

The Southern Trust: Gambling Harm Prevention & Minimisation Policy



The Southern Trust
245 Stuart St,
P O Box 858,
Dunedin, NZ
info@tst.org.nz
www.tst.org.nz

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Introduction

Class 4 gambling has been established for the primary purpose of providing a benefit to the community. Accordingly, it is necessary to reduce the negative impact which harmful gambling can have on individuals and communities. For many people gambling is a form of entertainment and poses no problem, however it is widely acknowledged that some people will experience harm as a result of their gambling.

The Southern Trust Inc. (TST) acknowledges the responsibility to minimise the potential harm that gambling can cause, and is committed to working with venue management and staff to ensure they understand their role in looking after the gamblers at their venue.

TST has developed this Gambling Harm Minimisation Policy along with the venue specific Harm Minimisation Policy Template, for the primary purpose of supporting our society personnel and our venues to provide best practice gambling host responsibility for customers. This policy and the associated venue specific template also set out the expectation that venue management will support their staff to minimise harmful gambling¹ by maintaining a culture of care for gambling customers.

¹ See Appendix 1: The Definition of Harmful Gambling.

Policy Summary

Policy Statement 1: Culture of Care

TST is committed to supporting the development and maintenance of a culture of care for gambling customers at venues.

Policy Statement 2: Minimising Harmful Gambling²

TST is committed to enabling venue managers and staff to minimise harmful gambling at venues.

Policy Statement 3: Meeting Legal Obligations

TST is committed to ensuring that venue management and staff are aware of, and implement, their harm minimisation obligations under the Gambling Act 2003 and relevant Gambling Regulations 2004³.

Policy Statement 4: Identifying & Minimising Harmful gambling Behaviours

TST is committed to resourcing venues and delivering training programmes that enable venue staff to recognise and respond appropriately to harmful gambling behaviours.

Policy Statement 5: Monitoring the Gaming Area

TST is committed to encouraging venue staff to be aware of what is happening in the gaming area. TST considers constant monitoring of the gaming area and engaging with patrons provides staff with opportunity to understand players behaviours and better determine when their behaviour is having a harmful effect.

² See Appendix 1: The Definition of Harmful Gambling.

³ See Appendix 2: The Legal Obligations for Harm Minimisation.

Policy Statement 1: Culture of Care

TST is committed to supporting the development and maintenance of a culture of care for gambling customers at venues

TST will achieve this policy outcome by:

- providing venue managers and key persons (where appropriate) with harm minimisation training relevant to their role in the organisation;
- providing all new venue staff involved in any aspect of gaming, with the necessary harm minimisation training;
- providing regular refresher training as and when needed;
- providing the resources, including the Health Protection Agency (HPA) and TST material, required to implement the measures outlined in this policy;
- providing signage, including posters and kiosk postings, that meets legal obligations;
- providing venues with a TST representative who will support the venue manager and venue staff to implement the measures outlined in this policy; and by
- providing support with Department of Internal Affairs (DIA) compliance checks and, any feedback arising from those checks.

TST will support a culture of care by training venue managers and venue staff to:

- understand the culture of care required to implement harm minimisation measures;
- understand the need to effect harm minimisation practices;
- understand the legal requirements for harm minimisation as it relates to their position;
- understand that there are consequences of not meeting the legal requirements;
- interact with players and monitor their behaviour;
- recognise and respond appropriately to the *general and strong signs*⁴ of harmful gambling;
- offer appropriate information about available assistance to potential problem gamblers;
- record observations of, and interactions with, potential problem gamblers in the Harm Minimisation Register;
- identify and remove minors from the gaming area⁵;
- record any actions in regards to minors in the Harm Minimisation Register; and,
- apply the correct processes for Self-Exclusion Orders, Venue Initiated Exclusion Orders, and Multi Venue Exclusion (MVE) Orders.

⁴ The *general and strong signs* are defined by the Health Protect Agency and Department of Internal Affairs.

⁵ While it is not illegal for a minor to be in a gaming area it is illegal for them to participate in gambling, TST strongly suggests to Venue Managers that it is best practise to prevent minors from entering a designated gambling area.

TST will assist venues to maintain a culture of care by:

- meeting regularly with venue managers to discuss any harm minimisation issues and events that may have taken place;
- carrying out regular compliance checks and discussing outcomes with venue managers and venue staff;
- carrying out regular checks on the Harm Minimisation Register and discussing any issues that may require attention and further action;
- liaising with the harmful gambling service providers to ensure the register of excludees is up-to-date; and,
- exceeding the legal requirement of one trained person on duty by providing training to all venue personnel⁶.

⁶ Harm Minimisation training will take place as soon as is practical after a new employee starts work at a TST venue.

Policy Statement 2: Minimising Harmful Gambling

TST is committed to enabling venue managers and staff to minimise harmful gambling⁷ at venues

TST will achieve this policy outcome by:

- encouraging and supporting staff to undertake gambling host responsibilities as part of their employment responsibilities;
- encouraging venue managers to put processes in place to ensure staff observe the behaviours of gambling customers;
- encouraging staff to provide a safe environment for gambling customers; and by
- encouraging staff to interact with gamblers in a respectful manner.

TST will support venue managers and staff to minimise harmful gambling by:

- educating venue operators, and venue managers about the importance of providing a safe environment for players;
- encouraging experienced staff to provide on-the-job practical support to new staff;
- supporting staff in their efforts to reduce gambling harm;
- providing notices which inform patrons that venue staff are expected to monitor gambling behaviour as a basic requirement of their duties; and, by
- developing, in collaboration with the venue manager, a venue specific harm minimisation policy which will address:
 - venue-specific internal processes;
 - venue-specific access to the gambling area; and,
 - supervision of players gambling behaviours.

TST will support venue managers to ensure:

- that arrangements are made for all staff who work in gaming related areas to be provided with harm minimisation training;
- that a minimum of at least one harm minimisation trained person is on duty at all times, when the gaming machines are in operation.
- that staff interact regularly with patrons to monitor gambling behaviours;
- that the Harm Minimisation Register is used on a regular basis to record observations of *general and strong signs* of harmful gambling, that those records to be brought to the attention of other staff; and,
- that staff are familiar with and implement their venue specific harm minimisation policy⁸.

⁷ See Appendix 1: The Definition of Harmful Gambling.

⁸ See Appendix 3: Venue Specific Harm Prevention and Minimisation Policy.

Policy Statement 3: Meeting Legal Obligations

TST is committed to ensuring that venue management and staff are aware of, and implement, their harm minimisation obligations under the Gambling Act 2003 and relevant Gambling Regulations 2004⁹.

TST will achieve this policy outcome by:

- defining the gaming areas, through the gaming licence process, to ensure clear definition of the exclusion zone;
- the provision of training programmes that enable venue management and staff to be able to carry out their roles and responsibilities;
- the provision and use of HPA developed training resources combined with TST training resources, to ensure appropriate training is consistently delivered;
- the TST area representative, as soon as is practicable, delivering harm minimisation training to any new staff member;
- creating an awareness with venue managers and venue staff that the law provides for a range of penalties for failing to meet legal obligations;
- including material on legal obligations and penalties during regular refresher training sessions; and by,
- the TST area representatives conducting checks to confirm venue operators have implemented appropriate systems in line with their legal obligations and venue harm minimisation policy.

TST will support venue managers and staff to meet their legal obligations, to:

- formally monitor potential problem gamblers and, inform them about the availability of free support;
- understand and apply the appropriate exclusion order process in accordance with both legal obligations and the venue specific harm minimisation policy;
- regularly share information regarding potential problem gamblers and incidents of harmful gambling with staff;
- promptly respond to a request for a gambler-initiated exclusion order;
- minimise the opportunity for excluded gamblers and minors to play the gaming machines;
- immediately remove minors and excluded persons who attempt to play the gaming machines from the gaming area;
- ensure that brochures containing information about harmful gambling and how to get assistance, are continually available; and, to
- identify problem gamblers and take appropriate action.

⁹ See Appendix 2: The Legal Obligations for Harm Minimisation.

Policy Statement 4: Identifying & Responding to Harmful Gambling Behaviours

TST is committed to resourcing venues and delivering training programmes that enable venue managers and staff to recognise and respond appropriately to harmful gambling behaviours.

TST will achieve this policy outcome by:

- appointing trained venue representatives to deliver harm minimisation programmes to venue staff;
- the provision of venue support that fosters a positive attitude towards minimising harm caused by gambling;
- designing and delivering harm minimisation training programmes that enable venue managers and staff to implement a culture of care for gaming patrons;
- delivering three levels of training programmes:
 - venue manager and, where required key persons, programmes,
 - venue staff programmes,
 - refresher programmes;
- using the HPA and Choice Not Chance material as the basis for their training programmes, including the *general and strong signs* of harmful gambling;
- ensuring that venues are supplied with sufficient harm minimisation related resources;
- training venue staff to recognise when a gambler displays any of the *general or strong signs* of harmful gambling;
- encouraging the staff to develop the social skills required to appropriately interact with gambling patrons in general and problem gamblers specifically;
- training staff in work place skills as they relate to the monitoring of the gaming area;
- training staff to use every day gaming duties as an opportunity to talk to and monitor player behaviours;
- training and encouraging venue management to demonstrate a positive attitude towards minimising harm caused by gambling;
- training of staff in ways to safely approach potential problem gamblers;
- training staff to closely monitor EFTPOS use and the withdrawal of cash;
- encouraging venue managers and staff to closely monitor the number and frequency of EFTPOS cash withdrawals. If a player changes their personal cash control behaviour or they appear to be stressed in anyway by the amount of money they are spending TST strongly recommends that it should be standard practice to intervene and offer information about harmful gambling and where to get assistance;
- training staff to detail any concerns, observations and actions in the Harm Minimisation Register;

- displaying the *general and strong signs* of harmful gambling on the TST kiosk¹⁰, with notification that staff will be actively looking for those indicators; and, by
- continually reviewing and improving systems and processes and adopting the utilisation of technology where appropriate.

TST will require venue managers to support the training programmes through:

- ensuring that they, the venue managers and other relevant key persons attend harm minimisation training, including refresher courses;
- ensuring that all gaming related staff attend harm minimisation training including refresher courses;
- ensuring that TST is notified as soon as a new staff member commences work at the venue;
- ensuring that staff implement harm minimisation through a culture of care;
- the identification of learning gaps and reporting the requirement for further training to the TST representative;
- encouraging venue staff to intentionally interact with gambling customers to get to know their behaviours;
- ensuring that patrons are monitored for the *general and strong signs* of harmful gambling behaviour;
- ensuring that staff understand that if a gambler is displaying any of the strong signs, these behaviours are very likely to indicate gambling harm;
- encouraging venue staff to share details and observations so staff can identify changes in behaviour over time that may indicate potential gambling harm;
- encouraging venue staff to record details of harm minimisation related issues and events so that the venue can maintain a good standard of continuous monitoring;
- staff gently check-in on, and continuing to monitor any players behaviour to determine if any of the general or the strong signs of harmful gambling are demonstrated;
- taking appropriate actions following observations of harmful gambling behaviour;
- supporting staff as they implement the harm minimisation programme; and, through,
- completion of paperwork, issuing exclusion orders and Harm Minimisation Register entries, in a prompt and accurate manner.

¹⁰ If a venue does not have a Kiosk then additional signage will be provided.

TST recommends the implementation of the following harm minimisation practices. The recommendations are:

- When a strong sign of harmful gambling is observed, or where a gambler displays sufficient general signs of a problem to cause concern that they may be a potential problem gambler, a member of staff will approach the person and offer them information.
- The approach can be made at a later more appropriate time if that is deemed desirable (players mood not compatible, best person to make approach is not on duty, etc.). If the approach is not made at the time, a detailed record of the circumstances should be made and forwarded to the venue manager.
- At a minimum, a harmful gambling brochure should be provided to the person and the person should be informed of the option to self-exclude.
- If the person declines the opportunity to self-exclude their gambling behaviour will be closely monitored. If concern for their well-being does not reduce, the venue manager should issue the person with an exclusion order. TST recommends the period of exclusion should be a minimum of 6 months.

Policy Statement 5: Monitoring the Gaming Area

TST is committed to encouraging venue staff to be aware of what is happening in the gaming area. TST considers constant monitoring of the gaming area and engaging with patrons provides staff with opportunity to understand players behaviours and better determine when their behaviour is having a harmful effect.

TST will achieve this policy outcome by:

- designing gaming areas that can be monitored as well as possible within the physical constraints of the space available;
- supplying Close Circuit Television (CCTV) equipment where appropriate to assist venue staff to monitor the gaming area;
- ensuring CCTV monitors, displaying activity in the gaming area are positioned to facilitate monitoring of player behaviour;
- encouraging staff to intentionally monitor the gaming area to check for gamblers displaying *general and strong signs* of gambling harm;
- encouraging staff to regularly monitor the gaming area for minors and excluded people;
- providing Harm Minimisation Registers for use by venue staff. Further, TST will regularly review the format of the Register to ensure they are fit for purpose;
- regularly checking the Harm Minimisation Register for staff entries about their observations, and their actual and planned responses to those observations;
- providing the venue with brochures, signage, and training materials to assist with the monitoring of the gaming area;
- providing additional support, if required, to assist staff to understand the legal obligation of the venue to continue to monitor, identify harmful gambling issues and to determine and implement appropriate responses; and, to
- ensure that records of observations and actions are recorded and shared in order for all gambling related staff to be aware of what's happening in the gaming area.

TST will encourage and support venue managers to ensure that:

- the gaming area is monitored on a regular basis. TST recommends monitoring at approximately 15 min intervals as a minimum. Larger busy areas may require more frequent monitoring. Monitoring includes:
 - checking for minors,
 - checking for excluded persons,
 - checking all patrons for *general and strong signs* of harmful gambling behaviour;

- the gaming area is monitored daily to ensure there are sufficient harm minimisation resources available;
- staff are aware of the need to check the gaming area on a regular basis;
- staff are aware of the *general and strong signs* of harmful gambling;
- there is a formal system which ensures all staff are informed about any patron displaying the signs of harmful gambling;
- checking and saving CCTV footage happens whenever it is required to be reviewed by venue managers to identify potential problem gamblers, and verify actions taken by staff; and, that
- regular checks are carried out on the quality of area sweeps, and the process used to record and pass information to other staff.

Appendix 1: The Definition of Harmful Gambling

The definition of 'harm' under the Gambling Act is very broad:

Harm: -

- means harm or distress of any kind arising from, or caused or exacerbated by, a person's gambling; and
- includes personal, social, or economic harm suffered -
 - (i) by the person; or
 - (ii) the person's spouse, civil union partner, de facto partner, family, whānau, or wider community; or
 - (iii) in the workplace; or
 - (iv) by society at large

The definition of 'problem gambler' under the Gambling Act is also very broad:

Problem gambler : -

A problem gambler is anyone "whose gambling causes harm or may cause harm."

In this way, 'problem gambling' does not necessarily mean 'pathological gambling' in any clinical sense. To make this clear, throughout this document the term 'harmful gambling' is used instead of the term 'problem gambling'.

Effects of 'problem' or 'harmful' gambling.

While one person may be able to afford to spend \$20 on gambling, for another it may mean going without basic grocery items that week. While someone may be happy and safe spending a couple of hours in front of a machine, for another that might take them away from caring for their children or other important responsibilities.

The financial and emotional stress from harmful gambling is likely to be affecting a person's household, their wider family and friends' network, and their workplace.

Problems may range from having arguments with the family over the amount of money being spent on gambling, to problems involving a compulsive addiction to gambling resulting in major financial or inter-personal difficulties.

Appendix 2: The Legal Obligations¹ for Harm Minimisation

The Gambling Act 2003² & the Gambling (Harm Prevention and Minimisation)

Regulations 2004³ require that:

1. The venue has a policy for identifying problem gamblers. The venue manager, or person acting on their behalf, must take all reasonable steps to ensure that the policy is used to identify actual or potential problem gamblers (Section 308). **Failure to do so may result in a fine of up to \$5,000.**
2. There is always a staff member who has received harmful gambling awareness training at the venue at all times when gambling is available. A trained staff member must be able to approach a player and provide appropriate information about harmful gambling (Regulation 12).
3. A notice is displayed in the gambling area advising customers that you have a Gambling Harm Prevention and Minimisation Policy and that a copy of the policy will be made available on request. (Section 308). **Failure to supply a copy of this policy when requested may result in the venue manager being fined up to \$5,000.**
4. Once a problem gambler has been identified, or there are reasonable grounds to believe that the person is a problem gambler, staff must approach that person and offer information or advice about harmful gambling (Section 309). That information or advice must include a description of the self-exclusion procedure (Section 309(2)).
5. After offering the advice and information an exclusion order may be issued by the venue manager (or person acting on their behalf). This prohibits the person from entering the gambling area for a period of up to two years. (Section 309(3)).
6. An exclusion order must be issued promptly if a person has identified themselves as being a problem gambler and has requested that the venue prohibit them from entering the gambling area. (Section 310). **A venue manager (or person acting on their behalf) that fails to issue a self-exclusion order when requested commits an offence and is liable for a fine of up to \$5,000.**

¹ This page covers off harm minimisation obligations at the venue level; it is not an exhaustive list of all harm minimisation requirements set out in the Gambling Act, Regulations and Game Rules. For more information on these, visit the Department of Internal Affairs website at www.dia.govt.nz.

² Refer to: <http://www.legislation.govt.nz/act/public/2003/0051/latest/DLM207497.html>

³ Refer to:

http://www.legislation.govt.nz/regulation/public/2004/0276/latest/DLM283934.html?search=qs_act%40bill%40regulation%40deeme-dreg_harm+prevention+minimisation_resel_25_h&p=1&sr=1

7. Staff must take all reasonable steps (including issuing an exclusion order) to provide continued assistance on an on-going basis to a person they believe is a problem gambler after the initial approach if the person's ongoing behaviour means there are still reasonable grounds to believe the person is a problem gambler. (Section 309A).
8. Excluded persons must not be permitted to enter the gambling area, and must be removed if they do so (Section 311). A venue manager (or person acting on their behalf) who allows an excluded person to enter the gambling area or fails to remove an excluded person may **commit an offence and is liable for a fine of up to \$5,000** (Section 312).
9. The venue manager must keep a record of exclusion orders (Section 312A), including:
 - The person's name and date of birth (if provided); and
 - whether the person self-excluded, or received a venue-initiated exclusion; and
 - The date which the exclusion order was issued and the date of expiry; and
 - Any conditions imposed on the person's re-entry into the venue.
10. No one aged 18 or under is allowed to gamble at the venue (Section 302). **Offences may result in a fine of up to \$5,000.**
11. Providing credit for gambling is prohibited (Section 15).
12. No ATMs are permitted in the gambling area of a venue (Regulation 3).
13. No advertising relating to a gaming machine jackpot can be published either outside the venue, or inside the venue in a way that is visible or audible to persons outside the venue (Regulation 9 and 10).
14. The following must be available to players (Regulation 11):
 - Pamphlets containing information about the odds of winning on gaming machines and the characteristics of harmful gambling, including the recognised signs of harmful gambling and how to seek advice.
 - Signage that is clearly visible that encourage players to gamble only at levels they can afford and contains advice about how to seek assistance for harmful gambling.

Appendix 3: Venue Specific Harm Prevention and Minimisation Policy Template

**Complete the areas marked in red.

[Venue name] Gambling Harm Minimisation Plan

Equipment and Resources Available at Venue
<u>[Adjust the following list to suit each venue]</u>
Choice Not Chance pamphlets
TST harm minimisation pamphlets
Legally required venue notices
Gambling Help Line stickers on machines
Kiosk with all legally required notices installed
CCTV system
Other?

Training

- All staff that have any involvement with the gambling operation at this venue will receive formal training in minimising the harm caused by gambling.
- All staff will receive refresher courses annually as a minimum.
- The venue manager will inform the Southern Trust representative when any new staff member is employed and a suitable time will be arranged for their training. Their training will be treated as a priority.
- At least one trained person will be on duty at all times when the gaming machines are in operation. *The Southern Trust (TST) recommends that all people on duty are trained in Harm Prevention & Minimisation.*

Access

- Unimpeded view of the entrance to the gaming area from the main serving area of the bar will be maintained at all times.
- Staff will attempt to greet all patrons as they enter the venue. In the event that it is impractical to greet a patron, the staff member will aim to greet each player when next conducting a monitoring sweep of the gaming area.
- If the age or identity of any person entering the gaming area cannot be determined, staff will complete a sweep of the area as soon as he/she is able, to confirm if the patron is 18 years old or more and/or if the person is an excludee.
- If an under 18 person or an excluded person enters the gaming area, they are to be removed from that area immediately.

Monitoring

- At the commencement of every shift **[delete one]**:
 - Each staff member will read through the recent pages of the Harm Minimisation Log, **or**
 - The venue manager will inform each staff member at the commencement of their shift of any newly issued harmful gambling exclusions by **[describe method of communication]**.
- At the beginning of the first shift of each week, each staff member will look through the photographs of all persons excluded from the venue.
- Monitoring sweeps of the gaming area will be completed regularly. TST recommends completing a sweep every 15 minutes as a minimum if the machines are being played.
- When conducting sweeps, staff will interact with players making an effort to engage with each person at some stage and, with the aim of in time getting to know the patterns of behaviour exhibited by regular players.
- Staff will ask questions that prompt an expression of how the player is feeling, such as:
 - How is your day going?
 - Are you doing any good/winning?
- Staff will actively monitor player behaviour, looking for the *general and strong signs* of harmful gambling. When those behaviours are observed, a record will be made in the Harm Minimisation Register, and in the case of strong signs, the staff member will draw the Venue Managers attention to the matter.
- The venue manager will regularly review the Harm Minimisation Register and discuss harm prevention and minimisation measures and incidents with staff.
- Where necessary the Venue Manager and staff will observe CCTV footage of incidents to ensure that appropriate intervention action was taken and to determine whether a further course of action is necessary.

EFTPOS Withdrawals

- Any player withdrawal money from EFTPOS will be monitored for frequency and unsafe play.
- Signage and information encouraging safe play will be displayed at the bar. Should staff have any concerns about the frequency of withdrawals or the amounts of money being withdrawn they will ensure information is shared with players.

Note: Generally, gamblers withdraw the amount of money they intend to gamble during a session of play. If that amount is exhausted before they are ready to cease, they may choose to withdraw further amounts to play with. This player should be monitored closely. If there is any indication at all that the player is uncomfortable with the amount of money they are gambling it is very likely that they are gambling at a rate higher than they can afford.

The amount each individual can afford to gamble varies significantly and is therefore a less reliable indicator.

Limiting the number of withdrawals removes the difficulty staff might have making the call to intervene when repeated withdrawals are made. If a consistent approach is applied, players will not be surprised that action is taken, and that ultimately, they are declined EFTPOS service. Exceptions to any such rule can be made for regular players who are well known to the staff member and no concern is held for their well-being. However, should a regular players pattern of behaviour change then steps must be taken to minimise harm.

Resources

- The HPA resources will be utilised to promote awareness of the *general and strong signs* of harmful gambling.
- Brochures will be made available [at/from *name locations*]. The venue manager will ensure the dispenser/s is/are continually stocked, requesting more from the TST representative as required.
- 'R18 and over' signage and stickers will be provided to clearly indicate that the gaming area is restricted to persons aged 18 years and older.