



Information Rights

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

Robert John Park

request-733229-3e4c7b63@whatdotheyknow.com

30 April 2021

Dear Mr Robert John Park,

Freedom of Information request – RFI20210554

Thank you for your request of 3 April 2021 seeking the following information under the Freedom of Information Act 2000 ('the Act') (per our paraphrasing):

“...the number of journeys made by staff and employees between GB and Northern Ireland in either direction, the cost to the BBC and travel costs for the following timeframes: -

- January and February 2021
- January and February 2019”

Question 1: Number of journeys made by staff and employees between GB and Northern Ireland in either direction between January and February 2019 and the equivalent for January and February 2021

The Act does not require us to comply with a request if to do so would exceed the appropriate limit as set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (SI 2004/3244). The appropriate limit has been set at £450 (equivalent to two and a half days' work, at an hourly rate of £25).

The data we hold for the number of journeys comes from itemised billing data we receive from our suppliers. We have a variety of different end suppliers. This means (as hard as we try to make it uniform) the way billing data is provided to us (and the level of detail) differs from supplier to supplier. This creates challenges when it comes to accurately providing a count of the total number of journeys. In short, in order to answer your question, we would have to conduct thorough checks on the entire data set. We estimate that to do this, even just to provide you with the number of journeys for a single month, would exceed the appropriate limit of two and a half days' work, at a rate of £25 per hour.

We are mindful of our duty under section 16 of the Act to provide reasonable advice and assistance to you. Accordingly, please note that we are unable to provide any information about the number of journeys made by staff and employees between GB and Northern Ireland in either direction within the appropriate limit of two and a half days' work, at a rate of £25 per hour.

Question 2: Cost to the BBC and travel cost for journeys made by staff and employees between GB and Northern Ireland in either direction between January and February 2021 and the equivalent for January and February 2019

We have excluded the costs of journeys between Northern Ireland and other UK for the requested periods for content producing areas because that information, if held, would be held for the purposes of 'journalism, art or literature' and therefore excluded from the Act. The BBC is therefore not obliged to provide that 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 activities¹.

The costs set out in the table below account for the cost of flights between Great Britain and Northern Ireland in both directions. January and February 2019 was pre-Coronavirus pandemic hence the substantial reduction in costs for travel during the same period in 2021.

Month	Cost
Jan-19	£4,845
Feb-19	£8,520
Jan-21	-£357
Feb-21	-£58

As set out in section 6(1)(b)(ii) of the Act, our subsidiaries (including BBC Studioworks Limited, UKTV, BBC Global News Ltd and BBC Studios Ltd), as well as the charities BBC Media Action and BBC Children in Need, are not subject to the Act. Therefore, information regarding their activities is also not subject to the Act and has not been included in this response.

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. A request for an internal review must be made within 40 working days of receiving the BBC's response to your original request.

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 or see <https://ico.org.uk/>.

Yours sincerely,

Information Rights
BBC Legal

¹ For more information about how the Act applies to the BBC please see the enclosure which follows this letter. Please note that this guidance is not intended to be a comprehensive legal interpretation of how the Act applies to the BBC.

Freedom of Information

From January 2005 the Act 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 several 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 provides an extensive online information resource.

It is important to bear this in mind when considering the 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 or contact BBC Audience Services.

The Act does apply to all 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 BBC is accountable to its audiences and to Parliament.