



**Information Policy & Compliance**

**[bbc.co.uk/foi](http://bbc.co.uk/foi)**

Peter Jones

Via email: [request-132302-97e64b26@whatdotheyknow.com](mailto:request-132302-97e64b26@whatdotheyknow.com)

2 November 2012

Dear Mr Jones,

**Freedom of Information request – RFI21021054**

I refer to your requests under the Freedom of Information Act to the BBC of 2 October and 8 October 2012, seeking:

On Wednesday, 3rd October 2012 ITV broadcast a programme called "Exposure - The Other Side of Jimmy Savile". The programme, which was well publicised in advance of being broadcast, contained several allegations about former BBC presenter Jimmy Savile.

Under the terms of the 2000 Act please provide me with all information the BBC holds in relation to the broadcast of "Exposure - The Other Side of Jimmy Savile" on ITV on 3rd October 2012. My request for information includes that contained in relevant letters and emails generated by the BBC, their staff, or others acting on their behalf.

The Act obliges us to respond to requests promptly and in any case no longer than 20 working days after receiving the request. However, when a qualified exemption applies to the information and the public interest test is engaged, section 10 of the Act allows the time for a response to be longer than 20 working days. A full response must be provided within such time as is reasonable in all circumstances of the case.

We consider that the exemption in section 36 of the Act applies to the information you have requested. We now need further time in which to consider the public interest in disclosing the information. In your case we have not yet reached a decision on where the balance of the public interest lies. Whilst the BBC recognises that there is a strong public interest in disclosing

information about this matter, we are also very aware of the public interest in ensuring that the integrity of the investigation currently being undertaken by the Police, as well as the two independent reviews lead by Dame Janet Smith and Nick Pollard respectively, are not compromised in any way.

We estimate that we will have reached a decision by 14 December and we will write to you then.

## **Independent Reviews**

In the meantime, the Terms of Reference for the independent reviews can be found here:

<http://www.bbc.co.uk/mediacentre/latestnews/2012/bbc-independent-reviews.html>

The independent reviews will report to the BBC Executive Board, chaired for purposes connected to these reviews by non-executive Director Dame Fiona Reynolds, the Senior Independent Director Designate. Appropriate procedures will be put in place to manage any potential conflicts of interest with Executive Directors including the Director-General. Each review will submit a written report to the BBC's Executive Board, making any recommendations for future action that it deems appropriate.

The Executive Board will assess the conclusions and recommendations of the reports and identify any actions it proposes to take before submitting the reports, in full and unamended, to the BBC Trust. The Trust will consider the reports alongside any proposed actions of the Executive Board. The Trust will then publish the reports subject to any redactions made for legal reasons, for example data protection, with any directions for any further or different action to be taken by the BBC.

## **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, telephone 01625 545 700 or see <http://www.ico.gov.uk/>

Yours sincerely,

Stephanie Simmonds  
**BBC Information Policy and Compliance**