



Information Rights

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Nathan Gregory

[request-713796-b6c2fdb4@whatdotheyknow.com](mailto:request-713796-b6c2fdb4@whatdotheyknow.com)

16 February 2021

Dear Mr Gregory

**Request for Information – RFI20210127**

Thank you for your request to the BBC of 19<sup>th</sup> January 2021 under the Freedom of Information Act 2000 ('the Act') seeking the following information:

*"Please can you provide me with information about the established reporting regimen between Capita & BBC.*

*I would like to know the schedule of data/information reports that have been agreed between Capita & BBC. For example, but not limited to, Licence in Force Report, Monthly Performance Pack and any others etc....*

*I want to know a calendar of what information is agreed to be given by Capita to the BBC on a recurring basis (not ad-hoc). For example, scheduled reports, contracted or otherwise.*

*This should not exceed your FOI limits, there will be in the first instance contractual information detailed in contracts determining the information needing to be reported and on which date.*

*There will also be information separate to that about agreed reporting regimen outside of the contractual agreements.*

*My request does not limit this by any particular department but it must include financial/statistical disclosure.*

*It must also include a schedule of reports that originate from LASSY whether or not those LASSY reports are later manipulated for whatever reason before sending to BBC.."*

Please note that "TV Licensing" is a trade mark used by companies contracted by the BBC to administer the collection of television licence fees and enforcement of the television licensing system. The majority of the administration of TV Licensing is contracted to Capita Business Services Limited ('Capita'). Over-the-counter services are provided by PayPoint plc ('PayPoint') in the UK, and by the Post Office in the Isle of Man and Channel Islands. Target Group Limited ('Target') is the supplier for the Simple Payment Plan. Marketing and printing services are contracted to RAPP Limited (formerly Proximity London Limited). Media services are contracted to Havas Media Limited. The BBC is a public authority in respect of its television licensing functions and retains overall responsibility.

Pursuant to section 14 of the FOIA, we do not propose to answer this request, on the grounds that it appears to us to be vexatious.

ICO guidance advises that the key question we must ask ourselves is whether a request is likely to cause a *disproportionate or unjustified level of disruption, irritation or distress*. The ICO indicates that we should make a balanced decision according to the circumstances of the request including, exceptionally, the identity of the requester and the history and context of the request. Their guidance can be found here:

<https://ico.org.uk/media/for-organisations/documents/1198/dealing-with-vexatious-requests.pdf>

Following the ICO's suggested approach, we have formed the provisional view that this request is vexatious on the following grounds:

- The kinds of reports you are seeking are simply a part of TV Licensing's day-to-day business with its contractors and we can see no obvious purpose to your request; nor can we see how or why disclosing the information would be of any wider benefit to the public interest. It does not appear that you are following a genuine line of enquiry or requesting information about a particular issue or topic of interest.
- Although we use this categorisation cautiously, we suspect this is what the ICO refers to as a "fishing expedition" (see paras.81 et seq.) i.e. requests where—

*"the requester casts their net widely in the hope that this will catch information that is noteworthy or otherwise useful to them."*

- In addition, we anticipate that disclosure of the information you seek will likely be the basis for a series of further burdensome requests for information of questionable value to you or in the public interest.
- Since 2009 we have responded to multiple requests made by you under the Act, all focused on the BBC's relationship with Capita. In recent years, these requests (often repeat) have increased in frequency: in 2019 we received ten requests, three requests in 2020 and a further five requests so far this calendar year. We therefore suspect this is a personal campaign designed to cause disruption or irritation to both parties

We are not, therefore, processing your request any further. This is without prejudice, of course, to your rights of appeal, including an internal review of our decision (see below) or any further requests you may make under the Act.

## **Appeal rights**

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. A request for an internal review must be made within 40 working days of receiving the BBC's response to your original request.

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, Tel: 0303 123 1113 or see <https://ico.org.uk/>.

Yours sincerely

Rupinder Panesar

**Freedom of Information Advisor, TV Licensing Management Team**

