

Customer interaction – formal guidance for remote gambling operators

Formal guidance note under SR Code 3.4.1

1 Introduction

- Your regulatory responsibilities
- How to use this guidance
- How the Commission will use this guidance

2 Identify

Identify – what we expect you to do

- Identifying the right customers
- Understanding the impact of gambling harms
- Using the right indicators for your business
- Affordability and a customer's personal circumstances
- Vulnerability
- Spotting harmful gambling
- The role of staff

Identify – questions to consider

3 Interact

Interact – what we expect you to do

- Interacting with the customer
- Tailoring messages for your customers
- Offering help and support
- The role of staff
- Keeping records

Interact – questions to consider

4 Evaluate

Evaluate – what we expect you to do

- Understanding the impact of individual interactions
- Evaluating the effectiveness of the approach
- The role of staff

Evaluate – questions to consider

5 Summary of research and information

1 Introduction

Your regulatory responsibilities

- 1.1 All licensees are required to interact with customers in a way which minimises the risk of customers experiencing harms associated with gambling, as set out in Social Responsibility Code 3.4.1 of the Licence Conditions and Codes of Practice (LCCP).

Social responsibility code provision 3.4.1 (From 31 October 2019) Customer interaction

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.

- 1.2 A requirement to LCCP with effect from 31 October 2019 requires licensees to take into account the Commission's guidance on customer interaction. This guidance is structured along the three key outcomes operators will be expected to meet: to **identify – interact – evaluate**.

- 1.3 This guidance sets out why customer interaction is a requirement, makes our expectations clear, and suggests ways you could meet them. This includes learnings from research and some ways that gambling operators have found worked for them and their customers.

How to use this guidance

- 1.4 The purpose of this guidance is to share knowledge based on research, current practice and lessons learned in order to support licensees in determining how they can meet the outcomes. It sets out why customer interaction is important and makes our expectations clear. Not all of the content of the guidance will be relevant to all operators, but licensees must take it into account and be able to demonstrate how they have done so.
- 1.5 Following the guidance is no guarantee that all customers experiencing or at risk of harm will be identified. The guidance is not the only source of information which operators should use to help them develop their own

processes, and licensees should also keep up to date with published research and other sources.

How the Commission will use this guidance

- 1.6** For compliance and enforcement purposes, we will expect licensees to demonstrate how their policies, procedures and practices meet the required outcomes. This can be through implementing relevant parts of the guidance or demonstrating how and why implementing alternative solutions equally meet the outcomes.
- 1.7** Our understanding of gambling harms and how they manifest is constantly evolving, so for the purposes of raising standards, protecting consumer interests, and preventing harm to consumers, we will update and re-issue guidance where new evidence or risks emerge which may have a meaningful impact on how the outcomes can be met.

2 Identify

Identifying the right customers

- 2.1** You need to know:
- the types of markers and behaviours that could indicate harm relevant to online gambling, and
 - how to spot when those indicators should trigger an interaction.
- 2.2** You need to put together what you know about the customer, with the relevant indicators of harm, to decide whether you need to interact. More knowledge about what to look for, with effective processes for monitoring customer behaviour, can mean quicker and better-informed decisions.
- 2.3** Some indicators of harm, such as high staking behaviour, can look similar to VIP and high-value customer activity. Even if you think the customer can afford it, they may still be experiencing gambling harms. Your enhanced contact with your VIPs means you have many opportunities to get to know them well and make better informed decisions.

Identify – what we expect you to do

- Use a range of indicators relevant to your business. Do not rely on financial indicators alone. You should use realistic thresholds and trigger points, and remember that not every customer who is experiencing or at risk of harm will trigger every indicator.
- Monitor customer activity so that you are able to interact early and quickly. Invest in systems and staff to manage your customer interaction process effectively.
- Monitor customer accounts from the time that they are opened.
- Make sure your process keeps pace with any increase in demand – through growth, mergers or other internal changes.

- Train your staff to know their roles and responsibilities, and ensure they are supported and able to act promptly when they spot or are alerted to indicators of harm. This includes your VIP teams.
- Aim to minimise the risk of harm for customers, whatever time of day they play, as well as for new customers.
- Take safer gambling seriously for *all* customers, including VIPs, and not let commercial considerations override customer protection. This means your VIP customers get the same level of protection as your other customers.
- Make meaningful records of all interactions with customers. Make these records available to staff and use them to aid decision-making. This should also take place in circumstances where an interaction has been ruled out e.g. because the customer is displaying signs of agitation.
- Even if you think your sector is “lower risk”, *all* forms of gambling present risks and you should understand the prevalence of gambling harms for the type of gambling products you offer and implement appropriate processes.
- Actively promote and encourage the use of gambling management tools to all customers, and in particular where you have carried out a customer interaction. [Research \(Behavioural Insights Team, 2018\)](#) has shown that reducing friction in applying a gambling management tool leads to increased numbers taking it up.

Understanding the impact of gambling harms

- 2.4** In 2018, the Gambling Commission published [research \(Wardle et al 2018\)](#) on understanding the full range of gambling harms and the impact this can have on society. This research defined gambling harms as ‘*the adverse impacts from gambling on the health and wellbeing of individuals, families, communities and society*’. This can include loss of employment, debt and crime – gambling harms can also have detrimental impacts on physical and mental health and relationships, and at its worst, gambling can contribute to loss of life through suicide.
- 2.5** Gambling harms cannot be solely measured in terms of finance and resources. This is why we expect you to use a range of indicators in order to identify customers who may be experiencing harms.

Using the right indicators for your business

- 2.6** Change compared with previous gambling activity is a general trigger for customer interaction. Building up your knowledge of your customers is key to helping you spot changes in their behaviour.
- 2.7** You should use a range of indicators based on research, experience and shared practice. The [PWC remote gambling research \(2017\)](#) identified some account and play indicators, but they are not a definitive list. Your list should include:
- a. Time and spend indicators:** amount and frequency of time and deposits, time of day (according to [research \(PWC 2017\)](#), a higher

percentage of overnight gamblers were found to be problem gamblers, than during other times of day), increasing length of sessions or escalation in deposit levels, large losses.

- b. Account indicators:** cancelled withdrawals, failed deposits, multiple or more expensive payment methods, pre-loaded cards and e-wallets which could indicate gambling with money the customer does not have.
- c. Use of gambling management tools:** changing deposit limits, trying to 'switch off' the reverse withdrawal option to prevent re-staking prior to withdrawal, previous self-exclusions, frequent or repeated use of the time out facility or previous customer interactions.
- d. Customer-led contact:** information or hints from customers, frequent complaints about not winning, requests for bonuses following losses, or talking about the negative impacts of their gambling.
- e. Play indicators:** chasing losses, erratic betting patterns, gambling on higher risk products or unusual markets or outcomes on which the customer is unlikely to have been able to make an informed choice. People who bet in-play may place a higher number of bets in a shorter time period than people who bet in other ways, as in-play betting offers more opportunities to bet ([Gambling Commission, In play betting position paper 2016](#)). Some studies have shown that placing a high number of in-play bets can be an indication that a customer is at an increased risk of harm from gambling.
- f. A 'big win' or a windfall:** [research shows](#) (Parke and Parke 2017) high staking following a win could hide or even lead to harmful behaviour. Suddenly having more money than usual can lead to increasing staking, which can lead to harms not associated with wealth or resources.

Affordability and a customer's personal circumstances

- 2.8** Historically, gambling operators have not systematically considered customer affordability when developing their customer interaction policies. Many have used deposit or loss thresholds as a main or sole prompt for a customer interaction, but these have often been set at levels that were inappropriately high, in comparison to the average amount of money that the majority of people have available to spend on leisure activities. This has led to a number of examples of customers spending more than they could afford, and this not being identified sufficiently early, as seen in much of the Commission's compliance and enforcement [casework](#) since 2017.
- 2.9** Operators should aim to identify those experiencing or at risk of harm and intervene to try to reduce harm at the earliest opportunity. Reliance on deposit or loss thresholds that are set too high will result in failing to detect some customers who may be experiencing significant harms associated with their gambling. It is therefore imperative that threshold levels are set appropriately.

- 2.10** Open source data exists which can help operators assess affordability for their GB customer base and improve their risk assessment for customer interactions. Thresholds should be realistic, based on average available income for your customers. This should include the [Office of National Statistics publications](#) on levels of household income.
- 2.11** In considering these thresholds, you should be aware of the difference between 'disposable income' and 'discretionary income' which refers to the amount left *after* living costs are taken into account, but it does still include many other unavoidable costs. Most people would consider it harmful if they were spending a significant amount of their discretionary income on gambling.

Vulnerability

- 2.12** Life events or changes to an individual customer's circumstances may mean that a person becomes more or less vulnerable to experiencing gambling harms. Those circumstances could include bereavement, loss of income or other factors (see below). It will not always be obvious or clear to an operator when such events have occurred, but knowing your customers, and ensuring staff ask questions when there are potential signs of vulnerability, will help to determine whether those individual circumstances present an increased risk.
- 2.13** As part of 'know your customer' and developing customer interaction policies and procedures, operators should consider the factors that might make an individual more vulnerable to experiencing gambling related harm. Factors include:
- **Personal and demographic:** if the individual is experiencing poor physical or mental health, physical or cognitive impairment, suffering side effects from a brain injury or medication or has an addiction.
 - **Situational:** if the individual is experiencing financial difficulties, is homeless, is suffering from domestic or financial abuse, has caring responsibilities, experiences a life change or sudden change in circumstances.
 - **Behavioural:** if an individual has a higher than standard level of trust or high appetite for risk.
 - **Market related:** if an individual is engaged in an activity which is highly complex; that they have a lack of knowledge and/or experience of the market.
 - **Access:** if an individual has difficulty accessing information because of poor literacy or numeracy skills, knowledge, dyslexia.
- 2.14** We have seen examples through our casework of customers who should have received some interaction but did not, including customers who were particularly vulnerable, and more susceptible to experiencing gambling harms.

Spotting harmful gambling

- 2.15** How you monitor activity depends on your business. Larger operators with more active customers will need comprehensive systems, which could include a mix of automated and manual processes, and should draw on all available sources of data to give a comprehensive picture of the customer's gambling. Options for spotting harmful gambling include:
- In-play real time monitoring to identify harmful behaviour as it occurs.
 - Daily reports on activity.
 - Chatroom monitoring and moderation.
- 2.16** The right information can mean better and quicker decisions. You should aim to integrate your systems so that staff have a more complete picture of the customer's activity, and this includes records of previous customer interactions.
- 2.17** Unmonitored overnight gambling carries an increased risk. [Remote gambling research \(PWC 2017\)](#) found that the highest risk customers were much more likely to gamble overnight than non-problem gamblers. Some operators have full 24-hour dedicated safer gambling monitoring and support, so that customers have the same level of protection overnight as during the day. Another option could be more training and extra responsibilities for customer service staff or chat hosts to provide that support.
- 2.18** Because VIP customers can also experience gambling harms, it is good practice to carry out a safer gambling check when upgrading a customer to VIP status, and to keep this under review. You should also use these opportunities to carry out checks for AML. This could also help you to support customers who have had major wins.

The role of staff

- 2.19** It is important that all staff receive training so that they are aware of the signs that could indicate that a customer may be experiencing harms associated with gambling. This is not an exhaustive list, but you should ensure that:
- a. Staff are trained to identify the signs of harm and are able to refer back to documents that include the types of behaviour that may trigger customer interaction at an appropriate moment. Staff should know how to escalate a situation if they are unsure or require support.
 - b. Staff understand how indicators of harm could be displayed differently in VIP or 'high value' customers, and know how to spot the signs.
 - c. As a minimum, staff receive training at induction as well as refresher training.

Identify – questions to consider

- *Are you curious about your customers?*
- *Are your indicators relevant to your products and customers?*
- *Do you rely too much on financial indicators like deposit levels or losses?*
- *Do you consider all types of vulnerability?*
- *How do you decide the right level of your thresholds? Do you set your thresholds based on the staff you have to manage the workload, or do you think about what is right for your customers?*
- *Do you take into account all relevant information, and act quickly?*
- *Do all appropriate staff have access to customer interaction records?*
- *How could you assess the risks around new customers? What can you find out about your customers? What protections could you put in place until you know enough about your customers?*
- *Can your monitoring process keep up with demand?*
- *Do you offer the same level of protection for all your customers, no matter how long they have been a customer, what time of day they play, or whether they are VIPs?*
- *Do you track customers across your different platforms and do enough to spot multiple customer accounts?*
- *Is staff training on customer interaction meaningful and engaging?*

3 Interact

- 3.1** When you are concerned that a customer may be experiencing harm, acting early and quickly could help stop or prevent the harm worsening.
- 3.2** For some customers, making them aware of why you are concerned may be enough to prompt them to think and make a change. Some customers will need more support or advice.
- 3.3** Your interactions should have an outcome. Knowing what impact your interaction has had will help you support the customer and help to keep improving your approach. To achieve this, it is vital to keep good records and make them available to staff to inform decisions.

Interact – what we expect you to do

- We expect you to be curious, and if you spot behaviour or vulnerabilities that could indicate harm, to act on it.
- Make all reasonable efforts to make contact and interact with a customer, and find out what impact your interaction had.
- You should choose the type of interaction based on the extent of the potential harm – from automated responses to human contact – and adapt your messaging to try to get the best outcome. You should trial and evaluate

different approaches to achieve this. **Importantly this may include refusing service or ending the business relationship.**

- Think about what information you should give the customer, such as describing the type of behaviour they display or practical help or support where appropriate.

Interacting with the customer

3.4 There are a number of ways for you to interact with your customers, including email, telephone calls, live chat or pop-up messages. The best way may depend on the circumstances:

- a. What you need to know from the customer, and what you already know about them.
- b. What information you want to give to the customer.
- c. How urgent it is to make contact.
- d. How many times you have already interacted with the customer.
- e. The outcome you want to achieve.

3.5 A customer interaction has three parts:

- **Observation** – behaviour or activity you have spotted or something the customer tells you.
- **Action** – contact to prompt the customer to think about their gambling, for you to find out more, and an opportunity for you to offer information or support.
- **Outcome** – what you or the customer did next. In some cases, you may need to monitor the customer's gambling to spot any change which may prompt further action.

Tailoring messages for your customers

3.6 You may already target your marketing messages to different customers. You could also use insight about your customers, such as how the customer prefers to contact you, to decide the best way to interact with them about their gambling.

3.7 [Industry-led research \(Revealing Reality 2017\)](#) shows that messages that get customers to think and make their own decisions based on the information they are given can be more effective than messages that seem to be 'nagging'. [Research \(Auer and Griffiths 2015\)](#) also shows that personalising feedback can also improve the impact it has on customers. You should test different types of messaging to see what works best.

Offering help and support

3.8 Encourage customers to think about their gambling. Their responses will help you work out the right kind of help and support to offer.

- 3.9** It is good practice to suspend direct marketing to customers who show signs of harm so that you do not actively encourage them to keep gambling while you consider them to be experiencing or at risk of harm.
- 3.10** If you have difficulty making contact with a customer, you could suspend account access until you are able to interact with them.
- 3.11** A self-assessment questionnaire can help customers think about their own gambling. Their shared responses, alongside their gambling behaviour, can help both you and the customer work out the right kind of help and support they may need.
- 3.12** You will need to direct some customers to information about safer gambling, and/or suggest suitable gambling management tools. You might need to signpost them to sources of help and specialist support from organisations who deal with advice and treatment for problem gambling.
- 3.13** You will need to interact with some customers a number of times. Your records of previous interactions with customers will help you decide how to provide the right help and support.
- 3.14** Feedback from consumers shows that they often respond better to being informed about their behaviour and why, rather than being “told” what to do. But for some customers, and particularly if the behaviour continues to cause concern, you may need to take a more proactive approach. In some cases, you may need to take action for the customer, such as setting limits or refusing service by closing their account.

The role of staff

- 3.15** You should ensure that your staff:
 - a.** understand the types of interaction that could take place and how to interact appropriately e.g. only need a brief intervention may be needed.
 - b.** know the type of help or support to offer, such as information, signposting customers to specialist support or the gambling management tools which are available. These may be the minimum required under the LCCP or the Remote Technical Standards, or tools you offer which go beyond minimum requirements.
 - c.** know the circumstances and process for refusing service to customers, such as by applying limits or closing an account.
 - d.** understand their respective responsibilities and who is designated to carry out customer interactions, if only certain staff members are authorised to interact.
- 3.16** Whilst training on the legislative framework is important, staff also need to be trained on the skills and techniques they need to help them carry out customer interactions, including what to do if a customer becomes distressed.

Keeping records

3.17 Good record keeping allows you to demonstrate when and why you have interacted with customers, and helps with ongoing monitoring of customers. You should:

- a. Keep records of all customer interactions, including where an interaction didn't take place, the reasons for this, and how it was followed up.
- b. Make use of and record all relevant sources of information to guide and deliver effective customer interactions, including your records of previous interactions.

3.18 Good records should include:

- the behaviour or activity before the interaction.
- the change in behaviour or prompt for the interaction.
- how you interacted and what was said or done, for example advice or suggestions to help the customer manage their gambling, or to take a break from their gambling, and
- what happened next.

3.19 You should also record situations where an interaction was prompted but did not take place, and how you followed that up.

3.20 In some cases, you will need to monitor the customer's gambling to spot behaviours which could indicate further harm.

Interact – questions to consider

- *Where concerns arise, are you able to intervene early and engage with a customer?*
- *How do you decide the best way of interacting with a customer? Do you use different methods for different groups of customers?*
- *Do you tailor your method and message depending on the extent of the harm?*
- *Do you know if the customer received and acted on the information you gave?*
- *Have you allocated sufficient resources to be able to interact with customers early and effectively when you have concerns?*

4 Evaluate

4.1 By evaluate, we mean to understand *impact* and *effectiveness* in two ways: did an individual customer interaction have a positive outcome for the customer, and does your overall approach to customer interaction work? To help with the latter, the Responsible Gambling Strategy Board (now known as the Advisory Board for Safer Gambling) published an evaluation protocol in 2016 for the industry to use when designing evaluations. More information on

evaluation and links to the evaluation protocol and other resources can be found via the [National Strategy to Reduce Gambling Harms](#) website.

Evaluate – what we expect you to do

- Understand the impact of individual interactions on a consumer's behaviour and whether/ what further action is needed.
- Evaluate the effectiveness of your approach by trialling and measuring impact.
- Embed lessons learned and best practice across the business and collaborate to share across the industry.

Understanding the impact of individual interactions

- 4.2** In this context, by impact we mean *a change in the customer's gambling activity* which could be attributed to the interaction. An important part of this is whether the customer has understood the information or advice you gave.
- 4.3** Not every customer who receives an interaction will require active follow up, but many will. In these cases, follow up activity should be proportionate to the severity or extent of the harm being displayed. This approach will help you target your resources where they are most needed.
- 4.4** Understanding the impact of the interaction on the customer includes being able to look at and compare:
- the behaviour before the interaction.
 - the change in behaviour or prompt for the interaction.
 - how you interacted and what was said or done, and
 - what happened next.
- 4.5** Some ways to work out that impact include:
- a. Did the customer start using gambling management tools; independently or following your advice?
 - b. If you are tracking links from emails, did the customer click through to safer gambling information?
 - c. Was there a positive change in behaviour? Did the customer's gambling seem to change after the interaction?
 - d. You could also follow up and ask the customer whether they found the interaction helpful or not.
 - e. Is there a need for further or follow up action?
- 4.6** You may already quality assure individual customer interactions by spot-checking chat records and emails. As well as checking that customers are getting the right support, this can also identify staff development needs and

highlight good practice that you can share across your business and across the industry.

Evaluating the effectiveness of the approach

- 4.7** Records of interactions provide useful evidence of what types of indicators, methods of interacting and options for support work well for customers. They will help to inform an evaluation of the effectiveness of your overall approach to customer interaction. Good evaluation helps you to understand which aspects of your approach are the most effective at identifying the right customers, and the types of tools or support that work well to help customers manage their gambling in a way that works for them. The following measures could help to work out whether your approach is working well:
- Gambling management tools – increased take up and more customers sticking within their limits.
 - Customer retention.
 - Reduction in complaints.
 - Numbers of customer interactions appear to be in line with the prevalence of gambling harm for the product (see below).
- 4.8** Statistics which estimate the numbers of problem and ‘moderate risk’ gamblers are published regularly, based on the [combined health surveys in England, Scotland and Wales \(NatCen 2018\)](#). This data is broken down to gambling activity type, and by region, and can help you to work out the percentage of your customers you should be interacting with. When looking at the potential percentage of your customers who may be experiencing harm, remember to consider the percentage of gamblers participating in that activity and not the percentage of the adult population.
- 4.9** Currently the only industry-wide quantitative measure of identifying and interacting with customers who may be experiencing harms associated with gambling is data on the numbers of customers who received an interaction, submitted to the Commission as part of [regulatory returns](#). We have clarified the definitions in regulatory returns to offer guidance on what should be included in a customer interaction (incident) log and make clearer what should be recorded. Your log should include as a minimum:
- the identity or other identifier of the customer involved
 - the behaviour or activity that prompted the interaction
 - the advice or support given, and
 - the outcome of the interaction.
- 4.10** Keeping your policies and procedures under review and up to date by taking into account research and industry best practice will help you to identify customers you should be interacting with, which will help you target your resources where they are most needed, in ways which may lead to better outcomes. You should also review your internal controls following the

publication of a regulatory settlement, to address any similar weaknesses which could exist in your own processes.

The role of staff

- 4.11** Your staff have an important role to play to understand whether your approach works, and as a minimum, you should:
- a. Ensure that staff make records of all customer interactions and use them to aid decision making. Such records should be used for evaluation purposes e.g. dip sampling for quality assurance purposes or to assess whether a customer changed their behaviour as the result of an interaction.
 - b. Train staff to recognise when follow-up activity to an interaction is required.
 - c. Ensure that staff use customer interaction records as a decision-making tool.
 - d. Ensure that staff are properly supported in carrying out effective interventions.

Evaluate – questions to consider

- *Do you know how many of your customers may be experiencing some level of harm associated with gambling?*
- *How do you know you are delivering positive outcomes for your customers?*
- *How could you improve on your policy and procedures? How do you plan to make improvements over time?*
- *How could you share your good practice with the industry?*

5 Summary of research and information

[Can behavioural insights be used to reduce risky play in online environments?](#)

(Behavioural Insights Team, 2018)

[A framework for measuring gambling related harms](#) (Gambling Commission, RGSB, GambleAware, 2018)

[Gambling Behaviour in Great Britain in 2016](#) (NatCen, 2017)

[Responsible Gambling: Collaborative Innovation](#) (Revealing Reality, 2017)

[Getting Grounded in Problematic Play](#) (Jonathan Parke and Adrian Parke, 2017)

[Remote Gambling Research](#) (PWC, 2017)

[Testing normative and self-appraisal feedback in an online slot-machine pop-up in a real-world setting](#) (Auer and Griffiths, 2015)

[Office for National Statistics household income data](#) (ONS, 2017)

Further information on research to inform action will be made available on www.reducinggamblingharms.org

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Making gambling fairer and safer

www.gamblingcommission.gov.uk