



Freedom of Information
Internal Review decision

Internal Reviewer	Douglas Marshall, Advisor
Reference	IR2014026 (RFI20140430)
Date	12 May 2014

Requested information

The applicant wrote to the BBC on 13 March 2014 to request the following information under the Freedom of Information Act.

“This is a request lodged under the Freedom of Information Act 2000 for full disclosure and publication of the annual service improvement reports for 2013 lodged by Capita with the BBC as set out in the Service Provision Agreement between the BBC and Capita.”

The BBC acknowledged the applicant’s request on 13 March 2014.

Chronology

The BBC responded to the applicant on 8 April 2014 (“the BBC’s response”), stating as follows:

‘I can confirm under section 1(1) of the Act that the BBC does not hold any recorded information that is relevant to your request.’

The applicant then wrote to the BBC on 28 April 2014 to request an internal review of the BBC’s response stating:

“I am writing to request an internal review of British Broadcasting Corporation's handling of my FOI request '2013 TV Licensing Service Improvement Report'.

On 8th April 2014 Rupinder Panesar wrote:

Dear Mr Hillas

Request for Information – RFI20140430

Thank you for your request of 13th March 2014 under the Freedom of Information Act 2000 (‘the Act’) seeking the following information:

This is a request lodged under the Freedom of Information Act 2000 for full disclosure and publication of the annual Service Improvement reports for 2013 lodged by Capita with the BBC as set out in the Service Provision Agreement between the BBC and Capita.”



" . . . I CAN CONFIRM UNDER SECTION 1(1) OF THE ACT THE BBC DOES NOT HOLD ANY RECORDED INFORMATION THAT IS RELEVANT TO YOUR REQUEST.
.... "

A full history of my FOI request and all correspondence is available on the Internet at this address:
https://www.whatdotheyknow.com/request/2013_tv_licensing_service_improv

The Internal Reviewer's attention is drawn to the following identical request RFI20130564 made a year earlier requesting previous TV Licensing Service Improvement Reports.

https://www.whatdotheyknow.com/request/tv_licensing_service_improvement

Clearly this IS information held by the BBC"

Issues on review

I consider the only issue on review to be whether or not the BBC holds recorded information that is relevant to the applicant's request.

Under section 1 (1) of the Freedom of Information Act:

- (1) Any person making a request for information to a public authority is entitled –
 - (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have the information communicated to them.

In order to carry out this review I have contacted the relevant department, in this case TV Licensing, to ascertain whether they hold the information requested.

The applicant has drawn my attention to a previous request (RFI20130564). In response to this request, the BBC confirmed to the applicant that Capita had not lodged any annual service improvement reports with the BBC for the years requested. The BBC did however provide the applicant with four disclosure documents being TV Licensing's service review recommendations to Capita.

I have verified the position with TV Licensing regarding 2013 (the period covered by the applicant's current request). TV Licensing have confirmed to me that they hold no information falling within the scope of this request.

Therefore the BBC's response to the applicant's current request can be readily differentiated from the BBC's response to his previous request.

Decision

I uphold the BBC's original decision of the 8 April 2014, as the information requested is not held by the BBC. I conclude therefore that the BBC has handled this request appropriately under the terms of the Freedom of Information Act 2000.



Appeal Rights

If you are not satisfied with the outcome of your internal review, you can appeal to the Information Commissioner, whose contact details are:

Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire
SK9 5AF

Telephone 01625 545 700

Website www.ico.gov.uk