



Information Rights

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Mr Lewis

via e-mail: [request-318536-6a389682@whatdotheyknow.com](mailto:request-318536-6a389682@whatdotheyknow.com)

24 March 2016

Dear Mr Lewis,

### **Freedom of Information Request - RFI20160351**

Thank you for your request under the Freedom of Information Act 2000 (the Act) received on 25 February, seeking the following information:

1. How many employees of the BBC have made an official complaint of harassment and bullying at work since 1<sup>st</sup> April 2009?
2. How many of these complaints were upheld in favour of the complainant?
3. How many of those which were not upheld in favour of the complainant went on to Appeal?
4. How many of those that went to Appeal were found to favour the complainant?
5. How many complaints went on to an Employment Tribunal?
6. How many of these were found to uphold the complaint?
7. Out of how many of those allegations (the number given to question 1) did the complainant of bullying claim that the bullies were telling lies?
8. How many staff does you're the BBC have?

The BBC has a central HR case database which was created in 2006 where we log formal cases dealt with under our bullying and harassment, grievance and disciplinary policies, regardless of the outcome of the case, where the complainant(s) and/or the person(s) against whom the complaint was made, were BBC employees.

This database is not a comprehensive or detailed record of all cases; it is a means of logging and monitoring the number and type of cases under broad headings. Further details of individual cases are held on employee files. As logging on the database is a manual process it is possible that some cases may have been omitted and so any statistics we provide may not necessarily represent the totality of cases investigated by the BBC.

Disciplinary cases within the BBC are categorised under a reason on the database. However, in the past, it was not necessary to provide a reason, and in some cases this is not specified. Cases related to your

request may not fall within one specific category on the database, and the level of detail you have requested would not be recorded on the database. In order to provide you with a definitive response to your request, we would need to investigate the details of each case recorded since 2006. In order to ascertain the exact nature of each case, it is necessary to look up each individual's personal file and check for any information relating to the disciplinary, then making a note of the details of those which relate to bullying and harassment, including the outcome to determine any dismissals.

There are several hundred disciplinary cases, which could relate to a wide range of disciplinary issues such as poor time keeping or unauthorised absence, recorded on the database for this period, and we estimate it would exceed the fees limit set out under the Act. 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).

However, the way in which cases are logged was improved over the last few years and the BBC now publishes information regarding bullying and harassment cases. The BBC's Bullying & Harassment Report for 2013/2014 is available at the following address:

[http://downloads.bbc.co.uk/diversity/pdf/bullying\\_harassment\\_report\\_2013.pdf](http://downloads.bbc.co.uk/diversity/pdf/bullying_harassment_report_2013.pdf)

Information about bullying and harassment cases in 2014/2015 is published in the Annual Report and Accounts. See page 86 on the below link for more information:

<http://downloads.bbc.co.uk/annualreport/pdf/2014-15/bbc-annualreport-201415.pdf>

The number of staff employed at the BBC is also available in the BBC's Annual Report & Accounts;

<http://downloads.bbc.co.uk/annualreport/pdf/2014-15/bbc-annualreport-201415.pdf>

The BBC launched a service for staff who would like support with issues surrounding bullying or harassment at work or are aware of it affecting others.

The service is run by a company called Care first. It is a confidential support line which is independent of the BBC and is available 24 hours a day, 365 days a year to everyone who works for the BBC (including freelancers). The service provides another level of support for staff who may feel uncomfortable talking to someone inside the BBC and is staffed by trained counsellors.

This is one of the initiatives we've been working on since the Respect at Work Review reported in May 2013, as we work to improve the way we tackle complaints and support staff.

Amongst the changes we have already made are:

- a new process to make sure all bullying and harassment complaints are heard outside of the complainant's division
- an exit questionnaire for permanent and fixed term staff leaving the BBC
- clauses about bullying and harassment in new employment contracts
- an online ACAS bullying and harassment training module, available to all staff on the BBC's intranet, Gateway

- an update to our Bullying and Harassment Policy and the development of a guide to dealing with bullying and harassment
- the introduction of external experts to sit alongside BBC hearing managers to hear bullying and harassment grievances and appeals for a period of 12 months from August 2015.

The BBC takes disciplinary matters extremely seriously and we have a clear policy in place to handle allegations. The BBC's policies on Disciplinary and Grievances can be found on our publication scheme at the following address:

<http://www.bbc.co.uk/foi/publication-scheme/classes/policies-and-procedures>

### **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, Cheshire, SK9 5AF, Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate) or see <http://www.ico.gov.uk/>.

Yours sincerely

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