (for example, their name, if known, or a general description of

their appearance);

d. Which sign of harm was identified;

e. The name of the venue personnel who had the required conversation with the player;

f. The date and time that the venue personnel talked to the player;

g. A summary of the conversation with the player; and

h. Any further action taken in respect of the player.

24. For the avoidance of doubt, all signs of harm must be recorded, regardless of whether a conversation was had with the player as a result of the sign of harm being observed.

25. The venue manager must review, or ensure that a person reviews on their behalf, the records for at least the previous seven days, at least once each week, to—

a. Assess whether the venue personnel have taken appropriate action following the identification of one or more signs of harm in a player;

b. Assess whether further action is required in respect of a player; and

c. Determine whether there are any players whom the venue manager, or the person acting on their behalf, has reasonable grounds to believe are problem gamblers.

26. The venue manager, or the person acting on their behalf, after reviewing the records, must record:

a. The date of the review; and

b. Any further action taken as a result of the review.

27. The venue operator must ensure that the information recorded is retained for a period of three years after the date on which it was recorded.

28. The record-keeping process may be electronic and partly automated.

<u>Approaching a Player and Undertaking an Intervention – Sections 308 and 309</u>

29. An intervention is promptly required once the venue manager, or person acting on their behalf, has reasonable grounds to believe a person is a problem gambler.

30. The above Regulation 15 conversation is to help the venue personnel to identify whether the player is a problem gambler. The observation of "1 or more signs of harm" does not lead necessarily to the conclusion that reasonable grounds exist for concluding that a player is a problem gambler, although it may do so. Conversely, a positive problem

gambling assessment may be made without an immediate prior Regulation 15 conversation.

31. When considering whether there are reasonable grounds to believe a person is a problem gambler, it is appropriate to note that all the potential signs or indicators of problem gambling are not necessarily of equal weight. Some indicators or signs of harm are more urgent and less ambiguous than others. For example, appearing visibly distressed or angry either during or after a gambling session, or leaving children in a car while gambling, are one-off unambiguous signs of harm that would justify a prompt intervention (an intervention as soon as reasonably practical). Other indicators of harm may require more persistent or repetitive behaviours before an intervention is warranted. These indicators include long sessions of play and multiple withdrawals. An intervention would not normally be warranted solely because a player had one three-hour session of play, or made two withdrawals on only one day, but an intervention would be required if this behaviour was a regular occurrence.

32. To undertake an intervention, the venue manager should approach the person in a polite manner and ask to speak to them privately, in a separate area. The person should at all times be treated with respect, sensitivity, and a willingness to help. The venue manager should then:

    a. Offer information or advice to the person about problem gambling; and

    b. Explain the self-exclusion procedure, including reminding the player that under the Gambling Act 2003:

        i. A player can "self-identify" as a problem gambler and ask the venue to exclude them from the gambling area for up to two years; and

        ii. Management has the right to identify a person they believe is a problem gambler, and ban them from the gambling area for up to two years.

33. The above information or advice may be provided in written format and complemented by an oral discussion (if it is safe to do so). For example, the person could be provided with a problem gambling pamphlet and/or provided with a letter that sets out the dangers and characteristics of problem gambling, along with details on how to access the problem gambling services.

<u>Exclusion Orders</u>

34. Exclusion orders must be issued to self-identified problem gamblers. The exclusion order forms are kept in a folder at the bar. An exclusion order can also be issued directly from the QEC screen via the Person of Interest tab.

35. In addition to the above, the venue manager, or a person acting on behalf of the venue manager, may, after offering advice or information to a person who is an actual or potential problem gambler, issue an exclusion order to the person.

36. The venue manager, or person acting on behalf of the venue manager, has a duty to assist a gambler if ongoing concern exists. If a person is approached and provided with information or advice, the person will continue to be monitored by venue staff. If the person's ongoing gambling or other behaviour is such that there are reasonable grounds to believe the person is a problem gambler, the person will be approached again and provided further information about problem gambling and, if appropriate, issued with an exclusion order.

37. Only the venue manager or person acting on behalf of the venue manager may issue exclusion orders. However, if a person requests to be excluded, the self-exclusion request should be actioned immediately by the most senior member of staff at the venue, if the venue manager is not immediately available. The venue manager gives their authorisation for self-exclusion requests to be actioned by other venue staff.

38. Exclusion orders cannot be issued for a period of more than two years. Once issued, the exclusion order cannot be revoked, rescinded, or withdrawn.

39. Records of all excluded persons must be kept at the venue. The records may be kept electronically, via the QEC terminal. The records must include, in relation to each excluded person:

    a. The person's name and date of birth (if provided);

    b. Whether the person was excluded from the venue under section 309 or 310; and

    c. The date on which the exclusion order was issued and the date of its expiry; and

    d. Any conditions imposed on the person's re-entry to the venue.

40. The venue manager, or person acting on behalf of the venue manager, may refuse to issue an exclusion order if the person requesting the exclusion order fails or refuses to comply with a request to:

    a. Provide the person's name and date of birth; and

    b. Either provide a recent photograph of the person or consent to a photograph of him or her being taken.

41. It is also permissible to refuse to issue an exclusion order if the photograph provided is of poor quality.

42. Venue staff will monitor for excluded persons by regularly reviewing the photos of the current excluded persons to gain familiarity. Venue staff shall be alert for excluded persons, including during the greetings made to patrons as they enter the venue, and during gaming room sweeps.

43. Venue staff must remove excluded persons who attempt to re-enter the gambling area. Failure to remove an excluded person is a criminal offence punishable by a fine of up to $5,000.00.

Multi-Venue Exclusion Order Requests

44. When a multi-venue exclusion order request is received (an MVE request), the venue manager (or person authorised by the venue manager) should immediately:

    a. Complete an exclusion order (the MVE request is not itself an exclusion order);

    b. Return the exclusion order to the MVE co-ordinator;

    c. Advise the staff of the new exclusion; and

    d. Forward a copy of the exclusion order to Milestone Foundation.

45. This MVE process may be automated via the Person of Interest functionality in the QEC terminal.

Restriction on Jackpot Advertising

46. Any advertising or promotions at the venue must meet the requirements outlined in regulation 9 and 10 of the Gambling (Harm Prevention and Minimisation) Regulations 2004. This means that:

    a. No advertising relating to a gaming machine jackpot can be published outside the venue or inside the venue in a way that makes the gaming machine jackpot advertising visible or audible to persons outside the venue.

    b. In any venue advertising, the word "jackpot" (or a similar word or get-up) must not be published in a way that explicitly or implicitly conveys the impression that there is a gaming machine jackpot at the venue.

Minimising Risk of Underage Gambling

47. All gaming machines are located in a separate, defined area.

48. The gaming area is under frequent supervision by the venue staff.

49. The gaming area has a sign advising that it is an offence for persons under 18 years of age to play gaming machines.

50. If any individual who looks 21 years of age or under enters the gaming area, they will be requested by staff to show photo identification to verify their age.

51. Any person who fails or refuses to provide photo identification will be asked to leave the gaming area and not re-enter the gaming area. The photo identification must be one of the following:

    a. Valid, current Passport; or

b. New Zealand Photo Driver's Licence; or

c. Kiwi Access Card.

52. Prize money will not be paid to any person who looks under 21 years of age and refuses to produce photo identification confirming that they are 18 years of age or older. The prize money will be held along with details of the individual's name, address, and the date the prize was won. The prize will be held for seven days and paid to the individual if photo identification is provided confirming that the individual is 18 years of age or older. If suitable identification is not provided within seven days, then the funds will be banked into Milestone Foundation's gaming account.