



GET SUCCESS TV

INDEPENDENT TELEVISION PRODUCTIONS

CHILDREN PARTICIPATING IN PROGRAMMES

Safeguarding the Welfare of Children and Young People

The interests and safety of children and young people must take priority over any editorial requirement. There are many aspects to safeguarding the welfare of children and young people, ranging from child protection to keeping their personal details safe. They apply whether we are making a film with a child or receiving user generated content from young people. These guidance notes give advice to help to ensure duty of care for our young contributors and actors.

Productions must follow all Ofcom Codes and Guidance on the participation of children in TV programmes –

(<http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/broadcast-code/protecting-under-18s/> &

<http://stakeholders.ofcom.org.uk/binaries/broadcast/guidance/812612/section1.pdf>).

Child Protection Policy

Get Success TV (GSTV) has a Child Protection Policy (for children and young people under eighteen) which all GSTV staff and independent contractors should comply with.

We recommend that all independent contractors commissioned to make programmes for GSTV that intend working with under eighteens should have their own Child Protection Policy in line with GSTV's policy.

It is advisable that independent contractors should have a named manager for child protection referrals and advice.

Depending on the nature of the production and the likelihood of working with children, there may be a need for staff to have CRB or Disclosure Scotland checks before being engaged to ensure they are suitable to work with and around children. It is important not only to think about staff who will be recording or filming with children, but any others who might interact with children on the project, such as those who will have access to children's personal data. At times contributors may also need to be CRB checked and or complete a personal disclosure form.

Children at Risk

If you have a concern that a child or young person is at risk of harm you should refer this to your nominated production manager.

However, if you suspect a child is at immediate risk of harm and the nominated manager cannot be contacted immediately, the police should be alerted straight away.

If you become aware of any incident of suspected "grooming" online, you must refer it promptly to the police.

GSTV's Child Protection Policy states that GSTV staff who, through the course of their work in a school, become concerned about the welfare of a child, will share that concern with the school's designated child protection teacher, who will follow locally, agreed procedures. If it is felt more appropriate, any issue can be referred through the relevant GSTV child protection nominated manager.

Keeping Children's Details Safe

Part of our duty of care to children and young people involves keeping their personal details safe.

Identifying Children in our Output

Even when the story is non-controversial, there may be important reasons not to identify a child. An example could be where you are filming in a school and one child should not be shown because they and their mother have fled from an abusive partner. If the child was filmed, their location could be revealed to the ex-partner.

In many non-controversial and non-sensitive cases it may be appropriate to name a child by their first name and to give out the name of the large town they live in or near. However even this may be too much information in some circumstances (for example if the child has an exceptionally distinctive first name and their location should not be revealed).

If you are thinking about giving out more details about a child, for example their surname in a story where the child is already publically known (a sports star for instance), or where they have won an award and deserve recognition, this should be considered and - where appropriate - discussed as part of the consent process.

Naming the contributor's school can make a child locatable by those who might wish to cause them harm. It is not usually advisable to name the school unless it is part of the story, for example where the school has done something interesting and so is the main focus of the piece. Where a school is named, consider limiting other information that is given out.

Think carefully about when to film children in school uniform. Even if the name on a school jumper is not legible on screen, a distinctively-coloured uniform may identify the school to that area's inhabitants.

Data Protection

We must keep children's personal data safe for their protection, abiding by the Data Protection Act. GSTV's data protection guidelines outline the main requirements. Please speak to your Production Contact for further information.

Remember to consider all points at which children's data needs to be kept securely. For example think about what information goes into a script and who might have access to that script, or if user generated content or correspondence is being physically taken to a studio or public area, mask the contact details.

Informed Consent

The requirement to obtain informed consent is a key principle of the Ofcom guidelines. All child contributors and their parents are aware of the nature of the programme, the nature of their contribution and how it will be used in the programme; including the longevity and repeat nature of future transmissions.

When seeking informed consent from a child, all the information should be given in a way that can be understood by the recipient of it. An appropriately-pitched explanation of the proposed contribution should be given. In pitching your explanation, think carefully about the age and maturity of the child in question. Sometimes it can be helpful to ask the child to say back to you what he/she understands his/her participation would involve, to check they have understood. Make sure the child does not feel pressurised to agree - let them know it is okay to accept or decline. (Children often see adults as authority figures with whom they cannot disagree.) Also look for non-verbal signals that may express what a child is really feeling about participating.

It is important to explain any possible consequences to the child or young person and how these would be managed. Consideration should be given to the potential for malicious comment to be circulated on the internet and how this could be managed. It may be relevant to give the programme title too, especially if it is controversial.

With babies and toddlers, it may sometimes be appropriate to consult an independent expert to discuss the child's involvement.

In addition to verbal communication, an easy to understand confirmation letter could be addressed to both the child and parent. We generally recommend suitably worded briefing documents to be used in most instances - one for the child, in language that they will understand and one for the parent. This will be necessary if there are any surprises planned for

the child, as parents should be made aware of these. Any likely consequences of the contribution - both negative and positive - should also be made clear to both parties.

Briefing documents/confirmation letters to parents could also include:

- The nature and type of programme they are taking part in.
- What they will they be required to do or take part in for the programme and what their contribution will be.
- How their contribution will be featured within the programme.
- Practical details;
- Health and safety details;
- Inform parents that there is a child protection policy which staff should be compliant with. Staff should not ask for children's personal details or offer their own details. GSTV/independent contractor contact details should be provided by staff (For example programme email addresses or phone numbers, not individual email addresses - see "Appropriate behaviour with children and young people" below). It should also be made clear that staff should not be placed in a caring or supervisory position. (If this is to happen there has to be express agreement of all parties in advance of the visit).
- Describe how GSTV/independent contractor protects personal data.

The Impact of a Contribution

Even when we have secured 'informed parental consent' and 'informed consent' from a child, we must consider carefully the impact and possible consequences of any material which involves a child, both during the production process and once the material has been broadcast.

We should think about the story we want to tell and how to do it in a way that is not detrimental to the child, either at the time, or afterwards. Consideration should be given as to what is appropriate to put into the public domain. We should pay particular attention to the expectations of privacy of people under sixteen and those who are vulnerable. A young person is unlikely to realise the consequences of sensitive or controversial information about them being broadcast. They may share quite intimate revelations with us, not being aware of any possible repercussions if this became public.

Think carefully about each child's privacy - we should pay particular attention to the expectations of privacy for under sixteen's. Parental and child informed consent should normally be gained if a contributor is to be featured in our output in a way that would infringe their privacy. (See <http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/broadcast-code/privacy/>)

Productions must consider whether it would be helpful to seek advice from an appropriately qualified professional, such as a child counsellor or psychologist - someone who doesn't have a vested interest in the child's participation - depending on the nature of the programme and the child contribution or role.

On some projects it may be appropriate to seek professional advice during the selection process for actors or contributors, as a guide to whether a child has hidden vulnerabilities or is emotionally robust enough to cope with the proposed involvement.

In all cases it is very important to consider how the child's involvement in the programme might affect the individual, especially on sensitive or controversial projects. Think about their health, emotional and physical, background and educational circumstances.

With sensitive and controversial material, in addition to any expert opinion, it can be advisable to speak to the Head teacher of the child's school for an opinion, from someone who knows the child well, as to whether it could harm the child if they become involved or are identified in the project. If the child does take part and the Head teacher knows about it, the Head can also keep an eye out in case there are any issues post-transmission in the school environment.

There may be instances where, despite the fact the child and parent have given informed consent, it is not advisable for them to participate.

Different genres and formats present different challenges regarding duty of care to children.

Where a child is portrayed negatively in a factual or entertainment piece we need to think about filming their redemptive journey - if there is one. There may be some cases with no positive story to tell and we should consider whether it is in the interests of the child to broadcast them at all. The more constructed the format, the greater the responsibility we have to give a child the chance to redeem themselves in the story.

Clearly we must not mislead the audience - we should tell true stories - but we must not do this at the expense of the child. Their welfare is more important than making a film about them.

Where conflict or highly emotional situations may be involved, big surprises could cause harm or distress, especially in live or as live programmes. (An example might be where a child is unexpectedly reunited with an absent parent, live on air.)

Consider the impact on young actors and contributors of witnessing or participating in activities that might have a negative psychological effect on them. For example, think about the impact of a child actor on taking part in a murder scene or in dramas concerning paedophilia or prostitution. We have a duty to obtain children's informed consent but it is important to consider what details should be given to the child about the full nature of the drama and what language should be used to describe it, in order not to cause distress, yet allow them to make an informed decision. The age of the child and nature of the content must be considered. Think carefully about what is appropriate for a child to witness or participate in and what psychological

repercussions this could have on the child. In dramas it may be appropriate to shoot elements of a scene in such a way that a stand-in can be used in place of the child and reverse shots of the child added later to help mitigate these elements. Young children have difficulty understanding what is "acting" and what is real so productions must evaluate how their involvement could affect them and take steps to protect their wellbeing.

To help a child actor differentiate between acting and real life it is useful to explain the technical aspects of how things are done. For example in an adult television drama where a child actor might witness some violence, you can show them that certain props are fake so that the actor is not hurt - anything to help them separate reality and artifice.

You should consider what repercussions there may be to a young actor in a strong drama after it is broadcast. For example, even if a drama transmits post-watershed, adults in their community may have seen it and rumour may filter down to their children who could bully the young actor at school. Don't forget to liaise with experts if appropriate and make sure the parents are fully aware of the content and have seen a script before agreeing to the child's participation. Keep them posted if things change materially between agreement and recording and broadcast.

Another concern is where contributors or actors may emulate an activity which is controlled in a production but which in real life would be dangerous for them to participate in. A key concern for makers of content for children should be to avoid the dangers of imitative behaviour both for the contributor and the audience, particular with easily accessible objects, such as domestic ones.

Even if appropriate safety measures for contributors are in place, you must consider whether a child watching or listening on their own, without adult supervision, could easily copy the behaviour and harm themselves. (See 'Imitable Behaviour'
<http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/broadcast-code/harmoffence/>)

Children involved in competitions or game shows may become stressed or upset if not cared for appropriately, so you should make plans that minimise stress and support the contestants.

You should also consider how to make sure that the audience are aware that you have not been cavalier about the welfare of contributors or actors. For example, in editing entertainment programmes to give the impression of added jeopardy, it is easy to give the false impression that children have been put under extreme stress, which would be misleading to an audience. It may be appropriate to communicate to the audience that contributor's welfare has been safeguarded.

It is good practice, and in some sensitive or controversial cases strongly advisable, to document how children and young people are treated on a production as evidence of how they were treated. For example you can keep records of schedules and briefing letters, correspondence, concerns raised and addressed and procedures put in place.

Aftercare is important. If a child's contribution has evolved during post production, it may be advisable to let them know prior to transmission. Depending on the nature of the content and the child's involvement with it, it may be appropriate for a member of the team, preferably the main contact, to keep in touch with the contributor and their family to monitor any specific after-effects that might have resulted from the child's participation. However you should consider the consequences of continuing a relationship or communication beyond the recording/event. A vulnerable child/family may seek you out for further, ongoing, support which could place you in a difficult position. In some cases, providing access to sources of professional help or support such as a psychologist or counsellor may be advisable.

There may be some very sensitive content where it could be appropriate for GSTV to limit the period of time that the programme should be repeated for. However the contributor and their parents should be made aware that third party websites may reproduce our content globally without our knowledge or consent, so no guarantee can be given that a contribution will not be seen in particular countries.

Appropriate Behaviour with Children and Young People

We want the experience of working with GSTV to be a good one for children - to do otherwise could distress a child. In all dealings with young contributors and actors, clarity is key. Always make sure the child and parents understand what is planned, (see "Informed Consent" above). Make sure the potential long-term consequences of participation are explained and never make promises that cannot be kept. Being clear about intentions is especially important on a long-term project, as you build up a working relationship with a family or child, especially if any of the contributors are vulnerable.

You also need to make it clear to external organisations what you expect from them, for example that you do not expect them to leave you unsupervised in a class of children. When visiting an external organisation that works with children, make sure you have suitable identification. A line manager should be aware of your visit, so that the organisation can check your authenticity, if they wish to.

You should think about appropriate behaviour with children, beginning at the research stage. Wherever possible liaise with the parents/school for contact information and use a GSTV/Independent contractor contact address, email or phone number, especially for any contact with children. It is important to use an office number even if you normally use your own mobile for work calls. If for any reason you give out a mobile number, a senior member of the team should be notified and a record should be kept.

We normally aim to work with children in the presence of those responsible for their supervision, although circumstances may vary. It is sensible to provide a single, consistent point of contact on the production team, someone who can also oversee the contributor or actor's welfare throughout and with whom the participant and parents/guardian can liaise with throughout production.

When working with children or young people, avoid entering a room where they may be changing their clothes or not fully dressed. If it is vital to speak to the child, make sure another adult is present. Do not initiate physical contact - this can obviously be innocently intended but it can easily be misunderstood. However, if a child comes to you, or is in distress, act responsibly and in public.

If physical contact is necessary, for example by a make-up artist or by a sound engineer attaching a radio microphone, ensure the child is accompanied by a guardian/chaperone and that doors are kept open. Where possible, you should be within the hearing of others. Any contact should also be age appropriate, you should ask the child's permission beforehand and explain what you want to do and why it is necessary.

A child should never be made to feel uncomfortable in any way. Make sure that the child and young person continues to feel comfortable with their participation throughout. You should respect their wishes if they change their mind. Never engage in or endorse any bullying or harassment of a child. Make sure you do not use inappropriate language in front of a child.

It is important that all production staff, crew and on screen talent are briefed appropriately so that they put the child's welfare first. In an adult drama, where there is strong language and action on set, make sure this does not spill over off set. (See also "The impact of a contribution" below)

Training should be given to staff who have little experience of working with children.

Child Licensing

A child licence must be obtained for a child taking part in a performance for broadcast, when they are of an age where they are still legally required to be at school.

Licensing is an important matter - not to license when required to do so, is a breach of the law.

N.B. A child is of compulsory school age until the last Friday in June of the year in which they reach 16. It is the responsibility of the producer to obtain the license, and a Local Authority can insist upon 21 days' notice. Failure to obtain a license may result in a fine and/or imprisonment.

Contributors with Disabilities and Vulnerable Contributors

GSTV can play a part, where appropriate, in providing positive role models of children with disabilities to those who have them. Children with disabilities who attend mainstream schools may rarely see other children with the same disability and positive portrayal can raise their self-esteem. It can also "normalise" the perception of the disability both to those with it and to other children.

Child contributors or actors who have disabilities and vulnerable contributors may have additional welfare requirements. It is important to contact relevant experts and organisations for advice and follow relevant protocols. Advice should also be sought from experts on the appropriate language when referring to a particular disability.

Best Practice Tips

Before filming

- Contact the participants' general practitioners to gain appropriate knowledge to protect participants
- Compile detailed notes about the child's background including medical history and relevant mental health issues
- Gain awareness of parental custodial issues. It is important to be aware of the identity of the custodial guardian of the child so that appropriate consent can be given. Please note that even in circumstances where the parents of the child are divorced or separated that the consent of both parents is still required.
- Ensure that a number of people in team are aware of any issues surrounding the child, rather than just one or two albeit there may be confidentiality issues.
- Make the participant aware of possible negative repercussions of appearing on the programme, before seeking consent.
- Ensure that a parent is present, even during phone interviews, or making sure that two members of staff are present in the absence of a parent.
- Give participants the chance to meet with former participants in order to gain a better understanding
- Ask the child for his/her consent, and not just ask the parent.
- Check, immediately before filming, that the child still wants to take part.
- Ensure continuing consent and on-camera consent, particularly for younger participants throughout the process.
- Familiarise children with unfamiliar environments, e.g. tour of studio.
- Children to be accompanied by people who they know, such as a parent or a teacher.

During filming

- Make the children look good on the show and boost their confidence, e.g. through choice of questions in quiz shows.
- Manage the studio audience, e.g. not allowing booing or calling out so that the child is not intimidated or distressed by the audience.
- If a child asks for filming to stop or becomes distressed, then filming will stop; this event will not be broadcast.

After filming

- Edit out any scenes that could portray the child negatively.
- Edit out any content that the child does not want on air.
- Keep in contact with participants after the programmes, e.g. with regular follow up calls from an expert such as a psychologist.
- Organise appropriate counselling for participants afterwards if needs be, e.g. by tailor making support by liaising with the participant's GP and organising delivery of post-programme activities that might be helpful on request of participants.
- Ensure that programmes with teenagers that are not designed for teenage viewers, are not shown during the school holidays in order to prevent possible negative repercussions, such as the increased chance that the participant's peer group will see them on television and this could lead to teasing or bullying.
- Take into account the impact of a show on the viewers, e.g. taking care not to show children acting in a way that might legitimise dangerous or inappropriate behaviour to other children viewing the programme.