

Information Policy & Compliance bbc.co.uk/foi

Neil Maclain

28 July 2009

Dear Mr Maclain

Freedom of Information request - reference RFI20091077

Thank you for your email of 20th July 2009, in which you requested the following information:

Please would you disclose the number of requests for information made to the BBC under the Freedom of Information Act that have been rejected by the BBC, and of these how many were rejected under the premise that disclosure would likely prejudice the commercial interests of the BBC.

Responses to Freedom of Information requests are not usually classified by public authorities or the Information Commissioner's Office as "rejected". When we review our Freedom of Information statistics each year, we look at the following categories of outcome:

- All information disclosed
- All information withheld information can only be withheld where one of the exemptions under the Act applies
- Information partially disclosed this applies where some, but not all, of the information has been withheld. Even if only a single word is withheld, we would consider the RFI outcome to be 'Information partially disclosed'
- Closed: no further information provided for example, when the requester does not provide sufficient information to make the RFI valid as a section 8 request, or when the requester withdraws their RFI.
- **Information available elsewhere** this applies for example, when the information is available in the annual report or on the BBC website.
- Information not held



Please also note that not all of the information held by the BBC is covered by the Freedom of Information Act 2000¹ ("the Act"). The following statistics, therefore, do not include requests in which the requester has cited the Act, but where the information requested is not covered by the Act.

In 2005, we recorded the following outcomes for those requests where the information was covered by the Act:

All information Disclosed	193
Information Partially Disclosed	165
All information withheld	120
Closed: No further info provided	32
Information Available Elsewhere	7
Information Not held	39

Information was withheld under section 43(2) of the Act (the exemption for information disclosure of which would prejudice the commercial position of the BBC or anyone else) in 52 responses.

In 2006, we recorded the following outcomes for those requests where the information was covered by the Act:

All information Disclosed	215
Information Partially Disclosed	125
All information withheld	36
Closed: No further info provided	18
Information Available Elsewhere	0
Information Not held	28

Information was withheld under section 43(2) in 32 responses.

In 2007, we recorded the following outcomes for those requests where the information was covered by the Act:

All information Disclosed	259
Information Partially Disclosed	136
All information withheld	57
Closed: No further info provided	20
Information Available Elsewhere	5
Information Not held	45

Information was withheld under section 43(2) in 32 responses.

¹ The BBC and the other public service broadcasters are covered by the Act only in respect of information held for purposes "other than those of journalism, art or literature" (see Schedule I, Part VI of the Act).

In 2008, we recorded the following outcomes for those requests where the information was covered by the Act:

All information Disclosed	370
Information Partially Disclosed	197
All information withheld	105
Closed: No further info provided	16
Information Available Elsewhere	7
Information Not held	58

Information was withheld under section 43(2) in 50 responses.

Appeal rights

If you are not satisfied with this response 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, telephone 01625 545 700 or see http://www.ico.gov.uk/

Yours sincerely

Rachel Hallett
BBC Information Policy & Compliance