



Information Policy & Compliance

[bbc.co.uk/foi](http://bbc.co.uk/foi)

Ms Jane Black

Via email: [request-37-b1c3ebc8@whatdotheyknow.com](mailto:request-37-b1c3ebc8@whatdotheyknow.com)

17<sup>th</sup> April 2008

Dear Ms Black

### **RFI20080201 - Freedom of Information request**

Thank you for your email of 27<sup>th</sup> February 2008 requesting:

*“How much the public service side of the BBC has spent on paid-for adverts on web search engines (eg Google Adwords) in 2007.”*

The reference number for your request is **RFI20080201**.

Please note that information which concerns advertising of the BBC's output on web search engines such as Google 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.

In addition, in accordance with section 1(1) of the Act, the BBC confirms information relating to the BBC's annual spend on advertising through search engines such as Google of non-programme related matters is held by the BBC. However, the BBC will not be providing you with this information as we consider it to be exempt under section 43(2) of the Act. This is because disclosure would be likely to prejudice the commercial interests of both the BBC and our media buying agency MPG by:

- Prejudicing the negotiating position of the BBC and MPG in ongoing contractual negotiations



- Weakening the BBC's bargaining position with media suppliers of goods and services
- Weakening the BBC's and MPG's position in a competitive environment by revealing market-sensitive information or information of potential usefulness to competitors.

As section 43 is a qualified exemption, in accordance with section 2(2) of the Act, we have considered the public interest factors in this case. Specifically, whether in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

In favour of disclosure, we recognised that there is a public interest in the following:

- That there is transparency in the accountability of the BBC for public funds
- That the BBC is using public money effectively, and that the BBC is getting value for money when purchasing goods and services

On the other hand, in considering factors that might weigh in favour of the public interest in withholding, we took into account:

- That the BBC maintains a strong bargaining position vis-à-vis suppliers during contractual negotiations in order to ensure that the licence fee is spent effectively.
- It would not be in the public interest to disclose sensitive information about a particular company if that information would be likely to be used by competitors to gain a competitive advantage.

I am satisfied, in terms of section 2 of the Act, that in all the circumstances of this case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

I can however advise that the following overall marketing figures are already available in the BBC's Annual Report and Accounts.

	<b>2006/7</b>
Marketing, press and publicity	£45.4m
On-air trails	£22.2m

I hope this is helpful.

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.

## **Appeal Rights**

The BBC does not offer an internal review when the information is not covered by the Act. This means that information in your request relating to the advertising on Google of the BBC's output is considered as being out of scope of the Act and therefore is not offered with an internal review, but

all other information is considered to be within the scope of the Act and therefore may be subject to an internal review.

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

In the case of information in this response that is subject to the Act, you have the right to an internal review by a BBC manager or legal adviser. Please contact us at the above address 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 (address as above).

Yours sincerely,

Susannah Penk  
**Business Manager, MC&A**