



Information Rights

[bbc.co.uk/foi](http://bbc.co.uk/foi)      [bbc.co.uk/privacy](http://bbc.co.uk/privacy)

Mark Salter via [whatdotheyknow](https://whatdotheyknow.com)  
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06 April 2022

Dear Mark Salter,

### **Freedom of Information request – RFI20220428**

Thank you for your request to the BBC of 13 March 2022 seeking the following information under the Freedom of Information Act 2000 (the 'FOI Act'):

*Please provide the training materials, trainers guide and all other media that form the "BBC impartiality training" that talent engaged by your organisation is requested to attend.*

### **BBC response**

The information you requested is bespoke editorial training material used to provide expert training to BBC talent on impartiality standards. This information is held for the purposes of 'art, journalism or literature'. The FOI Act provides that the BBC does not have to disclose this type of information, and we will not be disclosing the information on this occasion.

### ***Legal explanation***

Part VI of Schedule 1 to the FOI Act provides that information held by the BBC is only subject to the FOI Act if it is held for 'purposes *other* than those of journalism, art or literature".

In a decision of the Supreme Court of England and Wales, a wide understanding of the term "journalism" was approved which covers the whole of the BBC's output (*Sugar v BBC* [2012] UKSC 4). This might include information about how BBC journalists gather information for programme-making, the costs of producing such programming, and editorial complaints-handling information. Recent Tribunal and Information Commissioner decisions have upheld this broad understanding.

This protection of journalistic information is an important way that the BBC preserves its independence by ensuring information about editorial matters are not subject to undue

public scrutiny. It is important that the BBC is an independent and impartial news organisation. The BBC, as a media organisation, is under a duty to impart information and ideas on all matters of public interest and the importance of this function has been recognised by English courts and the European Court of Human Rights. Maintaining our editorial independence is a crucial factor in enabling the media to fulfil this function. However, the BBC makes a huge range of information available about our programmes and content on [www.bbc.co.uk](http://www.bbc.co.uk)

## **Appeal Rights**

The BBC does not offer an internal review when the information requested is not covered by the Act. If you disagree with our decision you can appeal to the Information Commissioner. Contact details are: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, tel: 0303 123 1113 or see <http://www.ico.org.uk>

Please note that should the Information Commissioner's Office decide that the Act does cover this information, exemptions under the Act might then apply.

Yours sincerely,

Information Rights  
**BBC Legal**

## **More information - Freedom of Information**

From January 2005 the Freedom of Information (FOI) Act 2000 gives a general right of access to all types of recorded information held by public authorities. The Act also sets out exemptions from that right and places a number of obligations on public authorities. The term “public authority” is defined in the Act; it includes all public bodies and government departments in the UK. The BBC, Channel 4, S4C and MG Alba are the only broadcasting organisations covered by the Act.

### **Application to the BBC**

The BBC has a long tradition of making information available and accessible. It seeks to be open and accountable and already provides the public with a great deal of information about its activities. BBC Audience Services operates 24 hours a day, seven days a week handling telephone and written comments and queries, and the BBC’s website [bbc.co.uk](http://bbc.co.uk) provides an extensive online information resource.

It is important to bear this in mind when considering the Freedom of Information Act and how it applies to the BBC. The Act does not apply to the BBC in the way it does to most public authorities in one significant respect. It recognises the different position of the BBC (as well as Channel 4 and S4C) by saying that it covers information “held for purposes other than those of journalism, art or literature”. This means the Act does not apply to information held for the purposes of creating the BBC’s output (TV, radio, online etc), or information that supports and is closely associated with these creative activities.

A great deal of information within this category is currently available from the BBC and will continue to be so. If this is the type of information you are looking for, you can check whether it is available on the BBC’s website [bbc.co.uk](http://bbc.co.uk) or contact BBC Audience Services.

The Act does apply to all of the other information we hold about the management and running of the BBC.

The BBC’s aim is to enrich people’s lives with great programmes and services that inform, educate and entertain. It broadcasts radio and television programmes on analogue and digital services in the UK. It delivers interactive services across the web, television and mobile devices. The BBC’s online service is one of Europe’s most widely visited content sites. Around the world, international multimedia broadcaster BBC World Service delivers a wide range of language and regional services on radio, TV, online and via wireless handheld devices, together with BBC World News, the commercially-funded international news and information television channel.

The BBC’s remit as a public service broadcaster is defined in the BBC Charter and Agreement. It is the responsibility of the Ofcom (the BBC’s independent regulator) to ensure that the organisation delivers against this remit by setting key objectives, approving strategy and policy, and monitoring and assessing performance. Ofcom also safeguard the BBC’s independence and ensure the Corporation is accountable to its audiences and to Parliament.