



Information Rights

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S Craig

By email: [request-351508-bbcb3b18@whatdotheyknow.com](mailto:request-351508-bbcb3b18@whatdotheyknow.com)

10<sup>th</sup> January 2017

Dear Sir/Madam,

### **Freedom of Information request – RFI20162202**

Thank you for your request under the Freedom of Information Act ('the Act') 17<sup>th</sup> November 2016 seeking:

*“...The BBC confirmed it signed compromise agreements with 22 BBC employees between 1 April 2015 and 31 March 2016.*

*Please confirm or deny if the electronic personnel file of each of these individuals records a complaint (upheld or not) of sexual harassment, bullying, fraud or other internal complaint in the five years prior to their departure from the BBC...”*

With reference to your previous request (RFI20161510) and the BBC's response to that request, we have understood your question to be asking whether the electronic personnel/personal files of the 22 individuals (that entered into a settlement agreement with the BBC between 1 April 2015 and 31 March 2016) contain any record of the individual having been accused of sexual harassment, bullying, fraud or other crimes or misconduct. In line with your request, this response is limited to five years prior to the individual's departure from the BBC, or five years prior to the settlement agreement (where the individual is still employed/engaged).

On this basis, HR reviewed the 22 electronic personnel/personal files and found that, in the relevant five year period, one file recorded a complaint of bullying and harassment against the individual and one file recorded a breach of policy complaint against another individual. We are withholding further information under section 40(2) (personal information) of the Act. Under section 40(2) of the Act, personal information about identifiable living individuals is exempt if disclosure to a third party would breach one or more principles in the Data Protection Act 1998. The individuals concerned would not expect their personal data to be disclosed to a third party.

To do so would be unfair; therefore, disclosure would breach the First Data Protection Principle (fair and lawful processing).

### 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 SK9 5AF. Telephone 01625 545 745 or see <http://www.ico.org.uk>

Yours sincerely,

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