Background Checks & Self-Declarations

As part of ensuring our duty of care to all our contributors, our production teams and our viewers (who may be impacted by contributors appearing on production) every production needs to ensure it has conducted appropriate due diligence on its contributors before contracting.

The nature and extent of these checks will be dependent upon factors such as: the nature and extent of the contributors' participation; who the contributors are; and whether there are vulnerable contributors and children involved. For example, if a contributor is only used in an incidental and minor way the same level of due diligence may not be required as situations where a main contributor is onscreen (or referred to) for a period of time or where a contributor is in a constructed environment with other contributors or where a child is acting in a drama with an adult supporting artist.

Where a production team is filming in a contributor's home over any extended period (for example for a makeover programme) checks should also be extended to all adult members (and young people over the age of 16) also in the household.

All information gathered as part of the due diligence on a contributor should be password protected, stored securely and fully compliant with the Data Protection Act 2018 and UK GDPR 2021. (See: https://ico.org.uk/for-organisations). **It should only be used for the limited purpose for which it was originally obtained. Please check all privacy and data legal requirements.**

Types of Background Checks

➢ Identification of Contributors:

Proof of photo ID (passport/driving licence) and proof of address (utility bill etc.) must be obtained to verify the contributor's identity and carry out necessary background checks.

➢ Self-declarations:

For the majority of productions featuring contributors, Paramount expects the following self-declarations to be undertaken (or these can be conducted by the production company and signed by the contributor if necessary):

- Criminal history self-declarations
- Health declarations – covering both physical and mental health wellbeing history, including details of any medications currently taken and any other factors relating to wellbeing that may impact on their participation.

Depending on the nature of the contributor's participation, it is advisable that the questions included on a medical self-declaration are reviewed by an expert who can ensure the information accurately enables identification of any mental health vulnerabilities which may require fuller assessment to be undertaken and further support to the contributor before filming starts.

Please ensure all information requests comply with all legal requirements around the Rehabilitation of Offenders Act, GDPR and Data Protection.

Please advise the Director of Contributor Welfare and/or Content & Legal Rep if there is any reason why you cannot conduct these self-declarations.

SELF-DECLARATIONS ARE A MINIMUM REQUIREMENT ON ALL PRODUCTIONS WHERE CONTRIBUTORS ARE TAKING PART.

- **Further criminal history checks: DBS, Criminal Records Office & Police Liaison:**

It is advisable that due diligence is undertaken to gain a fuller picture of your contributors and/or verify their self-declaration for the safety of the production team, for the safety of the other contributors as well as a duty of care to viewers. You may also need this information to advise the victims of crimes (and their close families) if the perpetrator of that crime is taking part in a programme.

You may also need to know further background about your crew, for example if you are working with children or vulnerable adults.

A basic DBS check is the most standard check that can be undertaken and requested. A basic check will only show unspent convictions and conditional cautions under the terms of the Rehabilitation of Offenders Act 1974 (ROA). Under the ROA, eligible convictions or cautions become 'spent' after a specified period of time, known as the 'rehabilitation period'. Therefore, it will not highlight spent convictions or someone being on a Barred List like the Sex Offenders' Register. The rehabilitation period depends on the sentence as a result of a conviction and the age of the individual.

(See: https://www.gov.uk/guidance/rehabilitation-periods#rehabilitation-periods-table)

You can obtain a DBS check online (https://www.gov.uk/request-copy-criminal-record) and it will take at least 14 days. Other agencies can be used and the timescale will be shorter.

When might it be necessary to require a DBS?

This will need to be judged on a case by case basis but here are some examples:

- If the contributor self-declares a previous criminal history on their self-declaration form

- If the contributor is participating in a high-risk programme format (for example: a constructed reality and will be spending time unsupervised with other contributors)
- If the contributor is a known criminal or ex-convict (for example: for the purposes of notifying victims affected by their crimes)
- If any member of the production team or support staff are likely to be unsupervised with a child or vulnerable person – this includes hair & makeup artists, drivers etc.
- If the production team are spending extended periods of time filming in a contributor's home or with their family members who live there

Please also be aware that Paramount are committed to safeguarding children working in broadcasting. As part of the background checks producers already undertake for production staff and freelancers, the broadcasters are requiring an additional measure to protect children and young persons under the age of 18 (under 18s). This means any Supporting Artists (SAs) supplied to work on productions commissioned by Paramount which involve under 18s (in either speaking or non-speaking roles) must have obtained a basic disclosure certificate which shows that the SA has no unspent convictions for sex offences. See: Child Walk-Ons, Support Artists & Basic Disclosure Checks at: **https://productionhub.uk.paramount.com/**

- **Internet background checks:**

The level of due diligence on a contributor will depend on the nature of their participation and the format of the production but as a guide the following may be helpful:

- Lexis Nexis – the first 20 pages
- Google – the first 20 pages
- Social Media (to include Facebook, Twitter, Instagram,) for a period three years or via a specific search term search over a longer period. If concerning posts are found further historical checks maybe required.

The purpose of due diligence is to ensure as much information about the contributor can be acquired before filming and transmission to limit any harm to viewers or reputational harm to Paramount and our services. Therefore, it is useful to define certain search terms for example:

On Lexis Nexis and Google, the following parameters may be helpful (but are not exhaustive):

- Full Name
- Name + Location
- Name + age + location

- Name + Occupation
- Name + Criminal Conviction
- Name + Crime
- Name + Offence
- Name + Charge
- Name + Sentence
- Name + Magistrates
- Name + Wikileaks
- Name + Fraud
- Name + arrest/assault/mental health/drugs /alcohol/substance abuse/paedophile/racist hate/violence/police/anti-social/troll/harassment/rape

➢ **Character References**

Where further due diligence on a contributor is necessary, for example on higher risk productions, character references may be helpful. Two references - one professional and one personal – should be requested. A professional reference could be a teacher, youth group leader, ex employer, etc. Possible questions might include:

How do you know the contributor?
How long have you known the contributor?
Can you tell us a little bit about your relationship with the contributor?
Is there anything that you can think of that we should know about the contributor, e.g. something that might make people think badly of them or judge them like past mistakes they have made?
Is there anything you know about the contributor that could bring them or the broadcaster's reputation into disrepute?
Do you think the contributor would enjoy being part of a television programme?
Do you believe they would be able to cope with the media attention and the pressures that come with it?
Do you have anything else you would like to tell us about the contributor?

If you require any further guidance on the information in this Guidance Note please contact Caroline O'Dwyer at: caroline.odwyer@viacomcbs.com.