



## Freedom of Information Internal Review decision

Internal Reviewer	Lawyer – Legal Workplace and Information Rights
Reference	RFI20210985 / IR2021066
Date	25 August 2021

### Requested information

On 3 June 2021 seeking the following information under the Freedom of Information Act 2000 ('the Act'):

*"Please would it be possible to see the asbestos survey report for BBC radio Newcastle building?"*

You requested an internal review on 26 July 2021 because of the lack of response within the 20 day statutory period.

### The issues for review

Your request for an internal review raised the following issue under the FOIA:

whether the BBC complied with its obligation under section 10(1) of the FOIA to respond to a valid request "promptly and in any event not later than the twentieth working day following the date of receipt".

### Decision

Section 1(1) of the FOIA provides a general right of access to recorded information held by public authorities. Section 10(1) of FOIA provides that: 'A public authority must comply with section 1(1) promptly, and in any event not later than the twentieth working day following the date of receipt'.

The timeframe of twenty working days can be extended in some circumstances, for example, where consideration of the public interest test is relevant to an exemption that is sought to be relied upon (section 10(3) of the FOIA), however this was not relevant here.

The BBC did not in this instance comply with its obligation under the FOI Act; in particular, the obligation under section 10(1) of the FOI Act to provide a response to your request within 20 working days.

I understand the response is being processed and will be sent to you shortly.

Lawyer

Information Rights  
BBC Legal

### **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/>