

**Freedom of Information
Internal Review decision**

Internal Reviewer	Lawyer – BBC Workplace and Information Rights
Reference	RFI20171940/IR2018015
Date	21 February 2018

Requested information

On 29 December 2017 the Applicant, Mr Hillas via WDTK, requested the following information:

This is a freedom of information request lodged under the Freedom of Information Act 2000 for full disclosure and publication of:

the number of TV licence cancellations refused during 2014, 2015 and 2016.

On 30 January 2018 the BBC responded explaining that:

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 Ltd (‘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. Marketing and printing services are contracted to Proximity London Ltd. Media services are contracted to Media Planning Limited trading as Havas Media UK. The BBC is a public authority in respect of its television licensing functions and retains overall responsibility.

Firstly, I should explain that TV Licensing’s routine management reporting records data on the number of cancellations includes licences cancelled by TV Licensing due to payment failure, as well as cancellations from customers who no longer need a licence - for example, if they have moved into an address which already has one.

I can confirm under section 1(1) of the Act that we do not hold any recorded information that answers your specific request. This is because we do not capture information relating requests for cancellation that do not result in the licence being cancelled. Please note that; as there are only a limited no of circumstances in which we would advise someone that the cancellation is not permitted - such as where the licence is still needed before its expiry date.

You may be interested to know that there are more licences in force than ever before – 25.8 million – while the number of cancellations has fallen by 17% since 2013/14.

On 3 February 2018 the Applicant wrote to the BBC seeking:

I am writing to request an internal review of British Broadcasting Corporation's handling of my FOI request 'TV licence cancellations'.

The person who dealt with this freedom of information request clearly did not bother to read it.

The freedom of information request concerns the number TV licence cancellation applications that have been submitted by TV licence holders only to have the TV licence cancellation application refused.

I am already aware of the number of TV licence successfully cancelled in the years concerned which is why my freedom of information request asked for information about TV licence cancellation applications that got refused

Issue for review

The issue on review is whether the BBC handled the Applicant's request in accordance with its obligations and duties under the Act. In particular, as required by section 1(1)(a) and (b), did the BBC confirm or deny that it holds the requested information, and have that information communicated to the Applicant?

Decision

In conducting this internal review, I have liaised with the TV Licensing team at the BBC. The first request for information sought the number of *"TV licence cancellations refused"*. The Applicant confirmed in his request for an internal review that he was concerned with the *"number TV licence cancellation applications that have been submitted by TV licence holders only to have the TV licence cancellation application refused."*

It was explained to the requester in the BBC's first response that the BBC does not *"capture information relating requests for cancellation that do not result in the licence being cancelled. Please note that; as there are only a limited no of circumstances in which we would advise someone that the cancellation is not permitted - such as where the licence is still needed before its expiry date"*.

I have confirmed with the TV Licensing team that they do not capture data relating to the number of the *"number TV licence cancellation applications that have been submitted by TV licence holders only to have the TV licence cancellation application refused."*

It is possible that information concerning a refusal to cancel a licence may be held on an individual's TV licence account (i.e. in Customer Relations correspondence). However, there is no feasible way in which to ascertain whether this information exists other than for TV

Licensing to manually review every customer's account to determine whether such a cancellation request was made and refused during the specified period.

Whilst it is theoretically possible to undertake this exercise, given that there have been over 25 million licences in force during the last 3 financial years, it is clear that to locate and extract this information would take more than two and a half days. Under section 12 of the Act, the BBC can refuse to handle the request if it would exceed what is referred to as 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). To carry out such a search, would far exceed the relevant limit. As the BBC does not collate the information requested, I cannot suggest a meaningful way to narrow the request.

Appeal Rights

If you are not satisfied with the outcome of your 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 www.ico.gov.uk