



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

Ms Claire Cox  
[request-13268-5522c564@whatdotheyknow.com](mailto:request-13268-5522c564@whatdotheyknow.com)

10 July 2009

Dear Ms Cox,

**Request for Information – RFI 20090881**

Thank you for your email of 12 June 2009 in which you posed a number of questions relating to the use of detection equipment by TV Licensing. Your request is being dealt with under the terms of the Freedom of Information Act 2000 ('the Act').

It may be helpful if I first explain the nature of the relationship between TV Licensing and the BBC. 'TV Licensing' is a trade mark of the BBC and is used under licence by companies contracted by the BBC to administer the collection of television licence fees and enforcement of the television licensing system. The majority of administration is contracted to Capita Business Services Ltd., with cash related payment schemes contracted to Revenues Management Services Ltd. Over-the-counter services are provided by PayPoint plc. Marketing and public relations activities are contracted to the AMV Consortium. This consortium is made up of the following four companies: Abbott Mead Vickers BBDO Ltd., Fishburn Hedges Boys Williams Ltd., PHD Media Ltd. and Proximity London Ltd. The BBC is a public authority in respect of its television licensing functions and retains overall responsibility.

Our answers to your questions are as follows:

1. *How many detector vans are in use by TVL?*
2. *How many hand held detectors are in use by TVL?*
3. *How sensitive are such hand held detectors (i.e. what is their range).*

In relation to these three questions, I can confirm that we do hold the information that you have requested. However, I am withholding this information under sections 31(1)(a),(b),(d) and (g) and (2)(a) of the Act which relate to law enforcement (specifically, on the grounds that disclosure would, or would be likely to, prejudice the prevention or detection of crime, the apprehension or prosecution of offenders, the



collection of the licence fee and the BBC's ability to discharge its public functions in respect of such matters).

I am satisfied in terms of section 2(2) of the Act that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. I have provided further explanation of my consideration of the public interest test in the section '*Why information has been withheld*' below.

4. *What training do staff get in using said detectors?*

All staff authorised to operate detection equipment are required to attend full training, covering both operational and legal aspects of the use of detection equipment. They are required to pass a practical assessment before they are allowed to operate the equipment unsupervised.

5. *How often do they receive this training?*

All staff must successfully complete the above training before using detection equipment. Thereafter, supplemental (refresher) training is provided every 18 months. Further training is provided on an ad hoc basis when a need is identified or procedures/equipment changes.

6. *Who provides this training? Is it provided in house and if not then to whom is [it] subcontracted and at what cost?*

The above training is provided in house.

7. *What calibration requirements do the detector vans and hand held detectors have? What programme do you have in place to assure calibration?*

Detection equipment is tested daily, prior to use. In addition, van-based detection equipment is sent for calibration at the original manufacturer every 6-9 months.

8. *Who calibrates the detectors? At what cost and how often?*

The original manufacturer calibrates the vans. In accordance with section 1(1) of the Act, I can confirm that we do not hold information relating specifically to the costs associated with calibration. This is because it is subsumed within the broader payment by the BBC of one of the TV Licensing partners (i.e. it is a condition of that partner's contract that the work is completed).

### **Why information has been withheld**

I am required under section 2(2) of the Act to assess whether the public interest in maintaining the exemptions outweighs the public interest in disclosing the information.

The following factors are in favour of disclosure:

1. ensuring that the licensing authority is exercising its functions appropriately and proportionately, i.e. that people will not be unfairly subjected to detection;
2. ensuring that public funds are being appropriately applied, and specifically that:
  - a. the TV Licensing system is being efficiently run; and
  - b. value for money is being obtained.

I consider that the above public interest factors in favour of disclosure are already served by the following:

1. The use of detection equipment is strictly governed by the Regulation of Investigatory Powers Act 2000 and the Regulation of Investigatory Powers (British Broadcasting Corporation) Order 2001; thus the law governing the use of this equipment is already in the public domain. Furthermore, the use of detection equipment is subject to audits by the Office of the Surveillance Commissioner (an independent body) to ensure compliance with the requirements of the aforementioned legislation.
2. The BBC is required to satisfy the National Audit Office ('NAO') as to the value for money of the collection and enforcement arrangements and is accountable for the economy, efficiency and effectiveness of such arrangements. NAO's most recent audit is published at [www.nao.org.uk](http://www.nao.org.uk).
3. The BBC has reduced the cost of collection from 6.2% of the total licence fee collected in 1991/2, when it took over from the Home Office, to 3.6% for the financial year 07/08. This demonstrates that the TV Licensing system is being efficiently run. This and further related information is available in the BBC's annual report (see [www.bbc.co.uk](http://www.bbc.co.uk)) and the TV Licensing Annual Review (see [www.tvlicensing.co.uk](http://www.tvlicensing.co.uk)). A key part of this success has been the use of detection as a significant deterrent element.

In addition, the following factor is in favour of withholding the information:

The BBC has a duty to enforce the television licensing system and it is essential that effective deterrents against evasion are maintained for this purpose. Without an effective deterrent, evasion would invariably increase. This would be to the detriment of the honest majority of people who are properly licensed and to the overall amount of revenue available to the BBC. It would also increase detection costs.

In this instance, there is hence a greater public interest in ensuring the effective collection of the licence fee than in disclosing the information you have sought. I am therefore satisfied, in terms of section 2 of the Act, that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

### **Your appeal rights**

This enquiry has been dealt with under the Terms of the Freedom of Information Act. If you are not satisfied that we have complied with the Act in responding to your request you have the right to an internal review by a BBC senior manager or legal adviser. Please contact us at the address above, explaining what you would like us to review and including your reference number. If you are not satisfied with the internal

review, you can appeal to the Information Commissioner's Office, which is contactable at: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF; telephone: 01625 545 700; website: [www.ico.gov.uk](http://www.ico.gov.uk).

Yours sincerely,

Neil Gardner  
Senior Policy Adviser, TV Licensing Management Team