



Information Policy & Compliance

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

Cathy Fox

e-mail: [request-344779-04a74bbb@whatdotheyknow.com](mailto:request-344779-04a74bbb@whatdotheyknow.com)

18 August 2016

Dear Cathy Fox,

### **Freedom of Information Request - RFI20161323**

Thank you for your request under the Freedom of Information Act 2000 (the Act) received on 9<sup>th</sup> July 2016, seeking the following information:

*It is without doubt that Niven Sinclair was a convicted child rapist and yet worked for the BBC for approximately 30 years <https://cathyfox.wordpress.com/2016/07/09/niven-sinclair-child-rapist-worked-for-the-bbc-for-30-years/>*

*What are current arrangements for minors travelling in private hire/ taxis or BBC transport?*

*How many taxi/private hire companies are currently used? Which?*

*What arrangements are made to vet the companies/directors and ensure it is safe for passengers/children to travel?*

*What procedures re transport companies were in place throughout the time Nivne and hsi companies were used?*

*Does this man Niven Sinclair still have anything to do with any companies working for the BBC? When did he stop doing any work for the BBC?*

*How much money was paid to his companies per year from 2000- present?*

*When did the BBC find out that Niven Sinclair was a convicted child rapist?*

*What systems are in place to protect children when BBC contractors are used, specifically which sections of which codes, guidance and child protection systems?*

*Please send me child protections systems and guidance that were in place prior to 2002, and between 2002-2012*

*Did the BBC know Sinclair was an abuser but still use his companies??*

*Did Niven Sinclairs companies ever chauffeur children?*

*What safeguarding procedures did the BBC have in place for children at the time who used an approved BBC chauffeur company?*

*What safeguarding procedures are in place now?*

*Which companies are the approved chauffeur companies now and can the BBC guarantee that there are none who are run by convicted child rapists?*

*Were any children abused whilst being transported by a Sinclair company working for the BBC?*

*Does the BBC still have any business dealings with Niven Sinclair or his companies or companies or parts thereof that used to owned by him?*

*Which company did Dave Smith, Jimmy Saviles chauffeur work for? Did he work for Sinclairs company, or were there two chauffeur companies used by the BBC that had child abusers?*

*Anne Bulfords report having reviewed all BBC policies and procedures is due in July. When and can you send me a copy?*

*NSPCC have/are advising BBC on child protection – What have they advised? Please send any reports BBC to take lead on child abuse as a programme maker – programmes have been made or are in the pipeline about child abuse?*

*Has the Good Corporation report audit been made public? Please send me a copy*

The BBC has no dealings with Niven James Sinclair today and as far as we are able to establish he has no connection to any company the BBC deals with. We are not aware of any complaint having been made to the BBC about him. The BBC has robust child safety procedures in place today which were independently reviewed and found to be strong by the Good Corporation in 2015.

One Transport have had the contract for running the BBC's taxi service since 2007. This is a managed service with One Transport managing contracts with multiple suppliers across the UK on our behalf. The BBC has no direct dealings with these companies. All cab drivers must be law hold a Private Hire (or Taxi) Licence which we understand since the early 2000's has included the requirement for a CRB (now DBS) check. One Transport has a contractual obligation to ensure that all drivers have a valid licence and they have robust processes in place to ensure that this obligation is met. Our procedures require that any child passengers would have to be accompanied by a parent or chaperone.

We can confirm that the Good Corporation review of BBC child protection and whistleblowing policies, published on 14 July 2015, remains publicly available here:

<http://www.bbc.co.uk/aboutthebbc/insidethebbc/howwework/reports/goodcorporation-review-of-the-bbcs-child-protection-and-whistleblowing-policies>

The BBC progress report in response to the Dame Janet Smith Review was published last month and is available here:

[http://www.bbc.co.uk/aboutthebbc/insidethebbc/howwework/reports/bbc\\_progressreport\\_damejanetsmith\\_july2016](http://www.bbc.co.uk/aboutthebbc/insidethebbc/howwework/reports/bbc_progressreport_damejanetsmith_july2016)

In order to respond in full to your request we estimate that to carry out this search would take BBC Staff more than two and a half 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).

We are mindful of our duty under section 16 of the Act to provide reasonable advice and assistance to you, and specifically to advise how you might narrow your request so that it complies with the time limit. We are however concerned that, because of the way the BBC holds some of the information that you request, it is not possible to suggest any meaningful way of narrowing. For example, even if the search were to be narrowed to a single year in respect of all of the information sought, the amount of information that would need to be searched would still be very large. Indeed, in relation to historic information you request, this

may be difficult to collate within the appropriate limit. If you were to narrow your request by seeking information in respect of only a small number of questions at a time, we anticipate that we may be able to provide a substantive response (subject to any other applicable exemptions). For example, we anticipate we may be able to provide a substantive response to the questions ‘What are current arrangements for minors travelling in private hire/ taxis or BBC transport?’, ‘What arrangements are made to vet the companies/directors and ensure it is safe for passengers/children to travel?’, and ‘What safeguarding procedures are in place now?’, or alternatively ‘How many taxi/private hire companies are currently used? Which?’.

We can tell you that each Division within the BBC has a Child Protection Adviser who has special responsibility for the implementation of the BBC Child Protection Policy in their Division. All Child Protection Advisers have received training in safeguarding to support them in this role. The policy provides that Child Protection Advisers are the focal point for all child protection concerns and are responsible for liaising with the Disclosure and Barring Service in England, and the Disclosure Scotland signatory representatives to advise which positions require DBS/Protection of Vulnerable Groups checks, or completion of the BBC Personal Disclosure form. The BBC’s Child Protection Code of Conduct makes clear that all staff and freelancers have a duty to report any child protection concerns to the Child Protection Adviser or other appropriate contact, and that this should take place as soon as possible.

The BBC’s standard policy is that children taking part in a performance must, at all times during the engagement, be in the care of either their parent, their legal guardian or a licensed chaperone, and when children are attending BBC events, or are members of the audience for BBC shows, they must be accompanied by a responsible adult and where possible a professional chaperone.

If you would like to read the BBC’s child protection policies, including the ‘Guide to Working with Children at the BBC’, ‘BBC Child Protection Policy’ and ‘BBC Child Protection Code of Conduct’, these can be found at the following address:

[http://www.bbc.co.uk/aboutthebbc/insidethebbc/howwework/policiesandguidelines/child\\_protection.html](http://www.bbc.co.uk/aboutthebbc/insidethebbc/howwework/policiesandguidelines/child_protection.html)

If you plan to publish or broadcast a story using the information provided in this response please include the following statement from the BBC.

A BBC spokesman said:

“The BBC has no dealings with Niven James Sinclair today and as far as we’re able to establish he has no connection to any company the BBC deals with. We are not aware of any complaint having been made to the BBC about him. The BBC has robust child safety procedures in place today which were independently reviewed and found to be strong by the GoodCorporation in 2015, and we’re working with the NSPCC to advise on any further improvements which could be made.”

## **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. 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 (local rate) or 01625 545 745 (national rate) or see <http://www.ico.gov.uk/>.

Yours sincerely

BBC People

