



Information Policy & Compliance
bbc.co.uk/foi

Mr Young
request-65777-3727bf52@whatdotheyknow.com

28 March 2011

Dear Mr Young,

Request for Information – RFI20110354

Thank you for your email of 17 March 2011, requesting information under the terms of the Freedom of Information Act 2000 (“the Act”).

Before I respond to your question, it may be helpful if I first explain the nature of the relationship between TV Licensing and the BBC. “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 (which undertakes the majority of the administration of the TV Licensing system), with the administration of our cash related payment schemes contracted to iQor UK Limited. PayPoint Network Ltd and PayPoint Collections Ltd are contracted to provide over-the-counter services. Marketing and printing services are contracted to Proximity London Ltd as are public relations and advertising services. The latter are subcontracted by Proximity to Fishburn Hedges Boys Williams Ltd, Abbott Mead Vickers BBDO Ltd and PHD Media Ltd. The BBC is a public authority in respect of its television licensing functions and retains overall responsibility.

You have requested the following information:

- 1. FOI can you tell me the number of people who have withdrawn their support in the manner I indicated previously.*

Please refer to the BBC’s previous response at the following link:
http://downloads.bbc.co.uk/foi/classes/disclosure_logs/rfi20100250_alleged_treason_act_breach.pdf.

- 2. Number of people who have complained about breaches of charter.*

It is not clear whether you mean complaints about breaches of the Royal Charter generally, or specifically in relation to the EU funding issue which you have previously raised.



INVESTOR IN PEOPLE

However, in accordance with section 1(1) of the Act, I am able to confirm that in either case the BBC does not hold the information you have requested, specifically the number of people who have complained about breaches of the Royal Charter. The BBC does not monitor complaints in a way that enables us to respond to your request. There is no single process for logging and handling alleged breaches of the Charter as stand-alone complaints. The BBC has a framework of policies and guidelines designed to ensure it meets its obligations. Complaints with regards to non-compliance with this framework can be raised under a number of discrete complaints processes such as Fair Trading, Editorial, TV Licensing etc. As such, a complaint is unlikely to be specifically labelled as relating to a breach of the Charter.

3. Number of successful and unsuccessful cases and legal actions on people who withdrew their support because of "breach's of charter"

I note that I have interpreted "withdrawal of support" as meaning a refusal to pay for a TV Licence where one was required under the Communications Act 2004. While it may be theoretically possible to answer your query, to do so would require a manual review of all prosecution cases to ascertain which, if any, of the individuals prosecuted had previously advised TV Licensing that their failure to pay for their TV Licence was due to alleged breaches of the BBC's Royal Charter. I consider that conducting this manual review would exceed the appropriate limit. 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).

4. Your procedure to notify you that due to your breaches of charter financial support contract is withdrawn.

In accordance with section 1(1) of the Act, I am able to confirm that the BBC does not hold the information you have requested. I note that any person runs the risk of prosecution if they watch or record any television programmes as they're being shown on television without a valid TV Licence.

Your appeal rights

This enquiry has been dealt with under the terms of the Freedom of Information Act, as indicated above. 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 the reference number given at the start of this letter. If you are not satisfied with the internal review, you may appeal to the Information Commissioner, whose contact details are as follows: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF; telephone: 01625 545700; www.ico.gov.uk.

Yours sincerely,

Dan McGregor
Senior Policy Adviser, TV Licensing Management Team