



Dealing with FOI Requests at the BBC

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A guide for FOI Divisional Reps

Information Policy & Compliance

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PURPOSE OF THIS DOCUMENT

This document explains the process that divisional FOI reps should follow when dealing with Freedom of Information requests.

The Information Policy & Compliance (IPC) team will receive and log requests, send them out to divisional reps, redact and send out documents when necessary, advise FOI reps on exemptions, send out final responses etc. The team are also responsible for keeping records of all requests received and responses sent.

Divisional reps are responsible for gathering together information, considering whether any exemptions may apply, and drafting responses to requesters. They are also responsible for passing on information to the IPC team, where necessary, to enable the team to keep full records.

Details of how divisional and departmental reps should deal with FOI requests are contained in this document.

IPC TEAM CONTACT DETAILS

FOI Advice (in the Outlook address book)

or xxxxxxxxx@xxx.xx.xx

This is our internal address. Use this email address for: forwarding to the IPC team FOI requests that have come into your division, sending draft responses, documents for redaction, advice on exemptions etc.

FOI Enquiries (in the Outlook address book)

Or xxx@xxx.xx.xx

This email address is for external use, i.e. for use by members of the public wishing to make a request under the Act.

Both inboxes are monitored throughout the day.

A SUMMARY OF THE FOI PROCESS

This page is an outline of the process used to answer Requests For Information (RFIs). For more details, please refer to following pages.

- An **FOI request arrives** in writing at the BBC and is sent to the IPC team who log and acknowledge it, and decide which division it should be sent to.
- Valid requests are **sent to the divisional rep** by email. Other interested parties may be copied in on RFIs, but do not need to take any action.
- RFIs should be dealt with **promptly** and not put off. The response may require input from other areas of the BBC, a lot of work recovering information or time redacting (removing text) from documents.
- If the RFI has been delegated to the **wrong division**, i.e. if the divisional rep does not hold the information requested, the rep should contact the IPC team immediately to discuss re-delegating the request.
- The divisional rep organises the retrieval of the **relevant information** within their division. Divisional reps may delegate the retrieving of the information to others within their division who are better placed to find it. If the rep needs to arrange a meeting with the IPC team to discuss the response, this should be done promptly.
- The rep creates a **draft response**. This will usually be in the form of a letter based on the templates created by the IPC team, and may or may not include disclosure documents as well. The draft response is sent to the IPC team.
- If necessary, the IPC team suggest any appropriate amendments to the response.
- If **Schedule 1** or any **exemptions** apply and text needs to be **redacted** from a document, this can be done by the IPC team. The rep should indicate which text is to be redacted, and which exemption applies, before sending the document to the IPC team.
- Once all parties have agreed on the **final response**, the IPC team convert the Word document to .pdf and send this out from their FOI email address, blind copying it to the divisional rep.
- The IPC team use information sent to them by the FOI reps to **log** all the details of each request and response.

HOW TO HANDLE FOI REQUESTS

These instructions cover: receiving FOI requests, preparing your response and returning it to the IPC team for checking or advice. To help you manage your FOI requests effectively, please note the following:

- **FOI emails:** to help you store and keep track of any RFIs delegated to you, you may wish to create an FOI subfolder in your Outlook inbox. See details on page 7 of this document if you need further advice on how to do this.
- **Out of office message:** please ensure that your out of office message includes an alternative contact name. You do not need to mention FOI but it is important that the IPC team and requesters can access an alternative contact to send the RFI to.

Receiving requests from the IPC team

1. Please look out for new FOI requests delegated to you. These are most likely to be sent by the IPC team Advisers – Fern Kersey, Louise Wright, Rachael Ward, Helen Padley and Rachel Hallett. The email will show the original request; this will be attached as a scanned document if it came in as a letter. The email may also contain some advice about responding to the request, eg it will indicate if the IPC team considers the information to be out of scope.
2. If you need any clarification or help with the RFI, or if you think your division does not hold the information requested, contact the IPC team member who sent it to you immediately either by phone or by replying to the email. If you cannot contact the sender, please get in touch with another member of the IPC team – all members of the team can access the FOI Advice email inbox.

Gathering the information and redacting exempt information

1. Collect copies of all relevant material required to answer the RFI. You may need to ask other people in the division to do this for you, as they have the best knowledge of the records in their department and what is held.
2. If you believe there is information which needs to be withheld but you are not sure about applying exemptions under the Act, please contact the IPC team for advice. You should do this as soon as possible, as deciding on the application of exemptions and considering the public interest can take some time.
3. If the document(s) you intend to send the requester needs redacting, mark the areas to be redacted on the document, indicating which exemptions apply.

Hard copy: The documents can be sent to the IPC team in the internal post. Please include a clean copy and a copy with the text to be removed marked up, eg by underlining or with a marker pen. The section of the Act under which the text is exempt should also be marked on the document.

Electronic: Please provide electronic copies if possible as these are easier to redact. Again, the IPC team need both a marked-up and a clean copy.

If your document is in Word format, you can underline or highlight in Word to mark the text you intend to redact, and use the comment function to state which exemption.

If you have access to a scanner, you could mark-up a printout and email this across.

Alternatively, if it's appropriate you could just provide a description of the sections to be redacted, eg Par 4, first 3 sentences.

Sending your response

1. Once you have finished preparing your response, send it to the IPC team. Send it to FOI Advice (xxxxxxxxx@xxx.xx.xx).
2. In the subject line of your email, please put the RFI number, the words draft response and the due date, eg *RFI2005000234 – draft response – due 14th March*. Your email should include a covering note to the IPC team, and the following attachments:
 - Your response letter
 - Any document(s) that you are intending to send to the requestor as part of the response. If you are intending to redact any documents, send both marked-up and clean documents.
3. The IPC team will get back to you, sending confirmation that your draft response is suitable or suggesting amendments to the draft. The IPC team will also send the redacted documents if applicable.
4. Once both the IPC team and the reps (and the Press Office if the request is from a journalist) are happy with the response, the IPC team will convert it to pdf format and send it from the FOI email address. Sending documents in pdf format makes it more difficult for requesters to track any changes and to alter the document themselves. Sending it from our email address means that any response from the requester, eg if they want an internal review, will come back to the IPC team rather than the divisional rep.

Keeping documentation about FOI requests

The IPC team are responsible for keeping master copies of the documents for each FOI request. For simple requests, this will consist of just the request and the response. For more complex requests, it may be helpful to keep copies of the process by which it was decided what to release and what to withhold. Please pass on to the IPC team any documentation which you think it would be useful to keep on file. As the IPC team will keep any necessary records, it is good practice to delete your records relating to the RFI – these are sometimes requested in a follow-up request. Some divisional reps do prefer to keep copies of final responses in order to refer to them quickly if a similar request comes in.

STORING AND ACCESSING FOI INFORMATION

E-mail

Divisional reps and FOI reps may wish to create a separate folder in the Outlook inbox in which to store emails about FOI requests. To do this, go to your folder list in Outlook, right-click on **Inbox**, and select **New Folder**.

