

AGE-VERIFICATION TESTING PROTOCOL FOR GAMING MACHINES IN PUBS

1. The purpose of the tests is to determine if pubs are complying with legal requirements regarding under-age playing of Category C gaming machines in alcohol-licensed premises, and any accepted industry codes of practice with regards to under-age use of gaming machines in such premises (e.g. Challenge 21). It is also a means for ensuring relevant training is given to pub staff about preventing under-age playing of gaming machines.
2. Age-verification tests will use testers over the age of 18 years and which look under 21 years old, i.e. testers will look young enough that they should be challenged by staff, in respect of physical appearance, dress and demeanour.
3. Young people engaged for testing purposes will have provided satisfactory proof of age, properly authenticated, prior to being employed. They will have undertaken appropriate training so as to ensure full compliance with this protocol, acclimatisation of being exposed to gambling, awareness of gaming machine categories, and their own safety when conducting tests. On-location supervision of the tester is not required.
4. Tests will be conducted realistically and appropriate to behaviour that could be reasonably expected from any member of the public entering and seeking to gamble on licensed premises, but also with a view to simulating the behaviour that could be reasonably expected from a child (below the age of 16 years) or young person (16 or 17 years of age) attempting to gamble.
5. Should a member of staff ask for satisfactory proof of ID, the tester will respond by saying that they are not carrying ID with them. This is intended to engage interaction by prompting staff to explain what type of ID is acceptable. Acceptable ID will be the equivalent to the formats that are acceptable for Challenge 21 / Challenge 25 (matching whichever age-check policy is already being used by the pub for its alcohol sales).
6. The testing process will be conducted in two, six-month phases over a twelve-month period in order to improve the current level of compliance by simultaneously improving staff training and education.

Phase 1 of the testing programme

On entry to the pub, testers will go directly to a gaming machine (category C), stand within arm's length, and spend either one minute clearly browsing the machine (if it is in clear sight of the bar) or two full minutes clearly browsing the machine (if it is not in clear sight of the bar) before playing the machine for a period of three minutes if not asked for ID beforehand by a staff member.

Phase 2 of the testing programme

As per Phase 1, but the period of browsing will reduce from one minute to 30 seconds (for a machine in clear sight of the bar) or from two to one minute (for a machine not in clear sight of the bar).

Summary - Stage at which tester is asked for ID

Stage 1	Whilst browsing but before inserting money (stake) into the gaming machine.	PASS
Stage 2	Having inserted the stake into the machine but before playing the machine - either the tester is challenged by staff before playing or their stake is returned by the machine.	PASS
Stage 3	Having inserted the stake into a machine and whilst playing the machine.	FAIL
Stage 4	The period between finishing play and exiting the premises.	FAIL
Stage 5	No ID challenge in the period from browsing to exiting the premises.	FAIL

7. If no request for ID is made during the allotted time frame (from entering the pub to finishing playing), testers will immediately leave the premises.
8. Test results will be recorded using the above scoring system. The colours reflect the degree of the results, such that amber, whilst being a Fail, does record that the tester was asked for ID and prevented from playing.
9. Test results will also record whether or not the tester was offered (or given) their stake money back by a staff member, or any winnings not withdrawn by the tester from the gaming machine.
10. Testers should record other observations about the test including, for example:
 - The presence of any age-restriction notices at the machine (e.g. Challenge 21 or similar);
 - How busy the pub was;
 - Number of staff behind bar and number of staff walking around pub clearing up etc.
 - At what location the tester was challenged e.g. was it on entry by Door supervisors (if they are in place) or by staff once inside etc

11. If asked how old they are, testers will always state their true age but will not (as per point 5) provide ID.
12. Testers will always leave the premises immediately when called upon to do so by a staff member.
13. Upon completing the test and leaving the premises, the tester will immediately record or report the results. These results are recorded in order to provide evidence and an audit trail.
14. It is a strict condition that operators will not be informed in advance as to when tests will be carried out at their venues. Equally testers will not reveal they are undertaking a test.
15. This protocol will remain under regular review to ensure it adequately reflects relevant changes that affect gaming machines in pubs (e.g. regulatory, technological, working practices).

Testing programme

Sample size

All pub companies that agree to sign up to the protocol will commit to testing a minimum of 10% per annum of their managed pubs that have gaming machines. This is a reasonable and proportionate sample size on the basis that gaming is not the primary business activity of pubs. Any pub that requires a re-test will be in addition to this sample (i.e. the same pub cannot be counted twice in any one phase). Pubs should not be tested more than once per year, other than if it is a re-test due to a Fail. Where possible the sample should distinguish between pubs with up to two machines and those that have more than two such that this difference can be identified in the results.

Re-tests for failures

All pubs that fail will be re-tested, though that could be as part of a subsequent Phase of the protocol. A pub will only be re-tested once the result has been properly evidenced and then reported to the pub company in order to enable any action to be taken in advance of the re-test. However, the aim should be to re-test within three months of the first test.

National vs geographic focus

All managed pubs will be included within the potential pool to be selected for testing. Selection should be random unless a specific region has been agreed to be targeted. If any such regional targeting is adopted, this should be stated in the aggregated results (i.e. results should not be presented as national if they are not).

Managed pubs vs tenanted pubs

Pubs to be tested should only be those that are the direct responsibility of the pub company, and in particular, those pubs where training is the responsibility of the pub company. However, pub companies who operate tenanted/leased pubs will encourage their partners to sign-up to the testing programme and offer support for those who wish to do so. The target will be to cover 5% of tenanted pubs per annum.

Licensing Authority test purchase operations

The same (or similar) protocol should be used by any other body (e.g. a Local Authority) that undertakes age-verification testing as part of its regulatory or enforcement function. The BBPA and UKHospitality will publicise the protocol to their members and other relevant stakeholders.

Results

The results of each phase will be collated and the aggregate results made available to the Gambling Commission and appropriate Local Authorities. Aggregated results will include the total number of pubs tested and the pass rate. It is recommended that a suitable narrative accompanies the results, that includes any elements of best practice that are revealed plus any recommendations for improvement. Results for individual pub companies will only be provided to the company itself, though it may wish to share them and/or make them public.

September 2019