



## CONTRIBUTOR & DATA PROTECTION CHECKLIST

### DOCUMENTARY & CRIME

# DOCUMENTARY & CRIME CONTENT: CONTRIBUTOR CHECKS & ASSESMENTS

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**PLEASE COMPLETE THIS FORM AND RETURN TO SKY COMPLIANCE AT LEAST 3 DAYS BEFORE YOUR PRODUCTIONS START-UP MEETING.**

It is the responsibility of the production company from the outset and prior to the commencement of production to undertake necessary checks on all contributors and/or crew, as appropriate.

**The Compliance team will require the completed checklist form in order to give advice as the production develops so please make it a priority.**

- If any checks or tests reveal anything about a contributor or their background that could lead to any legal or compliance issues, conflicts of interest, or anything that could put the contributor or other contributors or production staff at risk, or any other factor that might compromise the integrity of the programme, or cause any adverse public relations issues, then the producer(s) should immediately raise and discuss these with their Sky Compliance contact and commissioning editor at the earliest opportunity/the first compliance meeting.
- Checks may include (*where appropriate*) proof of identity and personal/professional references; checks on the Police National Computer/local police records (*basic Disclosure and Barring Service checks or 'DBS'*), and the producer(s) should endeavour to carry out similar checks for foreign nationals/non-UK residents/when filming overseas.
- In particular, DBS are likely to be necessary where there is interaction with vulnerable people. Checks on crew may be necessary as well. All crew and staff interacting with children or vulnerable adults must be fully DBS checked.
- As DBS checks take time, it is the Producer's responsibility to ensure that any checks that are required are carried out at the earliest opportunity and factored into budgets and schedules to enable, whenever possible, all relevant information to be obtained prior to the contributor's participation in the programme.
- It may be appropriate for DBS checks to be carried out on members of the public involved in your filming; this should be discussed with your Sky Commissioning Exec and Compliance contact.
- When carrying out the above checks, the Producer should also consider whether contributors should undergo a test with a **suitably qualified psychologist prior** to their participation in a programme and whether the psychologist would need to provide support during filming and after care.
- The Producer should keep records of all checks/tests carried out (*subject to relevant data protection laws*).

# CONTRIBUTOR AND DATA PROTECTION CHECKLIST: DOCUMENTARY & CRIME CONTENT

This form can also be completed via Adobe Acrobat Reader using the 'Fill & Sign' option.

We have outlined below the different checks, releases and other paperwork that may be required for your programme/series to ensure that you cover off all the relevant informed consent, duty of care and due diligence elements with your contributors and remain compliant throughout production. Please review and tick the sections that you feel are applicable, might be applicable or should be considered.

Once completed, please send this form to the Sky Production Executive and Commissioning Editor looking after your programme/series **at least 3 days prior to the Start-Up Meeting** so that any budgetary implications can be discussed. Sky's Commissioning Editors, Compliance and Legal departments will discuss these with you at the Start-Up Meeting.

**Programme Title:**

**Production Company:**

**Genre:**

CHECKS/RELEASES:	REQUIRED:
<p><b>1. Contributor Self-Certification</b> - this should be completed at an early stage and can be included as part of a production research questionnaire. It must ask if they have any criminal convictions that the production company should be aware of, and it must be signed and dated.</p>	<p><i>Mandatory for all Ent/ Fact Ent/Kids and where applicable specific Factual content.</i></p>
<p><b>2. Contributor Consent/release form</b> - this should include all relevant information regarding the Contributor's participation in the programme and must include the Briefing Document referred to in 3 below.</p>	<p><i>Mandatory</i></p>
<p><b>3. Briefing document</b> - this should explain the editorial of the series/programme in plain English (or where applicable translated into the local language) and set out full details of how the Contributor will be featured; this will form part of the Contributor Consent/release form.</p>	<p><i>Mandatory</i></p>

<p>4. Are you requiring the Contributor to complete a <b>'fitness to participate'</b> form to find out if there are any physical or mental health issues that may affect their suitability for the programme? This may be necessary depending on the contributor's age and potential vulnerability, as well as the theme and content of the programme. If in doubt, contact your SKY Compliance executive.</p>				
<p>5. Will the Programme include details of the <b>Contributor's medical conditions</b> or include them receiving treatment?</p>				
<p>6. <i>(If answer to 5 is YES)</i> Are you going to obtain consent from the Contributor for permission to access their medical records?</p>				
<p>7. Are you going to contact the Contributor's doctor?</p>				
<p>8. Will you be contacting social workers, police, care worker, or any other authority relating to the Contributor/s?</p>				
<p>9. <b>Is a DBS check being carried out?</b></p> <p>Please note that as a matter of Sky policy the need for DBS checks can be considered on a case-by-case basis for Factual programmes; depending on the nature of the programme and the contributors involved. Please discuss this with Compliance for your production.</p>				
<p>10. Will the Contributor be asked to provide any one or more of the following, as additional checks:</p> <ul style="list-style-type: none"> <li>- <b>Employer's Reference</b></li> <li>- <b>Proof Of Identity</b></li> <li>- <b>Proof Of Address</b></li> </ul>	<table border="1" style="width: 100%; height: 100%;"> <tr> <td style="height: 40px;"></td> </tr> <tr> <td style="height: 40px;"></td> </tr> <tr> <td style="height: 40px;"></td> </tr> </table>			

<p>11. Will any of the following checks be carried out? Please explain the reasons for your answer.</p> <ul style="list-style-type: none"> <li>- Google Search</li> <li>- LexisNexis</li> <li>- Facebook / Twitter / Instagram / TikTok / Other Social Network Platforms</li> <li>- Dating Websites</li> <li>- Bankruptcy Search</li> </ul>	
<p>12. Will you be carrying out <b>psych evaluations</b> as part of your contributor selection process?</p>	
<p>13. Will a <b>psychiatrist</b> be required to be on call <b>during pre-production</b>?</p> <ul style="list-style-type: none"> <li>- Present At Filming?</li> <li>- Post Filming?</li> </ul>	
<p>14. <b>Post TX Aftercare</b> - Will either a producer or psychiatrist be required to provide aftercare post TX (or pre-TX if TX is delayed)?</p>	
<p><b>Under 18's and Vulnerable Adults</b></p>	
<p>15. If the answer to 14 is YES, how often will the checks be made and who will be responsible for these?</p>	
<p>16. Are <b>children</b> included in the programme?</p>	

<p><b>17. (If the answer is YES to 16)</b> Will you be creating a child welfare and safeguarding protocol which includes (for example):</p> <ul style="list-style-type: none"> <li>– Parental/legal guardian consent – if the child’s parents do not live together, both parents still need to sign consent unless one of them has sole custody.</li> <li>– Knowledge of child’s participation must be given to both parents/guardians regardless of custody.</li> <li>– If the child is aged between 11 – 18 years, they should be asked to sign their own consent form (in age-appropriate language) in addition to the form signed by the parents/guardians.</li> <li>– Parents/chaperones where appropriate</li> <li>– Separate changing and toilet facilities on set/location</li> <li>– Appropriate breaks and mealtimes</li> <li>– Appropriate working hours</li> <li>– Appropriate behaviour around under 18s</li> </ul> <p><b>Please forward the Child welfare protocol documents to your compliance contact at your earliest convenience.</b></p>	
<p><b>18.</b> Will a <b>licence</b> be required from the local authority for the child’s performance/contribution? <i>(if you are employing child actors for reconstruction sequences)</i></p>	
<p><b>19.</b> Will you be carrying out <b>DBS checks</b> required for Parents or other Contributors as well as production personnel? <b><i>(to cover-off any safeguarding issues - if you are employing child actors for reconstruction sequences)</i></b></p>	
<p><b>20.</b> Is filming during <b>term time</b>? <i>(You will need to seek permission from the child’s school if so).</i></p>	

<p>21. Will contact be made with <b>Social Services</b> regarding a child contributor?</p> <p>Is this in relation to:</p> <ul style="list-style-type: none"> <li>– loco parentis consent,</li> <li>– background info and possible, fitness to take part</li> <li>– awareness regarding safeguarding or family issues</li> </ul> <p>Will this be required:</p> <ul style="list-style-type: none"> <li>– before,</li> <li>– during and/or</li> <li>– after filming?</li> </ul>	
<p>22. Is any <b>surreptitious filming or audio recordings</b> proposed?</p>	
<p>23. <i>(If the answer to 22 is YES)</i> Sky's prior approval must be granted and details of how the requirements of Section 8:13 of the code will be satisfied will also be needed. Please contact Compliance for details of the protocols and forms needed to be completed.</p>	
<p>24. Is it proposed to carry out any interviews with contributors by means of <b>'door stepping'</b></p>	
<p>25. <i>(If the answer to 24 is Yes)</i> Sky's prior approval must be granted and details of how the requirements of Section 8:11 of the code will be satisfied will also be needed? Please contact Compliance for details of the protocols and forms needed to be completed.</p>	
<p>26. Will there be <b>any active legal cases, appeals or reviews</b> discussed or potentially affected by this programme?</p>	
<p>27. <i>(If the answer is YES to 26)</i> Do you have legal counsel who will be dealing with any legal issues associated with the programme?</p>	
<p>28. Are you intending to film with anyone who has been involved with <b>criminal activity</b>? <b><i>(Remember it is against Ofcom regulations to pay criminals for taking part in any programme)</i></b></p>	

29. *(If the answer is YES to 28)* Will you be contacting the prison service regarding any potential contributors?  
*(Getting permission to speak to someone serving a prison sentence or on remand.*  
**Note: this can be very tricky and can take a long time to go through the relevant channels and processes so do factor this in.)**

30. Anything else pertinent to the production that needs to be considered?



DATA PROTECTION:	REQUIRED:
<p><b>31.</b> What Data will you be collecting from Contributors? E.g. - Name, address, age, contact details, anything else that could be of a sensitive nature?</p>	
<p><b>32.</b> How will this Data be collected, handled/stored, and what security measures will you have in place? E.g. - will the data be stored on Encrypted drives, who will be responsible for any information that is in paper form etc.</p>	
<p><b>33.</b> Who will have overall responsibility for storing the Data collected?</p>	
<p><b>34.</b> Who will have access to the Data?</p>	
<p><b>35.</b> Contributors must be made aware of why their Data is being collected, and what it will be used for.</p>	<i>Mandatory</i>
<p><b>36.</b> How long will Contributor Information be stored for?</p>	
<p><b>37.</b> How long will you retain contributor dating and how will it be destroyed?</p>	
<p><b>38.</b> What is your Escalation Policy and Complaints procedure?</p>	