



Information Policy & Compliance
bbc.co.uk/foi

Alex Skene
By email to request-4815-95ce84a2@whatdotheyknow.com

18 December 2008

Dear Mr Skene

Freedom of information request – RFI20081443

Thank you for your request under the Freedom of Information Act 2000 (“the Act”) dated 16th December. You asked for

“any recorded information you hold regarding the reasons the BBC does not provide an Internal Review / complaints procedure where it considers that a request under the FOIA falls within the category of “journalism, art or literature”.

When the BBC responds to a request for information that it considers to be outside the scope of the Act, it does provide information about the complaints procedure in the response letter, as follows:

“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>”

The Information Commissioner’s Office has agreed that in cases where the Act does not apply, the BBC is not required to carry out an internal review. This was agreed following telephone conversations in February 2005, and I have attached the recorded information held in relation to this:

- ICO minutes of a meeting between the BBC and the ICO in April 2005, at which the above policy was confirmed
- Information relating to the change of the Appeal Rights paragraph in our template letters.

Information contained in these two documents which is not relevant to your request has been redacted.



The BBC explains how it will deal with complaints on our FOI website, specifically on this page <http://www.bbc.co.uk/foi/about/complaints.shtml>

Appeal Rights

If you are not satisfied with this response 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. The contact details are: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, telephone 01625 545 700 or see <http://www.ico.gov.uk/>

Yours sincerely

Rachel Hallett
Advisor, Information Policy & Compliance