



INDEPENDENT COMMISSIONING

Corporate Policy (Health & Safety)



DOCUMENT CONTROL

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1. PURPOSE

Sky commissions independent production companies to provide content for a numbers of its channels. The purpose of this Policy is to ensure that proper standards of health and safety are achieved in all production work commissioned by Sky.

This Policy establishes the arrangements through which Sky will manage and control its independent productions. Furthermore, this Policy is intended to ensure that independent production companies and their sub-contractors / freelance personnel, are made aware of, and are in compliance with, all relevant health and safety requirements while working on behalf of Sky.

2. DEFINITIONS

Independent Productions	An Independent Production is a programme, series of programmes or part of a programme commissioned by Sky from a Producer or Production Company operating as a separate business. Sky retains final editorial control over the production, but managerial control rests with the Production Company or Producer.
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3. SCOPE / APPLICATION

This Policy is applicable to all independent productions commissioned by Sky for any of its channels / strands.

4. POLICY STATEMENT

All reasonable steps must be taken to ensure the safety, health and welfare of those who could be affected by an independent production commissioned by Sky. In summary, this will be achieved by:

5. ORGANISATION AND RESPONSIBILITIES

All reasonable steps must be taken to ensure the safety, health and welfare of those who could be affected by an independent production commissioned by Sky.

In summary, this will be achieved by:

5.1 SKY

Sky Commissioning Managers and Producers are responsible for:

- Confirming the health and safety competence / performance of those wishing to produce an independent production before placing the commission.
- Health and safety performance standards of independent productions being monitored for compliance against this Policy by way of safety inspections, audits and reviews. In addition and where relevant, significant accidents, dangerous

occurrences and near-misses will be thoroughly investigated to ensure that effective measures are taken by all appropriate parties to prevent recurrence.

- Keeping this Policy up-to-date through a process of formal review on an annual basis and / or when any specific relevant changes in legislation occur.

5.2 THE INDEPENDENT PRODUCTION COMPANY

Managers / Producers of independent production companies are responsible for:

- Observing and complying with all applicable health, safety, welfare and fire legislation, including all associated regulations and approved codes of practice, as they affect the production. This is equally applicable for work abroad as it is in the UK.
- Identifying and adopting, where reasonably practicable to do so, best practice as it relates to planned work activities. Where a lower standard exists abroad, where reasonably practicable, the independent production company should apply UK best practice.
- Appointing a competent person to assist the Producer in assessing and controlling the risks on a production.
- Undertaking a suitable a sufficient risk assessment for the production in a timely manner that allows for the effective control of all risks identified. All appropriate control measures must therefore be implemented and the documented risk assessment periodically reviewed to ensure its accuracy as production risks change.
- Notifying Sky in a timely manner of any significant accidents, incidents or near-misses occurring on a production.
- Affording Sky all necessary co-operation and assistance in the implementation of this Policy.
- Understanding and complying with all relevant requirements stipulated in any Agreement, Contract or Production documentation supplied by Sky.

6. PROCEDURE

6.1 QUALIFICATION (FOR CURRENT OR NEW INDIES)

Before a programme can be commissioned, each independent production company must complete a Health and Safety Questionnaire, this process is designed to allow Sky to vet companies so that only safety competent ones are selected for use. Each independent production company will only be vetted once in a given cycle (typically every 3 years), and not prior to each and every commissioned programme.

The questionnaire will be sent to them by their Sky production contact and must be completed and returned to this person in a timely manner. Completing this questionnaire and successfully passing the assessment is necessary before a programme is commissioned by Sky. All returned forms will be vetted by Sky's Health and Safety department and the independent production company will be duly notified of the outcome.

A joint vetting Health and Safety Questionnaire could also be used to achieve this and will mean that the indie to be assessed and approved for the Joint vetting database which is a scheme currently run by Sky, BBC, Channel 4 and ITV.

6.2 PROGRAMME TREATMENT

If programme development time allows, key health and safety issues associated with the planned production should be acknowledged within the Treatment by the independent production company.

Accordingly, a brief synopsis outlining the likely control measures for the major risks should also be included. Reference should also be made at this stage to specific health and safety programme needs, such as (not exhaustive):

- Sources of competent health and safety advice for the production.
- Specialist safety equipment or protective clothing needs.
- Health and safety budget allocations.

Where appropriate, the above requirements should be discussed and verified with the independent production company's Sky production contact (e.g. the Production Executive). In each case the level of detail that must be provided should be commensurate to the risks involved.

6.3 PROGRAMME COMMISSION

Only once the key health and safety risks and intended broad preparations associated with the planned production have been satisfactorily explained by the independent production company, will the programme be commissioned.

Sky Contracts / Production Agreements will be issued containing specific health and safety clauses which must be understood and attained by the independent production company.

For Sky One, the independent production company will also be supplied with a Sky Production Pack which will have additional health and safety requirements and procedures for implementation.

6.4 START UP MEETING

During the Start up meeting held between the independent production company and Sky, appropriate discussions and agreement must be had on matters relating to health and safety management during the production.

This will typically take the form of confirming and verifying those matters that should have been identified and described at the 'Programme Treatment' stage (see above).

6.5 RISK ASSESSMENT

All independent production companies must complete a suitable and sufficient risk assessment for their commissioned production in a timely manner prior to the start of filming. The independent production company must ensure that such risk assessments (and all required control measures) are fully implemented before / during production.

The independent production company shall be responsible as an employer for complying with all health and safety legislation and Codes of Practice including without limitation the need to appoint a competent person to assist the Producer in assessing the risks on production. The competent person must record in writing the significant findings identified in the risk assessment(s) as arising out of or in connection with the production and convey the preventative and protective measures to all personnel and any third parties who may be affected by the production work.

The independent production company must ensure that their personnel are suitably trained and competent prior to the conducting of any work activities. Independent production company personnel must receive adequate instruction with regard to health, safety and security and have the necessary equipment and protective clothing to carry out the work safely.

The independent production company must also ensure that all companies that they contract for specialist services/works as part of their commissioned production must supply to them a suitable and sufficient risk assessment for such works.

6.6 PERFORMANCE MONITORING / REVIEW

The independent production company must notify Sky in a timely manner of any significant accidents, incidents or near-misses occurring on a production. Further, civil claims for damages / injuries emanating from a Sky commissioned production, or enforcement action from the Health and Safety Executive (or Local Authority / Fire Authority) must also be notified to Sky in a timely manner.

Periodically during the conducting of the production, and on its completion, Sky shall monitor and review the health and safety standards achieved by the independent production company.

Every 3 years, Sky will formally re-vet each regularly commissioned independent production company. These arrangements will replicate the 'Qualification' process outlined above.

Additional health and safety audits shall also take place by Sky which may also result in recommendations for improvement, or other actions. Independent production companies shall afford Sky all reasonable assistance in the performing of these audits.



7. APPLICABLE LEGISLATION OR OTHER SOURCES OF INFORMATION

LEGISLATION	NOTES
The Health & Safety at Work etc. Act 1974	
The Management of Health and Safety at Work Regulations 1999	
The Working Time Regulations 1998 incorporating the Working Time (Amendment) Regulations 2002	
The Children and Young Persons Acts 1933, 1963, 2008	
The Children (Performances) Regulations 1968	
The Children. (Performance) Amendment Regulations 2000	
The Children (Protection At Work) Regulations 1998	
SOURCES OF INFORMATION	
Sky Health & Safety Intranet site	http://today/site
HSE Website	www.hse.gov.uk