

New arrangements for prioritising, commissioning, funding and evaluating research, education and treatment

Statement of intent

Date: August 2012

Statement of intent between the Gambling Commission, Responsible Gambling Strategy Board and the Responsible Gambling Trust

Introduction, assumptions and principles

1. The tripartite arrangements for the research, education and treatment elements of a national responsible gambling strategy (hereafter referred to as “RET”) were established following a review of the previous arrangements in 2008. However, in 2011 it was agreed by all parties that those arrangements were not working and discussions were held about how to reform the voluntary arrangements, building on the successes of the last three years and recognising the lessons. The Minister has acknowledged these new arrangements and will look to their success as a mitigation against the need to introduce a statutory levy at this time.
2. This paper describes the agreed new structure with effect from 1 April 2012; it also highlights the action that will be taken to provide full confidence that the new arrangements will be appropriate, proportionate and effective. All parties start from a renewed position of goodwill, appreciating what progress has been delivered so far and acknowledging that we share the same purpose.
3. That purpose is to establish an agreed ‘assurance and governance framework’ that will enable the Gambling Commission (the Commission) to assure itself, and therefore Government, that the combined work of Responsible Gambling Strategy Board (RGSB) in setting substantive priorities for funding, and the Responsible Gambling Trust (RGT) in generating funds and commissioning work to give effect to RGSB’s priorities is effective – including in the generation of evidence on which to base decisions about the regulatory framework – and thus that the voluntary system is working successfully to contribute to minimising the level of problem gambling in Britain and to ensuring that effective treatment is available to those who require it.
4. We have taken as our guide in formulating these arrangements the key points set out by the Minister, briefly summarised as follows:
 - That voluntary arrangements led by the industry currently remain viewed as preferable to a statutory levy
 - That a key test of any new arrangements is that they can engender trust and credibility across a wide range of stakeholders, including the industry, faith and community groups, regulators, legislators, academics and other service providers and the wider public
 - That the new arrangements need to deliver the evidence that the Commission and Government need to make decisions about regulatory policy – in particular, to provide confidence that decisions to increase or reduce regulatory burdens can be made with the fullest possible understanding of the risks to children and vulnerable people¹ and how they might be mitigated.

¹ As required by section 1 of the Gambling Act 2005

5. At a high level the following structures form part of the new arrangements:
- GREaT and Responsible Gambling Fund (RGF) will merge, to become the Responsible Gambling Trust – and the Responsible Gambling Fund as the previous distributor will not be replaced.
 - RGT will be responsible for fundraising and commissioning activity to deliver the strategy that RGSB advises the Commission should be followed (building in feedback from activity and evidence already evaluated by RGT), subject to the funds available. It is acknowledged that practical and/or budgetary constraints might present difficulties in delivering some aspects of the strategy and in this instance discussions would need to take place between RGSB and RGT about what could reasonably be delivered. RGT's strategic objectives are attached at Annex A.
 - RGSB will remain the Commission's independent adviser on RET and will draw up an independent, unbiased, evidence-based strategy to address RET. RGT will recognise its strategy (as endorsed by the Commission) as the sole authoritative voice on the RET agenda, and will, subject to the availability of funds, commission activity to implement the priorities set out in that strategy. RGSB's secretariat will be provided by dedicated staff employed by the Commission; the Secretary, although working exclusively for RGSB, will have access to the Commission's analytical resources.
6. The new arrangements are predicated on the following principles:
- That all parties will work together openly and in active partnership
 - That all parties will share an overriding commitment to transparency and engagement with stakeholders – and it is this transparency and engagement that will form the key underpinning of widespread trust and credibility in the new arrangements
 - That 'responsible gambling' means promoting 'responsibility in gambling' and not gambling itself. The aim of all parties is to reduce gambling-related harm through targeted research of the risks associated with gambling and what works in terms of education, harm prevention and treatment.

Overall structure

7. In essence the new arrangements are as follows:

Fundraising

8. RGT raises funds from the industry, with advice on the amount necessary provided, as now, by RGSB, taking into account discussions with RGT about what is achievable. For practical purposes, the starting point is that £5m is the minimum necessary to provide credibility, recognising that it had been hoped to have increased to £7m pa by this stage in the tripartite arrangements. By the end of the first year of operation (March 2013), RGSB and RGT will aim to agree a future three year rolling fundraising profile, reviewed annually. RGT remains committed to achieving £7m annually.
9. The industry has successfully raised £5m in 2009/10 and in 2010/11. It is expected that £5m will be raised in the year ending March 2012.
10. However, the fact remains, in RGT's view, that too few businesses make a donation, and many of those that do contribute do so at a relatively low level. In 2010/11, around 960 businesses contributed donations, of which less than 60 combined to contribute

around 85% of the total £5m raised. The total number of contributing businesses may be usefully compared against more than 3,000 businesses licensed by the Gambling Commission.

11. RGT is reviewing the basis on which donations have been sought in the past in an effort to make the formula more transparent and equitable across and within business sectors. There are also a number of initiatives to widen the engagement of gambling operators and service providers including pubs, clubs, lotteries and amusement arcades. A particularly important initiative has been to establish a forum for regular, constructive and wide-ranging engagement with and interaction between trade associations, with a particular focus on fundraising.

Commissioning/distribution

12. RGT will distribute funds on the basis of the strategy that RGSB advises the Commission should be delivered. RGT will publish its “commissioning plan” – a scheme for delivering the strategy – explaining why, if applicable, it has not proved possible to secure credible commissioned work to deliver aspects of the strategy. A similar process will apply to issues that require consideration between strategies² – ie RGSB advises the Commission publicly on what is needed and RGT publishes its commissioning plan to meet that need. The discussions will be underpinned by much closer co-operation between officials at RGT, RGSB and the Commission, and there would be room for iteration about what can practically be delivered – but critically such iteration would need to take place transparently. RGT wishes to build on the commissioning framework developed by RGF.
13. Commissioning is understood to be the process of making sure that activity is specified and procured in line with purchaser requirements and that priorities identified in RGSB’s agreed strategy are effectively met. It is a process which should include assessing needs and demand – including those expressed on behalf of the Commission in RGSB’s strategy – prioritising outcomes, procuring value for money products and services, and monitoring and evaluating service provision. The process can be straightforward for small projects, but is likely to be more complex for national projects. Whatever the size of the funded provision, all funded providers must be subject to a common regime for data collection and independent evaluation, to which there can be no exceptions.
14. In developing its commissioning plans, RGT will take into account the need to generate widespread trust and credibility, particularly in view of the investment of both fundraising and commissioning functions in a single, industry-led body. It will do this by:
 - appointing wholly independent trustees (that is, independent of the industry, service providers, the regulator and anyone else that may have a vested interest). Three independent Trustees will be appointed in the first instance with a view to increasing this number to five.
 - inviting DCMS, Gambling Commission and RGSB to observe Responsible Gambling Trust meetings.
 - seeking advice from specific external experts and sharing with RGSB the pool of existing experts built up under the previous arrangements. This includes engaging with appropriate groups of experts. These experts will neither be RGT’s nor RGSB’s but will enjoy common recognition and would be deployed in various combinations as required for particular tasks.

² Including the need for a process for discussing whether unsolicited bids resonate with the strategy and whether they could be delivered by RGT.

Evaluation

15. All parties recognise the importance of delivering value for money in distributing the funds raised, and that an important factor in determining whether value for money has been achieved is the extent to which the agreed programme is delivered in terms of the amount and quality of learning to be derived from it. This is of equal importance across all three elements of research, education and treatment – indeed, much of the confidence that the Government and the Commission will need in order to make judgements about the removal or imposition of regulatory constraints will derive from an understanding of the effectiveness of education/prevention in mitigating risk and of treatment in dealing with gambling-related harm where mitigation has been insufficiently effective. Similarly, there is agreement that the costs of evaluation should be proportionate, particularly in view of the scale of the funding to be distributed.
16. RGT is to take the lead on evaluating commissioned projects and programmes, having regard to the learning and outcome requirements specified in the strategy and to the data framework developed by RGF. To provide an example, if the strategy calls for a better understanding of the potential for brief interventions, it would not be sufficient to commission a programme of brief interventions; the programme would be designed from the outset to deliver the data and evidence required to allow for independent evaluation.
17. RGT's approach to evaluation is intended to be project-by-project (but undertaken against agreed frameworks of common standards and data requirements), assembling the right team in the right circumstances. It may, as outlined above, draw on the shared pool outlined above. In every case, evaluation will recognise the need to address actual and potential conflicts of interest, principally by not relying on a provider or one of its competitors to carry out evaluation of what has been provided. And in line with the principle of transparency underpinning the new structures, the results of evaluation will be published.

Strategy development

18. RGSB will be responsible for advising the Commission (and through the Commission, Government) on the research, education and treatment elements of a national responsible gambling strategy. In practice this will mean the development of a three year rolling strategy (with an additional year added each year) that sets out RGSB's view of priorities for the coming period. This approach will help balance the need for longer term certainty with the need for flexibility. Where possible it will express those priorities in terms of the outcomes, learning and understanding that it expects to be delivered from the strategy and that will help the Commission and the Government make judgements about the level of regulation necessary to manage risk.
19. RGSB would publish its proposed strategy as formal advice to the Commission. The Commission would be free to endorse it in its entirety or to suggest modifications, with reasons. The Commission's response would be published. Once adopted by the Commission, the strategy will constitute the statement of the priorities to be pursued by RGT in the formulation of its commissioning plans.
20. The Strategy (as accepted by the Commission) will be determinative, but developed in a collaborative, open manner, with iteration between RGSB and RGT. It is expected that it will be appropriate for there to be dialogue about prioritising and phasing delivery (being guided by budgetary concerns), which will need to be transparent and constructive. RGSB will invite RGT to observe its meetings.

21. It is most likely that issues arise between strategies that will require advice and, from time to time, work to be commissioned that is of greater urgency than that already identified. We propose that the same principles should apply to the handling of such issues as to the strategy overall. However, for illustrative purposes we have focused in this paper on the mechanism for dealing with the strategy.
22. The prime locus for developing and maintaining the strategy and responses to issues that emerge between strategies will be RGSB's secretariat. The secretary will provide dedicated support to the Board, but will be employed by the Commission on the Board's behalf and have access to the Commission's analytical capability. The secretary will take active steps to build an effective working relationship with RGT staff and work in partnership and this approach will be mutual. The secretary will engage with the Board, the Commission (and through the Commission, Government), RGT and others to assist the Board's development of its draft strategy.
23. An important innovation in the new arrangements is a responsibility on RGSB to consult actively with a broader range of stakeholders to provide an opportunity for engagement as a part of delivering wider public confidence (complementing RGT's transparent commissioning and evaluation mechanisms). We propose that a convenient mechanism for achieving this would be to reposition the Commission's prevalence survey advisory group (chaired, coincidentally, by the new Chair of RGSB) as a sounding board for RGSB. The existing advisory group, which has an open and broad membership comprising the community and faith groups, industry and academics, has functioned essentially as a communications tool around the prevalence survey rather than an "advisory" body as such. We see value in broadening its remit to seek a broader range of views around RET and communicating what is being achieved. Consultation with this group will be part of the strategy development process and offer an opportunity for RGT to communicate its plans and progress to a wider range of stakeholders.

Partnership and engagement

24. The new arrangements rely much less heavily on structures to deliver results and much more on openness, transparency and partnership. "Officials" of all parties will strive to foster a constructive working relationship and share thinking at an early stage. By the same token, there will be much closer contact at strategic level – for example, regular bi- or tripartite meetings at chair level. We will also seek to build particular co-operation between RGSB and RGT around, for example, commissioning and evaluation arrangements.

Annex A: Responsible Gambling Trust Strategic Objectives

1. Develop and deliver long term strategies to minimise the level of problem gambling and gambling related harm in Britain through effective education and prevention techniques, which stop people experiencing harm as result of their gambling, and ensuring that those that do develop problems receive fast and effective treatment and support.
2. To ensure that the gambling industry in Britain retains its world leading reputation for promoting responsibility in gambling and demonstrating that legitimate business growth and job creation is balanced with social protection of the weak and vulnerable in society.
3. To raise a minimum of £5m, and a target of £7m, per annum within a voluntary (donation based) system to fund our research, education and treatment activities.
4. To develop a governance (Board of Trustees) structure which balances industry donors with independent Trustees who have skills and experience in research, education and treatment.
5. Develop the Responsible Gambling Trust as the industry brand for responsible gambling.
6. To redevelop the GambleAware website as a core element in an effective educational programme, which both prevents gambling-related harm and signposts treatment and support for those in need.
7. To deliver an independently commissioned research programme that focuses on the causes of gambling-related harm and the effectiveness of various treatment, prevention and education techniques in preventing and / or reducing gambling-related harm.
8. To commission effective and value for money services from treatment and education providers through a commissioning approach focusing on partnership working and appropriate evaluation, which is proportional to the relevant grant.
9. To become an independent, authoritative and respected voice for responsible gambling in Britain and to communicate effectively the work of the Responsible Gambling Trust, on behalf of the industry, in this area.

Annex B: The common engine room: a protocol for partnership working

1. This protocol is designed to support close partnership working between the main parties to the voluntary agreement for research, harm prevention and treatment.

Key assumptions

- All parties operate according to the statement of intent
- RGT is an independent charity and is bound to comply with its legal obligations in that respect. However, “independence” is agreed not to preclude close working relationships, detailed collaboration or early sharing of information between RGT, the Commission and RGSB
- The Gambling Commission has a statutory duty to advise the Secretary of State on gambling and its regulation
- The voluntary agreement on research, education and treatment is currently the mutually-preferred substitute for a statutory levy on the industry to fund measures which seek to minimise gambling related harm
- All parties will strive to support the voluntary agreement – but recognising that support is dependent on each party being able to fulfil its own obligations and purposes effectively
- We will achieve more by pooling resources and working together at all stages
- Information should be shared and published as early as possible

Mutual commitments

- Each party will involve the others fully in the commissioning and evaluation of work carried out to progress the Strategy, and in developing overall commissioning plans. This will require the policy context in which advice is to be delivered to be understood and for there to be close collaboration in the planning, commissioning and delivery of research, education and treatment
 - Each party will endeavour to keep the others informed of other relevant work and offer the opportunity for input where relevant
 - No public use will be made of any RGT produced material without the endorsement of RGT’s Research Committee, although the benefits of publication at the earliest stage are recognised. In any event, however, the sharing of material at a working level between the parties, from the early stages of development, will be expected and encouraged. “Working level” here signifies those stages of development that take place before formal processes are engaged. Discussion at working level will not be taken as committing the Boards of any of the three organisations, though it should make any subsequent agreement easier.
2. The Commission will make relevant staff resources available to RGT and RGSB to support their work. RGT, RGSB and Commission staff will forge closer working links to create a shared capability on research, education and treatment: the “common engine room”.