

## Guidance on Duty of Care & Child Safeguarding in Protocols

A Casting & Filming protocol should be delivered and reviewed by Content & Legal and the Director of Contributor Care before filming commences to ensure the processes you intend to follow meet regulatory standards and best practice. Protocols should ensure that all production team members are fully informed on all compliance requirements and processes related to, and required on, the production. Protocols are by no means a comprehensive list of every potential issue that may arise but they should seek to identify and manage any foreseeable concerns.

As well as an individual Casting & Filming Protocol, the protocol for your production should include the specific measures on duty of care and child safeguarding (where required and as defined by your duty of care/child safeguarding risk assessment(s)). The Duty of Care/Child Safeguarding Protocol can be included as part of your Filming Protocol or a standalone separate document. It is your responsibility to ensure you have considered and agreed all relevant requirements for your specific production to ensure these mitigate any potential legal or business risks. ***Please note the information below is not exhaustive and is intended only as a guide:***

**A Casting Protocol** – setting out the process to be followed to cast contributors and to inform potential contributors of the nature of their participation so they can make fully informed decisions around proceeding to take part. It should consist of a stage-by-stage casting process to include:

- a clear statement on data protection policy and how this will be practically implemented in terms of advice to applicants about their data, storing data and protecting data (see: <https://ico.org.uk/for-organisations/guide-to-data-protection/>)
- sourcing contributors
- application process
- initial contact
- regular sense checks – highlighting commitment, potential negative consequences, the need for background checks and psychological evaluation etc (this may form part of many of the casting stages)
- face to face/zoom contact - including note of any flags/concerns
- approval process – including who will sign off from production company and channel
- background checks – (See: **Guidance on Background Checks**)
- sign off - notifying contributors, obtaining informed consent, cooling off period and contracts

**A Filming Protocol** – setting out the filming processes to be followed from pre-production to post-production including (but not limited to):

- data protection and confidentiality
- consents (release forms) and informed consent
- location release forms and filming notices



- access arrangements
- risk assessments (health and safety/duty of care)
- filming with under 18s – including safeguarding policies, risk assessments
- referral up and escalation process
- fairness and privacy
- undue prominence
- legal considerations – recordings, filming, contempt of court etc
- anonymisation
- care and support for the production team
- working hours/schedules/call sheets
- use of on-screen and off-screen experts – (See: **Onscreen and Offscreen Expert Guidance**)

**Duty of Care/Child Safeguarding Protocol** - setting out the separate processes to be followed to ensure the due care of:

- contributors under the age of 18; and
- adult contributors

### **Due Care of Under Eighteens**

**For full guidance on working with Under 18s see: ViacomCBS Child Protection Policy Part 1 & 2**

Children are considered vulnerable on account of their age. Production companies have a responsibility to safeguard the welfare of children and young people engaged in a Paramount production and must ensure compliance with all relevant legislation and regulatory requirements as well as our best practice around safeguarding and protection. ***(Note: there maybe variances in child protection and performance laws in Northern Ireland, Scotland and Wales and overseas)***

The Protocol should include (but is not limited to)

- safeguarding policy and procedures - you are required to ensure the production team has read and understood your own Child Safeguarding Policy and Paramount's Child Protection Policy
- nominated safeguarding lead and single point of contact
- a risk assessment – this should be regularly updated throughout the production to accommodate any changes in risk factors
- confirmation that the production team have undertaken child safeguarding training (see: <https://www.screenskills.com/bookings/get-the-knowledge-essentials-of-working-with-under-18-s/>)
- engaging psychologists and other third-party experts
- welfare logs and record keeping
- DBS checks for crew and/or other safeguarding measures
- local authority performance licences
- chaperones and tutors



- consents and informed consent/assent
- social media and online safety
- escalation process for reporting concerns – all concerns should also be escalated to your Child Safeguarding Lead, Commissioning Editor and Paramount
- overnight stays and transportation

## **Due Care of Adult Contributors**

Production companies have a responsibility to ensure the due care of adults contributing to programmes. The Duty of Care Protocol should be linked to the risk assessment and ensure that the measures set out manage the level of risk to the contributor - the greater the potential harm to the contributor, the greater the steps required to manage that risk.

For full guidance on identifying, assessing and managing risk to adult contributors (See: Ofcom Broadcasting Code & Guidance and Paramount Contributor Risk Assessment Form & associated Guidance available at <https://productionhub.viacomcbs.uk.vimn.com>)

The Protocol should include (but is not limited to)

- a risk assessment – this should be updated throughout the production if risk factors change
- informed consent
- background checks
- criminal self-declaration checks and DBS checks
- medical (physical and mental health wellbeing) self-declarations
- engaging psychologists (and other third-party experts)
- psychological assessments (before and after production)
- seeking character references
- single point of contact
- escalation process for reporting concerns – all concerns should also be escalated to the Adult Contributor Welfare lead, Commissioning Editor and Legal & Compliance team
- welfare logs and record keeping
- check-ins and follow up post filming and post TX

**For further guidance on all duty of care or child safeguarding matters please contact Caroline O'Dwyer, Senior Director of Contributor Welfare & Child Safeguarding at [caroline.odwyer@viacomcbs.com](mailto:caroline.odwyer@viacomcbs.com)**

