

Responsible Gambling Self-Exclusion Programs

Information for commercial licence holders in the gaming industry

A VCGR Responsible Gambling fact sheet



Victorian Commission
for Gambling Regulation

What is a Self-Exclusion Program?

A Self-Exclusion Program (SEP) is a service offered by the gaming industry to those people who wish to exclude themselves from gaming rooms in clubs and hotels around Victoria. The *Gambling Regulation Act 2003* makes it compulsory for gaming venue operators to have a SEP.

A person who identifies as a problem gambler or potential problem gambler enters a SEP (on a voluntary basis) by registering with a program administrator and signing a deed of self-exclusion from the gaming room of a nominated venue.

The self-excluded person can still use the other facilities on offer at the venue if they wish.

It is the responsibility of the gaming room staff at the venue to ask any person on the venue's SEP, once they are detected, to leave the gaming room.

The VCGR works with venue operators and peak bodies to enable compliance under the Ministerial Directions and help venue operators implement their SEP.

To assist venue operators with the implementation process of SEPs, the VCGR seeks to educate the gambling industry and the community sector about best practice and the regulatory requirements for SEPs.

The VCGR has a formal audit inspection program that includes a venue operator's implementation of their approved SEP.

If a breach of the SEP is detected at a venue, the venue operator licence holder may be subject to disciplinary action. Under the Gambling Regulation Act, disciplinary action is defined as the cancellation or suspension of the licence, variation of the terms of the licence, the issuing of a letter of censure to the venue operator, or the imposition of a fine.

For a complete list of approved SEPs visit the Responsible Gambling section of the VCGR website. Any changes to an approved SEP must be submitted in writing to the VCGR for approval.

Who is required to have a SEP?

The mandatory requirement to have a SEP applies to all gaming venue operators, irrespective of whether the commercial licence holder occupies a physical premise.

Why have a SEP?

A SEP is an important harm minimisation measure. Gaming venue operators are required to have a SEP under Section 3.4.12A of the *Gambling Regulation Act 2003*.

What issues does a SEP cover?

The Ministerial Directions outline the standards and requirements that each SEP must address prior to being approved by the VCGR. In general terms, to be approved, a SEP must include:

- a process for providing information to customers
- processes for:
 - facilitating voluntary self-exclusion by a person who requests it
 - facilitating revocation and/or variance of self-exclusion by a person on the program
 - assisting a person to self-exclude from venues with a different SEP
- the requirement that a self-exclusion deed includes the duration of the self-exclusion
- a process for identifying self-excluded persons, whereby venue operators:
 - take 'reasonable steps' to ensure a self excluded person does not enter the gaming area
 - detail the procedure to detect self-excluded persons
 - detail the procedure when self-excluded persons are detected
- a process for staff training – to assist staff members to meet their obligations
- a requirement that the venue operator or program administrator must maintain regular contact with problem gambling support services
- complaints resolution and review processes.

How do I adopt a SEP?

1. If you are a venue operator, visit the Responsible Gambling section of the VCGR website at www.vcgr.vic.gov.au/responsiblegambling to view a complete list of approved SEPs developed by industry representative bodies and select the approved SEP that provides the best fit for your patrons.
2. All venue operator licence holders must complete a Statement of Adoption Form confirming that an approved SEP has been formally adopted. These are also available to download from the Responsible Gambling section of the VCGR website and once complete must be lodged with the VCGR for approval.
3. Notify the program administrator of the SEP you have adopted.

Gaming venue operators must have an approved SEP in place at all times. A venue operator who wishes to amend a generic SEP, or develop their own SEP, must have a currently approved SEP in place while they are seeking approval for the proposed replacement SEP.

Why not have the same SEP for everyone?

The VCGR is required to approve any SEP that is submitted to it, provided it meets the requirements in the Ministerial Direction and is consistent with the VCGR's own criteria.

Venue operators should formally adopt the approved SEP they think provides them with the best fit and level of support for their patrons. Each approved SEP commits to helping patrons self-exclude from all venues in their area, regardless of which SEP the individual venue has adopted.

I am applying for a gaming venue operator's licence. Do I need to adopt a SEP?

Yes. A person applying to the VCGR for a venue operator's licence must adopt an approved SEP as part of their licence application, irrespective of whether they have a physical premise. An applicant must do one of the following:

- adopt a VCGR-approved generic SEP developed by an industry peak body (refer to the Responsible Gambling section of the VCGR website for a list of generic SEPs); or
- amend a generic SEP and submit it to the VCGR for approval; or
- develop their own SEP and submit it to the VCGR for approval.

A venue operator that wishes to develop its own SEP must refer to, and ensure that any proposed SEP meets the requirements of, the Ministerial Directions and the VCGR Criteria and Benchmarks.

If adopting an already approved SEP, venue operators are required to complete the VCGR form 'Statement of Adoption of a Generic Self-Exclusion Program', available from the VCGR website.

Submit this documentation to the VCGR by post (c/o Commercial Licensing and Monitoring, VCGR, PO Box 1988, Melbourne 3001), by email to commercial.licensing@vcgr.vic.gov.au or by fax to (03) 9651 3777.

How do I change from one SEP to another?

To change from your current approved SEP to another approved SEP, you must provide to the VCGR:

- a copy of the minutes from the board/committee meeting which state the board/committee's decision to cease using the current SEP

- a copy of the minutes, which must be from the same board/committee meeting, which confirm adoption of the new approved SEP
- a 'Statement of Adoption Form' completed by the Nominee or Authorised Officer.

Statement of Adoption Forms for venue operator licence holders are available to download from the VCGR website.

Submit this documentation to the VCGR by post (c/o Commercial Licensing and Monitoring, VCGR, PO Box 1988, Melbourne 3001), by email to commercial.licensing@vcgr.vic.gov.au or by fax to (03) 9651 3777.

Once the change has been approved by the VCGR, you must notify the program administrators of the SEP you are exiting and the SEP you are adopting.

Is there a review process built into my SEP?

Yes. An approved SEP incorporates annual review processes for individual venue operators and peak bodies and also outlines the scope of each of these two reviews.

An approved SEP must set out a process by which the venue operator will assess the operation and effectiveness of the program, and must specify:

1. how often the SEP will be reviewed
2. the criteria that will be used to assess the effectiveness of the SEP
3. how the review process will incorporate input from persons who have self-excluded and from problem gambling support services
4. who will be provided with a copy of the review findings.

How does a person self-exclude?

The approved SEPs outline the process for a person to become self-excluded.

Usually, an interview to sign up for self-exclusion under an approved SEP will take place in Melbourne or at a regional location that suits the individual's needs.

At the conclusion of the interview, the person signs a Self-Exclusion Deed. The person sets the self-exclusion period, which must be at least six months and can be up to two years.

By signing a Self-Exclusion Deed the person agrees to being prohibited from specific gambling venues. This means that the person is effectively banning himself or herself from the gaming room at the specified clubs or hotels.

The person can add venues to the list that they wish to be excluded from at any time by contacting the SEP program administrator. They can also extend the term of the deed or renew the deed.

The person may revoke the Self-Exclusion Deed earlier than the nominated time based upon the conditions outlined in the approved SEP. This would usually require that the person produce written evidence that they have received counselling from a problem gambling support service. For further details contact the program administrator.

What happens once a person registers with a SEP?

The Self-Exclusion Deed authorises the management of the venues that the gambler has nominated to take any reasonable steps to ensure that the self-excluded person does not enter the gaming rooms at a venue.

Gaming industry employees must have access to a secure and up-to-date database of photographs of self-excluded persons, which they must regularly check so they can recognise those individuals if they attempt to enter the venue's gaming room.

A person that is registered with an approved SEP can obtain self-help information, information on professional support services, advice on financial counselling, and, in some instances (if needed), an immediate referral to services from Gambler's Help and other community health organisations as well as the program administrator, to maintain their resolutions about moving on from problem gambling.

For more information visit the Responsible Gambling section of the VCGR website at www.vcgr.vic.gov.au/responsiblegambling and choose the Ministerial Directions for Self-Exclusion Programs (including Guidelines), which suggest ways of implementing the requirements at a venue or operational level.

Disclaimer

The Victorian Commission for Gambling Regulation has responsibilities in relation to several pieces of legislation and associated regulations.

This publication is designed as a quick reference tool and offers a summary only of some of the more common topics associated with Responsible Gambling that are dealt with under the *Gambling Regulation Act 2003* and the *Casino Control Act 1991*.

The information provided in this fact sheet is general in nature and is not meant to replace the information contained in the relevant pieces of legislation.

For more information, including the Ministerial Directions and the VCGR's Criteria and Benchmarks on Responsible Gambling Codes of Conduct and Self-Exclusion Programs, refer to the Responsible Gambling section of the VCGR website at www.vcgr.vic.gov.au/responsiblegambling.

For more information on Responsible Gambling Codes of Conduct and Self-Exclusion Programs, contact the Responsible Gambling Project Team at the Victorian Commission for Gambling Regulation on (03) 9651 3112, or email responsible.gambling@vcgr.vic.gov.au.

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