



COMPLIANCE CONVERSATION CHECKLIST

The Editorial Specification signed at commission must include confirmation that a formal compliance conversation between the BBC Executive Producer and the independent's Executive Producer has taken place. A written record must be taken and kept with the Editorial Specification and by the BBC & the Independent's Executive Producer. The following is a checklist of areas that can be covered in the conversation, but not all apply to all programmes.

1. WHO IS RESPONSIBLE?

Identify and name the Independent Executive Producer and the BBC Executive Producer for the project. These individuals shouldn't be changed by either side without notification and agreement.

2. WHAT ARE THE RISKS?

Identify and discuss any clear potential risks for the production, including legal, fair trading and health and safety risks;
taste and standards issues – agree parameters of tone and content for channel and slot. If this programme moving channel consider any implications;
child protection issues;
unusual consent or access issues;
secret filming;
conflicts of interest including on-screen talent commercial links;
any other significant Editorial Policy issues identified by either side;
any risks produced by co-production or distribution arrangements.

3. WHAT ARE THE RULES?

Identify relevant sections of BBC Editorial Guidelines and any other codes (eg interactivity, secret filming, fair portrayal). Ensure key production staff have read the relevant guidelines.

4. MANAGED RISK PROGRAMME LIST

The BBC Executive Producer is responsible for putting programmes on the list. The independent's Executive Producer has an ongoing responsibility to keep the BBC Executive Producer informed of any reason to include the programme on the list.

5. IF THINGS CHANGE

The independent's Executive Producer has a commitment to let us know of any new risks or changes in status of a project, including on multiplatform output or external promotion and advertising.

6. COMPETITIONS VOTES AND AWARDS

Discuss any competitions, votes or awards in the programme and the sign-off process to TX with specific reference to the relevant forms, codes and guidelines.

7. EDITORIAL POLICY AND LEGAL REFERRALS

Referrals to Editorial Policy and BBC Programme legal advice should be made, at least in the first instance, through the BBC Executive Producer. When a programme has legal risk the independent is responsible for seeking appropriate legal advice themselves - consultation with BBC PLA gives them no protection.

Contacts made directly between an independent and BBC PLA in the first instance also forfeit legal privilege.

8. MARKETING, PROMOTIONS AND PRESS

Run through responsibilities for marketing, promotional and off-air materials. Sign off for these materials remains with the BBC Executive Producer, although the Independent's Executive Producer is responsible for ensuring compliance in all press and promotional material submitted to BBC MC&A. Discuss any book, newspaper serialisation or any spin off associated with the commission. Clearly establish the rights position and discuss publicity/promotion arrangements.

9. MULTIPLATFORM

Discuss multiplatform output connected to the production and any issues raised. Establish clear lines of responsibility and sign off for any non-linear output.

10. LEARNING CAMPAIGNS, OPEN UNIVERSITY AND THIRD-PARTY FUNDING

Discuss any editorial or financial input and any issues this raises. Establish clear lines of responsibility and sign off for all connected output.

11. TRAINING

Commissions can only be signed off when key personnel have completed the appropriate Safeguarding Trust modules. Discuss training requirements for the team and the independent's responsibility to warrant that staff have completed the training.

12. TALENT OWNED/MANAGED INDIES

Identify whether this is the case, discuss any potential conflicts of interest raised and steps to mitigate these risks. In exceptional cases where it is agreed that an on-screen talent can also be an executive producer, agree and name second executive producer responsible for compliance. Identify whether the talent's agent is being proposed as executive producer and if necessary agree steps, as with talent execs, to mitigate conflicts of interest and safeguard compliance.