



Information Rights

bbc.co.uk/foi bbc.co.uk/privacy

Mr Janik

By email: request-401237-12ec716b@whatdotheyknow.com

23rd May 2017

Dear Mr Janik,

Freedom of Information Act 2000 – RF120170560

Thank you for your request under the Freedom of Information Act ('the Act') of 14 April 2017 seeking:

- (1) Please supply a summary of information held by the BBC on the subject of a reduced license fee for those on long-term or permanent means-tested state provided benefits. Examples of such persons would include elderly in receipt of guaranteed pension credit and disabled persons.*
- (2) Does the BBC oppose or support the principle of reduced TV Licence fees for those in receipt of means-tested state benefits ?*
- (3) Does the BBC accept those on means-tested state-provided benefits are poor and not in receipt of excessive, by decency standards, and disproportionately high payments of license payers money ?*
- (4) With which government department and parliamentary select committee could this idea be perused ?*
- (5) Why is BBC London News weekday late evening repeat (series) recording function usually omitted from the programme guide provided by the company partially owned by the BBC ? It is always present for the early evening bulletin, so too for the 22:00 BBC 1 news.*

Question 1

A number of television licence concessions exist. Blind (severally sight impaired) people are eligible for half price licences and all people over the age of 75 are eligible for free licences. The recent BBC Charter Review settlement established that Government will transfer responsibility for the cost of the over 75s concession and the policy determining eligibility. The policy transfer has subsequently been put into statute by the Digital Economy Act 2017 and will take effect from 1 June 2020. As it has confirmed publicly, the BBC has

commissioned Frontier Economics to look at options around the existing TV licence concession available to over 75s - but it is not yet in receipt of the final deliverable from Frontier Economics' work.

Questions 2 – 4

Please be advised that the Freedom of Information Act gives a general right of access to all types of recorded information held by public authorities. As this is not a request for recorded information, and we are not required to create new information to respond to a request, or give a judgement or opinion that is not already recorded, we cannot provide the information in your request.

Question 5

The information you have requested is excluded from the Act because it is held for the purposes of 'journalism, art or literature.' The BBC is therefore not obliged to provide this information to you and will not be doing so on this occasion. Part VI of Schedule 1 to FOIA provides that information held by the BBC and the other public service broadcasters is only covered by the Act if it is held for 'purposes other than those of journalism, art or literature'. The BBC is not required to supply information held for the purposes of creating the BBC's output or information that supports and is closely associated with these creative activities.

The limited application of the Act to public service broadcasters was to protect freedom of expression and the rights of the media under Article 10 European Convention on Human Rights ("ECHR"). 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 the European Court of Human Rights. Maintaining our editorial independence is a crucial factor in enabling the media to fulfil this function.

That said, the BBC makes a huge range of information available about our programmes and content on bbc.co.uk. We also proactively publish information covered by the Act on our publication scheme and regularly handle requests for information under the Act.

Appeal Rights

In respect of those elements within this response that are covered by the Act (questions 1-4), 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. Contact details are: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, tel: 0303 123 1113 or <https://ico.org.uk/>.

The BBC does not offer an internal review when the information requested is not covered by the Act (question 5). 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 <https://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,

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