

Freedom of Information
Internal Review decision

Internal Reviewer	Lawyer – Information Rights
Reference	RFI20211418 / IR2021076
Date	18 October 2021

Requested information

On 8 September 2021 you made a request to the BBC under the Freedom of Information Act 2000 ('the FOI Act') seeking the following information:

"Does HMG / BBC insist on manufacturers installing the I Player App on smart televisions."

On 4 October 2021, the BBC responded:

"The BBC does not insist on manufacturers installing BBC iPlayer on their devices (e.g. set top boxes, smart TVs, game consoles and mobile phones). In actuality, manufacturers approach the BBC for permission to make BBC iPlayer available to the public on their devices so that they can meet user expectation of being able to access BBC content on their devices. As long as a manufacturer can meet the technical bar set to ensure that BBC iPlayer works to an acceptable standard and the manufacturer has ensured that the BBC can meet the conditions of the BBC's Distribution Policy, a copy of which is available at https://downloads.bbc.co.uk/aboutthebbc/insidethebbc/howwework/policiesandguidelines/pdf/bbc_distribution_policy.pdf, that manufacturer can carry BBC iPlayer on their device(s)."

On 6 October 2021 you asked for an internal review of that response. Specifically, you said:

"Let me be plain then I do not accept the validity of the BBC response which I may add was not assisted by an unknown signatory."

The issue for review

The issue for this review is whether the BBC complied with its obligations under section 1 of the FOI Act.



Relevant Law

Section 1 of the FOI Act provides:

*(1) Any person making a request for information to a public authority is entitled—
(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
(b) if that is the case, to have that information communicated to him.*

Decision

I have reviewed the correspondence between the BBC's FOI team and the relevant divisions; Distribution and Product and I am satisfied that the BBC has provided you with the information relevant to your request.

Section 16 – duty to advise and assist

Section 16 of the FOI Act provides that “*it shall be the duty of a public authority to provide advice and assistance, so far as it would be reasonable to expect the authority to do so, to persons who propose to make, or have made, requests for information to it*”.

I consider the BBC has met their obligation under Section 16 by providing you with a full response to your request and providing you with a copy of its Distribution policy. On liaising with the relevant divisions, I am satisfied there is no additional information which would assist further.

Finally, there is no obligation for the BBC to add the name of an Advisor who drafted the FOI response. Our responses are sent on behalf of BBC Legal.

Appeal rights

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/>

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