

Freedom of Information
Internal Review decision

Internal Reviewer	Legal Advisor– Legal Workplace and Information Rights
Reference	RFI20181669 / IR2019030
Date	16 July 2019

Requested information

On 02 September 2018, you requested that the BBC provide the following information under the Freedom of Information Act 2000 ('the Act'):

"1. Does the BBC classify the political ideology of "Multiculturalism" as a totalitarian ideology?"

2. Can you list everyone at the BBC involved in the decision as to whether to classify the political ideology of "Multiculturalism" as a totalitarian ideology?"

On 27 September 2018, the BBC responded that:

"We can confirm that this information is not held"

On 17 June 2019, you requested an internal review of the BBC's decision. In seeking review, you said that:

"I am writing to request an internal review of British Broadcasting Corporation's handling of my FOI request 'Does The BBC Classify The Political Ideology Of "Multiculturalism" As A Totalitarian Ideology'.

I find it incredible that the BBC can not, or will not, provide basic information like this."

The issues for review

The issue for review is whether the BBC handled your request in accordance with its obligations and duties under the FOI Act. In particular, as required by sections 1(1)(a) and (b), did the BBC confirm or deny that it holds the requested information and, if held, have that information communicated to you?

Decision

In accordance with section 1(1)(a) of the FOI Act, I am satisfied that the BBC does not hold the information requested.

The relevant law and my reasons are set out below.

Relevant law

The Freedom of Information Act gives a general right of access to all types of recorded information held by public authorities. Public authorities are not required to create new information in order to comply with a request for information under the Act.

I have also considered the Information Commissioner's guidance on determining whether information is held by a public authority¹ and the FOIA Code of Practice, which at paragraph I.7 states:

“There will be occasions where a request is made under the Act but does not in fact meet the above description of being a request for recorded information. This may include requests for explanations, clarification of policy, comments on the public authority's business, and any other correspondence that does not follow the definition of a valid request in section 8”.

Reasons for decision

I have had regard to the terms of your request, which in essence seeks a response for whether or not the BBC classifies 'multiculturalism' as a 'totalitarian regime'.

Please be advised that the BBC's mission is to act in the public interest, serving all audiences through the provision of impartial, high-quality and distinctive output and services which inform, educate and entertain. The Royal Charter states that the BBC's object is “*the fulfilment of its Mission and the promotion of its Public Purposes.*”

The BBC adheres to its editorial guidelines, these are our values and standards and they apply to all our content. I draw your attention to the BBC's Editorial Guidelines, in particular sections I.4, 3, 4 and I0, available at <https://www.bbc.com/editorialguidelines/guidelines>.

Therefore, it is apparent that your request is not relevant to the core business that the BBC undertakes. In these circumstances, I am satisfied that we do not hold any recorded information relevant to the scope of your request.

Please also be advised that, in accordance with the legal guidance set out above, we do not need to provide commentary or create explanations about the BBC's business to respond to a FOIA request. The FOIA only applies to recorded information that is already in existence at the time a request is received.

¹ The Information Commissioner's guidance, accessible at https://ico.org.uk/media/for-organisations/documents/1148/information_held_by_a_public_authority_for_purposes_of_foia.pdf and <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/receiving-a-request/>

Conclusion

Overall, I am satisfied that your request is not a request for recorded information held by the BBC. In addition, the BBC is not under an obligation to create new information to respond to your request, or give a judgement or opinion that is not already recorded.

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 <https://ico.org.uk/>