

Macmillan Responsible Gambling Policy

1. Rationale for Policy Development

The Gambling Act 2005 (the Act), governs the way Macmillan lotteries are operated. The Gambling Act is regulated by the Gambling Commission set up to monitor gambling activity in the UK.

The key requirement of the Act is that all holders of Gambling Commission licences must have a responsible gambling policy to ensure:

- gambling is conducted in a fair and open way
- they are protecting children under the age of 16 and other vulnerable persons from being harmed or exploited by irresponsible gambling
- they are preventing gambling (e.g. Macmillan lotteries) from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.

The Act also places a responsibility on the licence holder i.e. Macmillan, to promote socially responsible gambling.

Fundraising activity involving gambling at Macmillan is limited to £1 per entry raffles and weekly lotteries and although these activities are generally considered to be low risk for problem gambling, as a holder of a licence which promotes and operates lotteries, Macmillan will at all times adhere to the legal requirements of the Act. This policy is in place to ensure that people take part in Macmillan lotteries responsibly in accordance with the requirement of the Act.

Macmillan is licensed to operate lotteries by the Gambling Commission. Macmillan has a non-remote and remote operating licence issued by the Gambling Commission, in order to enable it to operate and promote lotteries. Macmillan also has two personal management licence holders.

2. Policy

Definitions

Macmillan Lottery – Any lottery or raffle operated by or on behalf of Macmillan.

Remote Lottery – A lottery in which persons participate by use of remote communication including the internet, telephone or any other electronic or technological method of communication.

Non-remote Lottery – A lottery in which persons are invited to participate through door to door and venue canvassing, or by normal letter post.

Macmillan will operate its Lotteries in accordance with the Gambling Commission's general Licence Conditions and associated Codes of Practice (Licence Conditions and Codes of Practice - LCCPs) under the Gambling Act 2005, which set out the general conditions attached to both operating and personal licences, together with outlining the principal codes of practice.

This policy will be updated to reflect any future changes to the LCCPs, or indeed any changes introduced by the Commission in the form of supplements to the LCCPs.

Fair and Open Draws

Macmillan will ensure that all:

- terms and conditions for the running of lotteries are fair and open and are available to a participant who may request them
- Terms and Conditions are published on Macmillan's website (www.macmillan.org.uk). Customers will be notified of any changes to the terms before they come into effect
- A Random Number Generator (RNG) tested and approved by the Gambling Commission will be utilised whenever and wherever possible
- Any manual draws will be witnessed by at least one independent representative other than that person manually selecting the winning tickets
- Winning numbers will be published on Macmillan's website
- Prize winners cheques will be posted out direct to the winners
- Macmillan will also ensure that "licensed and regulated by the Gambling Commission", the operating licence number and details of the Commission's website are printed on all Lottery Tickets and that these details are made available to customers prior to any online participation in any Macmillan Lotteries.

Children and vulnerable persons

Macmillan will not permit vulnerable people or any person under the age of 16 to participate in a lottery or any other form of gambling.

The lottery rules and any lottery marketing and promotional literature, including any lottery tickets, will adequately and effectively advertise the minimum legal age.

Macmillan has implemented the following procedures to ensure that its lotteries do not attract children under the age of 16:

- all cold data is screened to prevent any persons under the age of 16 being sent lottery packs
- all personal data used for lottery mailings will be screened to exclude persons under the age of 16
- all lottery tickets for non-remote lotteries shall state on the ticket that the ticket must not be sold to any person under the age of 16. Where alcohol is included in the prizes tickets must always state that they are not to be sold to anyone under the age of 18
- Macmillan staff, volunteers and representatives who are selling tickets for non-remote lotteries will request any entrant who appears to be under the age of 16 to

produce appropriate proof of identity and age before being allowed to purchase a lottery ticket

- Lottery ticket sellers will be advised that it is a criminal offence to invite or allow a child under 16 years of age to enter a society lottery
- all entrants to both non-remote and remote lotteries shall confirm that they are over the age of 16
- we will ensure there is a facility for any lottery website to permit filtering software to be used by an adult to restrict access to the lottery
- if a person enters a Macmillan lottery stating that they are over the age of 16 years and subsequently it is found that they are less than 16 years of age, they will have any money paid in relation to the lottery returned to them and where relevant will automatically forfeit the right to any prize
- we will immediately suppress any data which is found to inadvertently include any persons under the age of 16
- we will review on an annual basis the methodology adopted in order to establish whether or not a potential or actual customer is over 16 years old and will implement all reasonable improvements that may become available as technology advances and as information improves.

Macmillan is committed to ensuring that lottery tickets are not knowingly sold to other vulnerable people and will politely refuse to accept any further participation from people who have been discovered to be vulnerable or are suspected of being vulnerable, typically by recommending that the customer speaks with a carer or family member, before proceeding further with the gambling transaction.

Macmillan will monitor ongoing contact or communications with customers e.g. subscription renewals, in order to try and detect whether a person's vulnerability becomes evident after initial sign up, such that the customer's weekly lottery membership can be cancelled and any future gambling-related communications can be terminated.

Crime and Disorder

Macmillan is committed to preventing gambling from:

- being a source of crime or disorder
- being associated with crime or disorder or being used to support crime.

Macmillan will refuse to be associated with any proposed lottery scheme or other gambling activity that may breach the law.

Macmillan will refuse to contract with any contractors or agents who are suspected of being associated with any potential or actual criminal activities.

Macmillan will themselves and will require all suppliers to:

- obtain references from all prospective employees and self-employed agents that are likely to be associated with Macmillan's lotteries
- provide gambling related training, inclusive of the requirements outlined within the Proceeds of Crime Act 2002, both prior to commencement of any gambling related activities and on an annually recurring basis, to all qualified persons and relevant employees and self-employed agents
- provide information about responsible gambling and access to information and help in respect of problem gambling to all employees and self-employed agents that are likely to be associated with Macmillan's lotteries
- monitor their staff and self-employed agents on an ongoing basis, particularly regarding their direct or indirect association with potential criminal activities

Macmillan will only use gambling software i.e. a Random Number Generator also referred to as an RNG, produced by suppliers who have been licensed by the Gambling Commission to manufacture, supply, install or adapt gambling software to promote a lottery.

Macmillan will ensure that lottery administration is conducted from secure premises that have adequate systems and processes in place that:

- restrict access to buildings and premises
- control use of and access to passwords, safes, locked cupboards, computer networks and the internet.

Macmillan's subscription based non-remote and remote weekly lottery marketing and promotion materials will be designed to secure up to 2 entries per person, at just £1 per entry, per week, thus minimising risk.

Macmillan will, whenever and wherever possible, promote the sale of both non-remote and remote lottery entries by Direct Debit, payable on a per calendar month basis, with the aim of achieving a high volume, but low value and hence low risk transaction base.

Sellers of non-remote subscription based weekly lottery tickets, whether by door-to-door, kiosk, or telemarketing, will not be permitted to take cash or cheque in lieu of payment and only telemarketing could be allowed to process Debit/Credit Card payments, thus further minimising risk.

Macmillan will initiate customer verification checks that are intended to both help keep crime out of gambling and to ensure that the customer is aware of the level of gambling currently being undertaken, when approached by customers who:

- wish to take out more than 10 lottery entries per week in any weekly lottery scheme
- wish to take out more than 60 additional chances in any weekly lottery scheme
- wish to purchase 5 or more books of 10 lottery tickets in any raffle scheme
- are suspected problem gamblers.

Macmillan will maintain records of all tickets distributed and all tickets not returned, if more than 20 tickets are distributed to new customers. Macmillan will provide the Gambling

Commission with any information which may relate to the commission of an offence under the Act.

Apparently suspicious or fraudulent transactions must not be accepted.

Under the Proceeds of Crime Act 2002, all qualified persons, employees and self-employed agents:

- have a legal obligation to report any known or suspected use of monies obtained illegally (the proceeds of crime) being used to gamble. Failure to report any such incidents will be seen as helping money launderers and could lead to prosecution
- must report any known or suspected use of the proceeds of crime in gambling to their manager / supervisor. All reports will be held in the strictest of confidence and will be passed on to the National Crime Agency (NCA - which replaced the Serious Organised Crime Agency (SOCA) in October 2013) for further investigation, by Macmillan's nominated Money Laundering Reporting Officer, via a Suspicious Activity Report (SAR*), inclusive of an NCA issued Unique Reference Number (URN).

Macmillan's Money Laundering Reporting Officer (MLRO) is Victoria Benson.

Responsible Gambling

Macmillan has put in place the following procedures to encourage people to gamble responsibly and seek help should gambling become a problem:

- all ticket despatches are recorded and players can request a self-exclusion from our database for future participation in gambling
- Macmillan is a member of the Lotteries Council, an umbrella body which promotes the interests of organisations which run lotteries for fundraising and which makes an annual donation to the Responsibility in Gambling Trust on behalf of its members
- Macmillan is committed to ensuring that information about responsible gambling and accessing information and help in respect of problem gambling is readily available to all. The lottery rules and any lottery marketing and promotional literature, including any raffle-based invitation to purchase lottery tickets will, as far as is reasonably possible, advertise the Gamble Aware logo, the Gamble Aware website and the GamCare National Helpline number (0808 8020 133), with the following supporting text:

"If you feel you have a problem with gambling, visit www.gambleaware.co.uk or call the GamCare National Helpline on 0808 8020 133."

- Macmillan will take reasonable steps to ensure that information relating to responsible gambling is available to individuals, such as including the contact details of support organisations on its lottery websites. Further information about problem gambling is set out below

Problem Gambling

Whilst the majority of people do gamble within their means, for some gambling can become a problem. It may help you to keep control to remember the following:

- gambling should be entertaining and not seen as a way of making money
- avoid chasing losses
- only gamble what you can afford to lose
- keep track of the time and amount you spend gambling
- if you need to talk to someone about problem gambling then contact GamCare. GamCare is a registered charity that provides confidential telephone support and counselling to anyone who is affected by problem gambling. GamCare can be contacted confidential helpline on 0845 6000 133 (local rate from UK) where trained counsellors are available to help with any concerns you may have on your own behalf or on behalf of family or friends or visit their website www.gamcare.org.uk for further information.

Macmillan will endeavour to ensure that it identifies and reacts to any suspected problem gamblers.

If Macmillan receives an application to participate in its lottery from a suspected problem gambler:

- any requests for any lottery entries / tickets in excess of the recommended maximums will be refused
- the customer will be referred to GamCare.
- the customer's details will be logged in Macmillan's database for the purposes of possible exclusion from future participation in future lotteries.
- Future written and verbal communications should be monitored.

If an existing customer was suspected of becoming a problem gambler:

- any request for any additional entries will be refused
- the customer will be referred to GamCare
- the customer's details will be suppressed and will be excluded from future lottery participation and mailings
- Future written and verbal communications should be monitored.

Macmillan will ensure that any person who has asked to be suppressed from lottery mailings is not contacted by Macmillan for these purposes.

Self Exclusion From Gambling

If an existing customer self-excludes from gambling:

- Macmillan will ensure that any person who has asked to be self excluded from gambling will be removed from any gambling related marketing databases within two days of Macmillan receiving the completed self-exclusion notification and will be excluded for a minimum of six months, with the option of excluding for up to a maximum of five years. Self excluders will not then receive any future gambling-related marketing materials, unless after the minimum period of six months has expired and the self-excluder takes positive action in order to gamble again and has specifically agreed to such materials. Self-excluders will be given a one day cooling-off period before being allowed to begin gambling again, but only in the event that they choose not to renew the self-exclusion and make a positive request to begin gambling again, either by telephone or in person
- any memberships held by the self excluder in the lottery scheme will be cancelled immediately, in such a way as to ensure that no further future credits are spent
- any advance payments applicable to the lottery scheme will be refunded by Macmillan at the earliest opportunity
- self-excluders who express a wish to be specifically excluded from participating in Macmillan lotteries due to gambling related problems such as gambling with money they cannot afford to lose, will be given the opportunity to self exclude from gambling immediately, without any cooling off period and to consider self-exclusion further e.g. to discuss with problem gambling groups such as GamCare
- all communication between staff and self -excluders or suspected problem gamblers will be recorded in writing and monitored and approved by the senior manager responsible for lotteries.

If Macmillan receives an application to participate in the lottery from a person who has previously advised Macmillan that they have excluded themselves from participating in gambling:

- the application will be rejected and the prospective customer will be advised in writing of the reasons for rejection and referred to GamCare
- all communication between staff and self -excluders or suspected problem gamblers will be recorded in writing and monitored and approved by the senior manager responsible for lotteries.

Lotteries organised by External Lottery Managers (ELMs)

Where a lottery is organised by a third party ELM on behalf of Macmillan, Macmillan must have a written agreement which includes a clause stating that the ELM must comply with the Gambling Act 2005 and with all Gambling Commission codes and conditions, inclusive of having in place a similar robust responsible gambling policy, complying with the Commission's licensing requirements, remote technical standards and requirements relating to the timing and procedures for testing

Agreements should include a clause enabling Macmillan to terminate the agreement if, in Macmillan's opinion the ELM is in breach of the Gambling Act or any Gambling Commission code or condition.

Complaints

All complaints relating to lotteries and gambling will be handled in accordance with Macmillan's Complaints & Disputes Policy and will be reported to the Gambling Commission on an annual basis, via the Annual Regulatory Returns.

Financial requirements

All money received by Macmillan will be handled in accordance with Macmillan's finance and cash handing policies.

Lottery entry monies (which has the same definition as 'customer funds' in clause 4 of the Gambling Commission's LCCPs), received remotely in lieu of payment for future lotteries, will be held in a separate client bank account(s), so that all such funds will be protected in the unlikely event of insolvency on the part of Macmillan.

3. Implementation of Policy

Lottery Submissions will be completed by Macmillan and will be submitted to either the Gambling Commission or the relevant local authority within 3 months of the date of each lottery draw.

Fundraisers and other members of staff should contact the Legal Department if they require further legal advice.