



Information Policy & Compliance  
[bbc.co.uk/foi](http://bbc.co.uk/foi)

Mr Andrews  
Via email: [request-10434-xxxxxxxx@xxxxxxxxxxxxxxxxxxx.xxx](mailto:request-10434-xxxxxxxx@xxxxxxxxxxxxxxxxxxx.xxx)

16 April 2009

Dear Mr Andrews

### **Freedom of Information request – RFI20090584**

Thank you for your email of 15 April seeking the following under the Freedom of Information Act 2000 (“the Act”);

*“... copies of the BBC ‘audience log’? ... I would like reports for the following period; 01<sup>st</sup> April 2009 – to the date of your response”*

The reference number for your request is RFI20090584.

The information you requested is not covered by the Freedom of Information Act 2000 (“the Act”).

Your request falls outside the scope of the Act because the BBC and the other public service broadcasters are covered by the Act only in respect of information held for purposes “other than those of journalism, art or literature” (see Schedule I, Part VI of the Act). We are not therefore obliged to supply information held for the purposes of creating the BBC’s output or information that supports and is closely associated with these creative activities. Information which is not subject to disclosure under the Act because of Schedule I might otherwise be exempt from disclosure because of the application of other provisions of the Act.

You may wish to be aware that the BBC has received a decision from the Information Commissioner in relation to a similar request concerning the daily audience logs. The Commissioner agreed with the BBC that the audience logs are held for the purposes of journalism, art or literature and therefore that the BBC is not obliged to provide this information under the Act.



For more information about how the Act applies to the BBC please see [www.bbc.co.uk/foi](http://www.bbc.co.uk/foi) Please note that this guidance is not intended to be a comprehensive legal interpretation of how the Act applies to the BBC.

The BBC makes a huge range of information available about our programmes and content on [bbc.co.uk](http://bbc.co.uk). We also proactively publish information covered by the Act on our publication scheme and regularly handle requests for information under the Act.

The BBC does not offer an internal review when the information requested is not covered by the Act. If you disagree with our decision you can appeal to the Information Commissioner. Contact details are: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF telephone 01625 545 700. <http://www.ico.gov.uk>

Yours sincerely,

Fern Kersey  
**Adviser, Information Policy & Compliance**