



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

Annie Wilkes

By email to [request-530xxxxxxxxx@xxxxxxxxxxxxxxxx.xxx](mailto:request-530xxxxxxxxx@xxxxxxxxxxxxxxxx.xxx)

20 March 2009

Dear Ms Wilkes,

### **RFI20081513 - Freedom of Information request**

Thank you for your email of 30/12/08 requesting the following information.

*All recorded information , e.g. emails, about communication between Sarah Camlett and anyone else who works at Talent Media Group Ltd trading as ICM, and Julie Gardner and/or Phil Collinson between June 2006 and 5 October 2007.*

*Also any recorded information about the subject of those communications with ICM e.g. Julie Gardner or Phil Collinson telling other people within the BBC about the communications with ICM and what ICM said in their internal emails, records of any meetings where this was mentioned, etc.”*

The reference number for your request is RFI20081513. We have not met the 20 working day deadline for this response and we would like to offer our apologies for this delay.

With respect to emails between Julie Gardner or Phil Collinson and Sarah Camlett, please find to follow four emails which we have identified as being subject to disclosure under the Act. Please note that I have redacted the contact details relating to the individuals concerned as these individuals do not have an expectation that their details will be made public and therefore to disclose this information would be unfair.

I can confirm that further emails between Julie Gardner or Phil Collinson and Sarah Camlett are held but we are withholding these either because the information is not covered by the Freedom of Information Act 2000 (“the Act”) or because the emails constitute personal information. In a number of cases the emails are both outside the scope of the Act and constitute personal information. Personal information about living individuals is exempt under section 40(2) of the Act the Freedom of Information Act if disclosure to a third party would breach one or more principles of the Data Protection Act 1998. As individuals who work for the BBC do not expect details to be disclosed about their personal interests, personal



relationships with individuals (where they are interacting in a personal capacity and not in their roles as employees of the BBC) or activities relating to their work and/or lives outside of their employment with the BBC (particularly where this information is not already in the public domain) to do so would be unfair; therefore, disclosure would breach the First Data Protection Principle, fairness.

Information about the BBC's programme making 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.

With respect to emails between Phil Collinson or Julie Gardner and anyone else at ICM, I estimate that to deal with this part of your request would take more than two and a half days; This is because both deal with multiple agents at ICM/Talent Media Groups in connection with production and on-screen talent for multiple productions and at the time in question these individuals received something in the region of 200 emails a day. Due to the number of individuals involved - approximately 60 individuals agents and their assistants - and the fact that no list of the individuals with whom they would have dealt during the period in question is held, in order to locate and extract the details of relevant emails we would have to open and review every email sent or received by either individual during the period in question. Due to the timeframe you have specified and the number of emails involved we therefore estimate that this would take more than 2.5 days.

Under section 12 of the Act, we are allowed to refuse to handle the request if it would exceed the appropriate limit. The appropriate limit has been set by the Regulations (SI 2004/3244) as being £450 (equivalent to two and a half days work, at an hourly rate of £25). Significant incursions into this limit have already made by virtue of the searches carried out by both Julie Gardner and Phil Collinson.

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 that we have determined some information to be outside the scope of the Act 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>

If you are not satisfied with this response with respect to information we have withheld under Section 40(2) of the Act you have the right to an internal review by a BBC senior manager or legal adviser into our

application of this exemption. 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 using the contact details provided above.

Yours sincerely,

L Wright (Ms)

Advisor, Information Policy & Compliance