



UK BACKGROUND CHECKS GUIDELINES

The information contained in these Guidelines* is proprietary and only available to Warner Bros. Discovery (WBD) producers. It is not to be shared with other parties.

Once a background check is available, any concerns with the results must be flagged to the assigned Commissioning Executive and BLA Executive at the earliest opportunity.

**These guidelines have been prepared following UK legislation and requirements*

Why conduct background checks

Background checks are an integral part of producing safe, responsible and successful programmes. There are a number of reasons why we conduct background checks.

In particular:

- We have a **duty of care** to all those involved in our programmes to provide a safe environment and protect their welfare.
- We want to prevent individuals from bringing our programmes, our brands, our producers or anyone in and connected to our programmes into **disrepute**.
- We want to protect the **integrity** of the editorial and our contributors.
- We want to make sure that the **culture and values** of those involved in our programmes align with our own.

Production Planning

- At budget negotiation stage, Producer must share their proposed background checks protocols, including Producer's proposed level of background checks, for WBD to review and make any suggestions. The costs associated with all required background checks should form part of the production budget for the applicable programme.
- The timing of the background checks must be planned carefully. As a general guidance, basic DBS checks can take approximately 14 days and standard or enhanced DBS checks can take 8 weeks. These times may vary so plan filming accordingly. Fast track options may not always be available.
- Filming of a specific contributor or business should not commence before they are cleared.

When to Conduct a Background Check?

- Producer must facilitate, secure, and review background checks on all primary contributors, businesses and/or locations. The level of background checks to conduct will depend on various factors - see below. Producers should defer to the assigned Commissioning Executive and BLA Executive.

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- Background checks for individuals and businesses on recurring programmes must be **renewed every two years** (or earlier where new information has come to light), unless otherwise agreed with the assigned Commissioning Executive BLA Executive, and every year if minors are involved.
- The following sets out WBD's UK Background Checks requirements. The Network may require Producer to facilitate, secure, and review background checks on talent, businesses, locations and/or crew that fall outside the standard requirements below.

| Character Type | Description | Types of Checks |
|--|--|---|
| Talent, Experts and other A Contributors / All Key Contributors | All talent and key contributors (which may include experts, presenters, interviewees) who are editorially important and have a significant on-screen presence, -either because they appear in most episodes of the Programme or because they are editorially integral to it. | <p>For all A Contributors, Producer must facilitate, secure and review:</p> <p>(a) DBS checks*; (b) in-depth Google searches; (c) social media searches for all key platforms (e.g. Facebook, Instagram, Twitter, YouTube, LinkedIn, Tumblr, Pinterest, Google Search, Myspace and Reddit) - appropriate time frame to be discussed with BLA Executive; (d) LexisNexis searches (or equivalent which searches all public records and press/media on a local, regional and international level) (e) Self Declarations. This document should require disclosure of (i) any criminal history; (ii) any pending proceedings or similar; and/or (iii) any other adverse history which may affect suitability of the talent, contributor, or business to appear in the programme. Individuals must be under the obligation to update the producer should any of the information disclosed changes.</p> <p>*Usually, Basic DBS checks will be sufficient unless the nature of the programme warrants a Standard or Enhanced DBS check - for example when</p> |

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|-----------------------|---|--|
| | | dealing with children or vulnerable contributors/situations. |
| B Contributors | Any featured contributor who is not an A Contributor. They may appear in one or several episodes. | <p>For all B Contributors, Producer must facilitate, secure and review:</p> <p>(a) in-depth Google searches; (b) social media searches for all key platforms including Facebook, Instagram, Twitter, YouTube, LinkedIn, Tumblr, Pinterest, Google Search, Myspace and Reddit, to discuss time frame with BLA Executive; (c) LexisNexis searches (or equivalent high searches all public records and press/media on a local, regional and international level) (d) Self Declarations. This document should require disclosure of (i) any criminal history; (ii) any pending proceedings or similar; and/or (iii) any other adverse history which may affect suitability of the talent, contributor, or business to appear in the programme. Individuals must be under the obligation to update the producer should any of the information disclosed changes.</p> |
| C Contributors | Individuals who appear on-screen and need to be consented but are incidental in the programme, such as people in crowds at football stadiums, shows or parties. | Producer is not expected to secure background checks on C Contributors. |

A list of preferred vendors for the above checks is provided at the end of the document.

- Producer must facilitate, secure and review in-depth Google, social media searches for the past 7 years and LexisNexis (or equivalent) searches on any **business or location** that is editorially significant in the programme. Please flag



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promptly any issues with the assigned **Commissioning Executive** and BLA Executive for further discussion.

- **Production crew** - Background checks of production crew are not usually required unless under 18s or vulnerable contributors are involved in the production or crew are expected to be in close contact with contributors eg. 24/7 filming in one location. When under 18s are involved, Producer must obtain and review background checks on every crew member in the field, including "any day players". The background checks must be performed on every crew member in the field upon each season renewal.

Considerations for Background Check Findings:

Should any of the adverse criteria below apply, as applicable, to any talent, contributor, crew, production team member or business, Producer will immediately notify the assigned Commissioning Executive and BLA Executive in writing for further discussion:

- Talent/contributor has a spent or unspent conviction.
- Talent/contributor is currently subject to a Probation Order or a Restraining Order.
- Talent/contributor is subject to a warrant for arrest.
- Talent/contributor is subject to a distress warrant.
- If talent/contributor is required to drive for purposes of production, talent/contributor has been convicted of a DUI or reckless driving within the past 24 months.
- Any internet, press or other public information confirming talent/contributor's and/or the business' participation in more than one instance of conduct that (i) violates WBD's Talent Social Media Guidelines; (ii) could cause WBD, its affiliates or subsidiaries any harm or public disgrace; (iii) is disparaging or defamatory, and/or discriminates against a third party due to their race, colour, gender, religion, national origin, age, disability, status as a veteran, and/or sexual orientation; or (iv) shocks or offends the community, and/or brings talent, contributor or business into public disrepute, contempt, or ridicule.
- If the financial situation of the talent, contributor or the business includes any of the following: (i) a pattern of material financial issues (e.g, with bad debt in excess of \$100K in aggregate); (ii) bankruptcy within the past 7 years; (iii) tax liens; (iv) outstanding child support as it relates to talent/contributor within the past 7 years; (v) civil judgments within the past 7 years or (vi) adverse professional reviews.
- Any other adverse information which could materially interfere with production or exhibition of a programme.

To Note

- Producer must budget for all required background checks and may use any qualified vendor of its choosing (preferred vendors set out below) subject to the Network's approval, provided that the required searches are conducted in accordance with WBD's requirements.

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- Should anything change in the editorial or otherwise where the production will include individuals not previously discussed in budget discussions or when deciding on the level of background checks, Producer should immediately raise this with Commissioning Executive and BLA Executive.
- Producer may not unilaterally decide to forego the required background checks. If Producer feels it is not warranted, then this should be discussed with the assigned Commissioning Executive and BLA Executive.
- Questions or comments? Please email your production manager.

ADDITIONAL INFORMATION ON UK BACKGROUND CHECKS

Types of background checks

- Basic DBS check – This is the level of check that would be applicable in most instances and anyone can apply for it. This check will show any convictions or cautions which are unspent.
- Standard DBS check – This will be applicable in the event an individual will be working with children or other vulnerable contributors and can only be done on eligible people as determined by the Rehabilitation of Offenders Act. This includes medical practitioners, barristers, chartered accountants (and others). The report will show all criminal history (spent or unspent) cautions, warnings, reprimands and convictions.
- Enhanced DBS check - It's unlikely this check will be required and eligibility depends on those listed in the Police Act 1997 (Criminal Records) Regulations. Enhanced DBS also checks against the list of those barred from working with children and vulnerable adults (where appropriate) and info provided by local police forces.
- Self-Declaration – This document should require disclosure of (i) any criminal history; (ii) any pending proceedings or similar; and/or (iii) any other adverse history which may affect suitability of the talent, contributor, or business to appear in the programme. Individuals must be under the obligation to update the producer should any of the information disclosed changes.

Jurisdiction

DBS checks only provide information from the UK and will not reveal any information from authorities abroad. For checks on time abroad, an application should be made to the applicable country/its UK embassy.

Spent and unspent convictions

A conviction will be spent or unspent depending on the conviction, the sentence length and the amount of time passed from the date of the sentence as follows:

| Sentence | Time it takes to become spent |
|----------|-------------------------------|
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| | Adult (18+) at conviction | Young person (U18) at conviction |
|--|---|---|
| More than 4 years in prison or a public protection sentence | Never spent | Never spent |
| More than 30 months to 4 years (exactly) in prison | Full sentence + 7 years | Full sentence + 3.5 years |
| More than 6 months to 30 months (exactly) in prison | Full sentence + 4 years | Full sentence + 2 years |
| 6 months (exactly) or less in prison | Full sentence + 2 years | Full sentence + 18 months |
| Community order/ Service Detention/ Fine/ Youth rehabilitation | Full length of the order + 1 year | Full length of the order + 6 months |
| Conditional Cautions | 3 months from the caution or whenever the caution ceases to have effect (if earlier). | |

Filtering: some old or minor offences may be filtered out and therefore not be disclosed on DBS certificates. These are known as protected offences. The more serious offences never get filtered out.

Data Protection

- Data Protection Laws protect any information which relates to an identified or identifiable individual's Personal Data and affords the data subject with certain rights in relation to the manner in which such personal data is collected, used and destroyed and the length of time that it may be retained ("Processing").
- When carrying out background checks, it will be the Producer's responsibility to implement adequate data protection measures and comply at all times with the

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Data Protection Act 2018 (DPA 2018), and the UK General Data Protection Regulation (UK GDPR) and any other applicable laws and regulations, as may be amended ("Data Protection Laws"). Producer will process personal data when carrying out background checks as described in Producer's privacy notice and will comply with the data protection principles when doing so.

- To process all personal data there must be a lawful basis under Article 6 UK GDPR. If processing sensitive Personal Data, any requirements for further grounds must be complied with. Producer shall ensure that all processing is carried out within each of the different legal parameters and shall document this.
- Producer will ensure that appropriate contractual terms are in place with the background screening providers.
- Producer will keep the results of the background checks in accordance with their retention schedule.
- Producers shall be responsible for responding to any data subject rights request regarding relation to the background checks.

PLEASE NOTE: All information sent to WBD should comply with the applicable Data Protection Laws. Producer must take legal advice to ensure compliance on data protection regulations.

If international checks are required, consider the implications of complying with local data protection laws. Consult with the assigned Commissioning Executive and BLA Executive for further information.

UK Suggested Vendors

PeopleCheck™ Limited

No.1 Berkeley Street

London

W1J 8DJ

Tel: 0207 016 8900

Fax 0845 280 6400

Email: contact@peoplecheck.co.uk

Website: www.peoplecheck.co.uk

GB Recruitment Staffs Ltd

61-63 Lower Street

Newcastle

Staffs ST5 2RS

www.crbdisclosures.co.uk

Disclosure Scotland

PO Box 250

Glasgow, G51 1YU

Phone: 0870 609 6006



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Fax: 0870 609 6996

<http://disclosurescotland.co.uk/>