



## Engaging with Broadcast Television and Production Companies

### General advice for individuals and organisations

If you are approached by a television company to take part in filming, whether it is an independent company making a programme or series for a channel, or an in-house production by a broadcaster such as the BBC, ITV or Channel 5, the production might be at various stages of the commissioning process.

Depending on the stage of commissioning, you might be asked to sign a release form. These are standard industry contracts that television companies use to prove to broadcasters that they have your permission to be filmed and broadcast – and ensuring they have these, is a key part of *their* contract with the channel.

Programmes might be at the following stages of commissioning:

1. *In development, filming not for broadcast* – generally this means that the production company are working out the feasibility of a series or programme, and are creating a tape to show to a channel or channels to sell their idea. There is likely no working title, very little by way of budget and you may or may not be asked to sign a 'release form'. Be aware that the footage CANNOT appear on television or be broadcast anywhere, without the company first approaching you for your explicit written consent (which if you're happy to, you can give retrospectively). You can ask to see this footage once it is edited, and should do so on email, preferably before filming commences. There is NO guarantee that a programme will ever be commissioned, and if it is, there is no guarantee you will be asked to take part.

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2. In paid development – this means that there has been a small amount of money put forward by the channel to cover the cost of filming ‘taster’ footage, to look for good stories or characters, or to make a full pilot, which may or may not be intended for broadcast. There may be a working title, and you may be asked to sign a release form. Sometimes footage filmed in paid development is used for broadcast as part of a bigger programme or series – but this can only be used with your explicit consent i.e. you have signed a release form.

3. Commissioned – the programme has been ‘green lit’ by the channel, and filming undertaken (unless explicitly just for casting purposes) is almost certainly shot with the intention to broadcast. There will be a working title, and a release form you will be asked to sign, and as much as anything is ever certain in television, you should assume the programme or series will be going ahead and shown on television – although you may not yet be given a date and time (these tend to be set much further down the line).

### **What you can expect from or ask of a producer to protect yourself and make your filming experience enjoyable and as stress-free as possible**

Before you agree to any filming, it’s advisable to find out answers to the below -

#### **AND ENSURE YOU GET IT ON EMAIL OR IN PRINT FROM A MEMBER OF THE TEAM AT PRODUCER LEVEL OR ABOVE–**

- What **stage of the commissioning process?**
- The **working title?**
- **Which channel** the programme is intended for?

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- Is there a **programme synopsis or brief** that can be sent to you? Has this been agreed with the channel?
- **The release form** – You will be asked to sign a release form at some point. This might be at the start, during or at the end of filming. Release forms tend to be ‘heavy’ in their wording, so don’t panic too much about phrases such as ‘in perpetuity’ ... but DO be aware that if the programme is for broadcast, generally it will include a clause allowing the producer to sell the programme around the world and to repeat it on any channel without asking your permission again. Once you have signed this form be aware that in theory you CAN withdraw your consent but you need to have a good reason for doing so, as the producer could in theory sue for breach of contract (in practice this would rarely happen to an individual).
- **Costs** – be aware that there are myriad rules and laws about who can be paid what and when ... check that your travel costs/ other costs/ location fees will be covered – you should never be left out of pocket by filming. If there is to be further payment or fee paid to you in addition to covering costs, and you are an organisation – whether you are a charitable organisation, private enterprise, or huge corporate profit making multinational – is payment something that is likely to cause you problems down the line? (because it may be interpreted as inappropriate or counter to your organisation’s aims for example?)
- **Viewing footage** – if you are concerned about misrepresentation, you can request, in most cases, to view edited footage. Be aware that NO production company can offer you editorial control, as this is counter to Ofcom rules. You CAN be offered the opportunity to view for fact checking purposes i.e. to ensure the programme is factually accurate. You may not like what you see, but if it’s truthful, and does not deliberately misrepresent events or characters, then you must simply accept that this is the risk you took in working with a

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television company. To get the best idea of what the programme(s) will look like, ideally you would view at a late stage of what the producers will call the 'offline edit' (i.e. whilst the programme has not yet been given a final polish in high resolution, and is still in the main cutting room – where there is time to make changes if there is a problem! You may not hear the real voiceover, and some of the footage may be a little dark/ bright/ have brief black spots etc). By the time the programme is in the 'online' edit, you will find it very difficult to effect any changes due to time/costs/ technical limitations.

- **Scripts and voiceover** – sometimes it may be appropriate to ask to see a script to check for factual accuracy – aim to see this before the voiceover is recorded! Again, you cannot expect to have an opinion on language or creative input – you are ONLY looking for factual errors.
- **Credits** – if you are hoping for a 'with thanks to' credit as an organisation in the final credits, be aware that there are strict rules around who can and cannot be credited – especially for the BBC. Don't be disappointed if you are told 'no'. Similarly, be aware of on-screen branding and advertising, and that there are strict rules about giving 'undue prominence' to brands, either on screen or in voice over. If you're taking solely part because you want some free advertising for your company, you're likely to find yourself feeling let down!
- **Press and publicity** – you may be asked to take part in press and publicity before, during or after filming. You do not have to agree to this – but if you do, ensure that you are doing it in conjunction with either the production company or the channel. If you are approached directly by a journalist, check in with the television company that they know about the article, and that they are happy for you to do it – you'll be more protected, and they may need to clear use of stills etc. with the channel.

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### **Duty of Care**

Producers have a duty of care to their contributors. This means that if there is any risk that making the programme, or the broadcast of the programme may cause you psychological harm or upset, they should seek a professional opinion as to whether you are suitable to take part in filming. This usually involves a 'psych test' with a professional psychologist. Your conversation is confidential, except for the things that the psychologist needs to disclose to the producer as to why you are unsuitable – but this should only be general information and not specific details. Taking part in a psych test is standard procedure for some productions, and you should not see it as a sign that producers believe you to be mentally ill – the psych test is done at their expense, and is a sign of a company crossing the l's and dotting the t's – and taking care of their contributors!

**Most broadcast filming is an enjoyable experience, with great producers and crew. Much of this depends on building a good relationship of trust with the programme makers – from the runners who carry camera kit, through to the producer/director or series producer. If you ask these – and any other - questions that occur to you, and get the responses on paper/ email, you should find that the final programme is – if not 100% flattering and perfect – at least a positive event in your life or the life of your organisation.**

**Be aware that even the best made programmes hit snags and hitches – and you and the producers may indeed differ on opinion at times, plans will change, and things might feel a bit up-in-the-air or stressful. If you communicate your concerns and questions to the producers, and remember that when you are being filmed, you should not say or do anything you would be worried about a future employer, law enforcement – or your mum! – seeing, you'll be fine!**

### **Happy filming!**

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