**British Trust for Ornithology**

**Raffle Policy & Procedure**

**Gambling Commission Licences**

● Non-Remote Operating Licence number: 000-027661-N-309181-004

● Ancillary Remote Society Lottery Licence number: 000-027661-A-319527-001

**1. Introduction**

1.1 This document contains the BTO’s raffle policies. These policies are a requirement for maintaining a Lottery Operating Licence from the Gambling Commission. The BTO is licensed by the Gambling Commission as a Society Lottery Operator.

1.2 The sole purpose of the BTO raffle is to raise funds for the charity.

1.3 All employees and any contractors or agents associated with BTO raffle operations will be made aware of the policies and procedures contained in this document. Where it is deemed applicable contractors and agents will be contractually obliged to operate in accordance with them.

1.4 The BTO will alter this policy to reflect any future changes to the Gambling Commission’s Licence Conditions and Codes of Practice.

1.5 This policy will be reviewed every three years unless any changes to the requirements of the Gambling Commission require the policy to be amended before then.

**2. General policy statements**

2.1. General

2.1.1. The BTO will operate its raffle in accordance with the Gambling Act 2005.

2.1.2. The BTO will run raffles that comply with the general licence conditions and associated codes of practice (Licence Conditions and Codes of Practice) attached to the BTO’s lottery operating licence, as issued by the Gambling Commission pursuant to Section 75 of the Gambling Act 2005.

2.1.3. The BTO will comply with the Gambling Commission’s technical standards and with requirements set by the Gambling Commission relating to the timing and procedures for testing.

2.2. Small-scale operator status

2.2.1. The BTO will operate as a small-scale operator, as defined in the Gambling Act 2005 (Definition of Small-Scale Operator) Regulations 2006.

2.2.2. Any changes required to the list of employees whose details and responsibilities have previously been provided to the Gambling Commission in relation to the operating licence (as in those qualifying persons actually named on BTO operating licences) will be provided in writing by an appropriate person from the BTO to the Commission, no later than 28 days after the change has occurred.

2.2.3. Changes to registered address, trading name, equipment type used will be provided in writing to the commission within 28 days.

2.3. Cash handling

2.3.1. The BTO and any contractors will:

(a) ensure that access to any building used for raffle administration purposes is controlled.

(b) further ensure that access to any area within the building that is used either for raffle administration purposes or for storage of raffle- related records is also controlled.

2.3.2. All staff will, whenever and wherever possible, ensure that customers' personal details, customers' debit/credit card details and customers' bank account details are stored as safely and securely as possible.

2.3.3. The BTO will ensure that all raffle correspondence is opened in full view of at least one other employee.

2.3.4. All cash and cash equivalents inclusive of bankers' drafts, cheques, postal orders, debit/credit card details and bank account details shall be handled in the company of other members of staff. They will also be stored out of sight as safely and securely as possible prior to processing and shall be stored overnight in an office safe, once processed.

2.3.5. All debit/credit card numbers will be erased using permanent marker pens once the debit/credit card transaction has been successfully processed, prior to long-term storage in a secure storage area. CVV/debit/credit card security numbers will not be requested via BTO paper-based application forms.

2.3.6. All banking will be re-counted and cross-checked against the relevant raffle administration paperwork, for raffle banking purposes.

2.3.7 In order to comply with the Act, Raffle Tickets that have been purchased and entered into the draw for which they were intended are prohibited from being subsequently refunded

2.4. General ‘fair and open’ provisions

2.4.1. The BTO will ensure that:

(a) the terms upon which gambling is offered are not unfair under the Unfair Terms in Consumer Contracts Regulations 1999 and where applicable, meet the reasonableness test under the Unfair Contract Terms Act 1977.

(b) the rules for each raffle are made available to ticket holders and set out in plain and intelligible language see appendix 1: Rules.

(c) ticket holders will be notified of changes to the terms before they come into effect.

2.5. Display of licensed status

The BTO will ensure that “licensed by the Gambling Commission” and details of the Gambling Commission’s website (www.gamblingcommission.gov.uk) are printed on all raffle tickets.

2.6. Lotteries

The BTO will ensure that its raffle scheme will be operated specifically in accordance with:

(a) Conditions and Codes of Practice applicable to Non-remote non-commercial Society Lottery Licences (extract of Consolidated LCCP May 2014).

(b) Conditions and Codes of Practice applicable to Remote non-commercial Society Lottery Licences (extract of Consolidated LCCP May 2014).

**3. Protection of the business from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime**

3.1. Raffle schemes

The BTO will refuse to be associated with any proposed raffle scheme or other gambling activity that may breach the law.

3.2. Contractors/agents

3.2.1. BTO will refuse to contract with any contractors or agents who BTO suspects may be associated with any potential or actual criminal activities.

3.2.2. BTO will, where appropriate only use suppliers who are licensed by the Gambling Commission to run all or part of BTO’s own raffle business.

3.2.3. BTO will require all contractors to:

(a) obtain references from all prospective employees and self-employed agents that are likely to be associated with BTO gambling business.

(b) monitor their staff and self-employed agents on an ongoing basis, particularly regarding their direct or indirect association with potential criminal activities.

3.2.4. BTO or its contractors may use gambling software – a Random Number Generator (RNG). The software will be audited by third part auditors in line with Gambling Commission guidelines.

3.2.5. If BTO determines that user interfaces will be required in order to enable customers to directly access its gambling facilities remotely and the necessary software development work needs to be sub-contracted to a third party, then BTO will include terms that state that any such user interface shall comply with the Gambling Commission’s technical standards for remote gambling systems.

3.3. BTO employees/self-employed agents

3.3.1. BTO will require references from all prospective employees and self-employed agents who are likely to be associated with BTO gambling business. BTO will maintain ongoing monitoring of all staff, particularly with a view to their direct or indirect association with potential criminal activities.

3.3.2. BTO will ensure that it reports any actual or suspected criminal activities to the police.

3.3.3. BTO Staff involved in promoting lotteries or selling raffle tickets face to face or via telephone will be trained to a satisfactory standard to ensure compliance with BTO gambling policy and procedure.

3.4. Prospective customers/actual customers

3.4.1. BTO will not enrol any person into any of its raffle schemes if that person is suspected of any potential or actual criminal activities.

3.4.2. BTO will ensure that it reports any actual or suspected criminal activities to the police.

**4. Ensuring that children and other vulnerable people will be protected from being harmed or exploited by gambling**

4.1. Children

4.1.1. BTO will ensure that the raffle rules and any raffle marketing and promotional literature, including any raffle tickets, adequately and effectively advertise the minimum legal age limit.

4.1.2. BTO will not accept raffle entries from children who BTO knows to be under 16 years old or suspects of being under 16 and cannot prove otherwise by producing acceptable identification documents such as a valid driving licence, passport or identity card. BTO will explain that the operation of the raffle is covered by the Gambling Act 2005, which prevents any person under that age from taking part in any gambling activities. Online players will be required to confirm that they are 16 or over 16 before being allowed to complete an entry.

4.1.3. It is a criminal offence to invite or allow a child under 16 years old to enter a raffle (other than certain classes of exempt lottery, such as incidental non-commercial lotteries, private lotteries, work lotteries and residents’ lotteries). As such:

(a) Any member of staff or any self-employed agent thought to have knowingly invited a child under the age of 16 to participate in any of the BTO gambling activities will be managed in line with BTO disciplinary policy.

(b) Raffle ticket sellers and any other contractors must be advised accordingly.

4.1.6. If a child under 16 years old is found to have participated in a raffle after the raffle draw has taken place, then any prizes that might otherwise have been due to them will not be paid out. If prizes have already been paid out, all reasonable attempts will be made to recover them.

4.2. Suspected problem gamblers

4.2.1. In the event that an application to participate in a raffle is received from a suspected problem gambler:

(a) The customer must be tactfully referred to GamCare (see “Information on how to gamble responsibly and help for problem gamblers” later), by the appropriate raffle administrator/supervisor/manager.

(b) The customer’s details must be logged for the purposes of possible exclusion from future participation in future lotteries, should any similar incidents re-occur.

(c) All written and verbal communication between staff and suspected problem gamblers must be monitored and approved by a raffle supervisor/manager.

4.2.2. In the event that an existing customer is suspected of becoming a problem gambler:

(a) Any requests for any additional raffle entries/tickets in excess of the recommended maximums (see ‘Customer Interaction’ later) must be tactfully refused.

(b) The customer must be tactfully referred to GamCare, by the appropriate raffle administrator/supervisor/manager.

(c) The customer’s details must be logged for the purposes of possible exclusion from future participation in future lotteries, should any similar incidents re-occur.

(d) All written and verbal communications between staff and the suspected problem gambler should be monitored and approved by a raffle supervisor/manager.

4.3. Self-excluders from gambling

4.3.1. Customers, including online players, will be given the opportunity to self-exclude either by telephone or in writing.

4.3.2. BTO will ensure that self-excluders from gambling:

(a) are given the opportunity either to self-exclude immediately without any cooling off period or to consider self-exclusion further – for example, in order to discuss with problem gambling groups such as GamCare

(b) are removed from any gambling related marketing campaigns that have not passed the final lasering of address details stage within two days of receiving the completed self-exclusion notification

(c) are excluded from all future gambling related activity or marketing of gambling related products.

(d) will not receive any future gambling-related marketing materials, unless after the minimum period of six months has expired, the customer has taken proven positive action in order to gamble responsibly again and has specifically agreed to accept such materials

(e) are 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.

4.3.4. In the event that an application to participate in a raffle is received from a person who has previously advised BTO that they have excluded themselves from participating in gambling:

(a) The application will be rejected by the relevant raffle administrator and the prospective customer will be advised in writing of the reasons for the rejection and tactfully referred to GamCare.

(b) All written and verbal communication between staff and the self-excluder must be monitored and approved by a raffle supervisor/manager.

4.4. Other vulnerable people

4.4.1. The BTO is committed to ensuring that raffle tickets are not knowingly sold to other vulnerable people such as someone under the influence of alcohol or drugs, or someone who is incoherent, or suffering from dementia or Alzheimer’s disease, etc.

4.4.2. The BTO will politely refuse to accept any new or subsequent raffle entries 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 with the gambling transaction.

4.4.3. The BTO will monitor any ongoing communications with customers in order to try and detect whether a person’s vulnerability becomes evident, such that any gambling-related future communications can be terminated.

**5. The promotion of socially responsible gambling**

5.1. Information on how to gamble responsibly and help for problem gamblers

5.1.1. BTO 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 raffle rules and any raffle marketing and promotional literature, including any annual raffle-based invitation to purchase raffle tickets will, as far as is reasonably possible, advertise the GamCare logo, the GamCare Website and the GamCare National Helpline number (0845 6000 1333), with the following supporting text:

“Are you gambling more than you really want to? If you feel you have a problem with gambling please visit GamCare’s website for help and advice at [www.gamcare.org.uk,](http://www.gamcare.org.uk/) or contact the GamCare National Helpline on 0845 6000 1333. Lines open 8am to midnight.”

5.1.2. GamCare is a registered charity and has become the leading authority on the provision of counselling, advice and practical help in addressing the social impact of gambling in the UK. GamCare takes a non-judgemental approach to gambling. They do not wish to restrict the choices or opportunities for anyone to operate or engage in gambling that are available legally and operated responsibly, but do strive to develop strategies that will:

(a) improve understanding of the social impact of gambling

(b) promote a responsible approach to gambling

(c) address the needs of those adversely affected by a gambling dependency.

5.1.3. GamCare operates a national telephone helpline for anyone affected by a gambling problem and operates a network of both face-to-face and online counselling and support services. Additionally, GamCare works to support the development and implementation of responsible practice by the gambling industry.

5.1.4. BTO will ensure that all staff associated with the BTO gambling business are made aware that advice is available to customers from GamCare regarding socially responsible gambling and gambling dependency.

5.3. Customer interaction

5.3.1. BTO will initiate customer verification checks that are intended to ensure that the customer is aware of the level of gambling currently being undertaken, when approached by customers who:

(a) wish to purchase more than £500 worth of raffle tickets in any raffle.

(b) are suspected problem gamblers.

5.3.2. Customer verification checks will be completed by the appropriate raffle administrator, as determined by the relevant raffle supervisor/manager, in order to try and identify the reasoning behind the proposed gambling transaction. All communications must be treated with the utmost care and discretion, since a grateful supporter may simply be buying a large number of entries/tickets as a means of making a “donation” by way of the lottery/raffle and face-to-face or telephone communications are therefore preferred.

5.3.3. Once customer verification checks have been successfully completed, the raffle office supervisor/manager will determine whether or not to accept the abnormally high number of entries/tickets required by the prospective customer.

5.3.4. If the raffle office supervisor/manager decides to reject the prospective customer’s application, then the prospective customer will be advised in writing of the limit imposed via the rules of the raffle scheme, which is adhered to for the purposes of supporting and maintaining BTO’s socially responsible approach towards gambling.

5.3.5. In the event that the prospective customer disputes the decision made by the raffle office supervisor/manager, then the decision will be referred to the responsible person within BTO, whose decision shall be final.

5.3.6. Each initiation of the customer interaction policy will be logged by the BTO in the BTO Customer Interaction register for future Gambling Commission Annual Regulatory Returns reporting purposes.

**6. Ensuring that gambling is conducted in a fair and open way**

6.1. BTO raffles will be conducted in accordance with a strict set of raffle rules, which will be approved by BTO. These rules will be permanently available to all prospective and actual raffle customers from BTO and will be provided in writing, upon request.

6.2. A player’s guide to the raffle will also be made available to customers via a number of different means, inclusive of but not limited to:

(a) the relevant website for the raffle

(b) raffle tickets

6.3. BTO will notify its customers of changes to the terms and conditions – that is, the raffle rules associated with any raffle before they come into effect.

6.6. Where applicable BTO and its contractors will only use gambling software that incorporates a Random Number Generator (RNG) that has been proven to be random by an approved relevant person or organization in accordance with Gambling Commission guidelines.

6.7. BTO will ensure that any manual draws are witnessed by at least one nominated representative, other than the person manually selecting the winning tickets.

6.8. Any possible disputes over winnings will be investigated by BTO starting from the premise that ‘the customer is always right’. The reputation of BTO will always be a significant factor when making decisions under such circumstances.

6.9. The winning numbers associated with BTO raffle draws will be published on the relevant website.

6.10. Winning numbers will also be available by contacting BTO Fundraising.

6.11. Winning numbers will also be posted out to winners (if specifically requested) for individual raffle draws.

6.12. Prize cheques will, where applicable, be posted out to winners as soon as is reasonably practical, in order to ensure that winners do not actually have to claim their prize in person.

**7. Access to premises**

7.1. BTO will ensure that all employees and any contractors or agents associated with BTO raffle business are made aware that:

(a) they must co-operate with the Gambling Commission’s enforcement officers in the proper performance of their compliance functions.

(b) the Gambling Commission’s enforcement officers have rights of entry to premises, as contained in Part 15 of the Gambling Act 2005.

**8. Information requirements**

8.1. BTO will make all reasonable efforts to ensure that the Gambling Commission is provided with any information that they know relates to or suspect may relate to an offence under the Gambling Act 2005, including an offence resulting from a breach of a licence condition or a code provision having the effect of a licence condition.

8.2. BTO will make all reasonable efforts to ensure that all key events that could have a significant impact upon the nature or structure of a licensee’s business are notified to the Gambling Commission as soon as is reasonably practicable and in any event within five working days of the licensee becoming aware of the events' occurrence, inclusive of those key events specifically itemised within condition 15.2 of the Gambling Commission’s Licence Conditions and Codes of Practice (LCCP), dated May 2014, concerning reporting key events, such as bankruptcy, unplanned change of auditor, any change to BTO qualified person(s), disciplinary action against any qualified person(s).

8.3. BTO will make available to the Gambling Commission such information as the commission may require about the use made of facilities provided in accordance with BTO operating licences, the manner in which gambling authorised by the licence is provided and the manner in which the licensee’s business in relation to that gambling is carried out, including in particular information about:

(a) the numbers of people making use of the facilities and the frequency of such use, inclusive of changes in the number of staff associated with any raffle scheme where those changes have a material impact on BTO gambling business.

(b) the range of gambling activities provided by BTO and the numbers of staff employed in connection with them.

(c) the licensee’s policies in relation to and experiences of, problem gambling.

8.4. BTO will complete and submit the following returns to the Gambling Commission, within the following time periods:

(a) Lottery submissions, within three months of the date of each raffle draw.

(b) Regulatory returns, within 42 days of the end of each of BTO annual period which is currently within 42 days of the end of March, each year.

**9. Marketing**

9.1. BTO will not make any reward or bonus schemes available to customers or potential customers.

9.2. Tickets will only be sent directly to members of BTO or its Garden BirdWatch scheme or those who have previously played the raffle or made donations to BTO in the last three years and have not opted out of receiving these.. Other supporters/volunteers will be offered the opportunity to request tickets be sent to them or can play online.

9.3. A record will be kept of all tickets that have been distributed.

9.4. BTO will comply with the advertising codes of practice that apply to the form and media in which it advertises its gambling facilities or services and will apply the principles included within these codes of practice for media not explicitly covered.

**10. Complaints and disputes**

10.1. BTO will implement a Complaints and Disputes Procedure which will be made available to all potential or actual customers upon request

10.2 The raffle complaints log will be held for three years.