



Information Policy & Compliance
bbc.co.uk/foi bbc.co.uk/privacy

G. Rooks
Via email: request-191449-b2826048@whatdotheyknow.com

29th January 2014

Dear Sir/Madam

Request for Information – RFI20140001

Thank you for your request of 1st January 2014 under the Freedom of Information Act 2000 ('the Act') seeking the following information:

"RE: TV LICENSING LETTERS

Ref 6126725936

November 2013, As you have not responded to our letters, you have left us with no alternative but to proceed with the final steps.

December 2013, This is an official warning.

may i ask, the following questions of you.

A) how much does a single letter with costings for paper and envelopes cost to be send out.

B) How many letters have been send [sic] to this address, ref number for your records.

C) How many are sent out each month or day nationally

D) How Many replies do you get from your mail shot.

E) What is the process concerning an house unoccupied up for sale."

Please note that "TV Licensing" is a trade mark used by companies contracted by the BBC to administer the collection of television licence fees and enforcement of the television licensing system. The majority of the administration of TV Licensing is contracted to Capita Business Services Ltd ('Capita'). Over-the counter services are provided by PayPoint plc ('PayPoint') in the UK, and by the Post Office in the Isle of Man and Channel Islands. Marketing and printing services are contracted to Proximity London Ltd. Media services are contracted to Mediaedge:CIA International Limited ("MEC"). The BBC is a public authority in respect of its television licensing functions and retains overall responsibility.

I shall address your requests in turn below.

Question A

The cost of sending a TV Licensing mailings by post comprises print and fulfilment, which is carried out by Proximity (who sub-contract to Communisis Group); and postal services, which are contracted to UK Mail. I can confirm that we do hold information that we consider relevant to your request, namely costs information in respect of the constituent elements of printing and fulfilment and postage. However, I am withholding this information under section 43(2) of the Act because the release of such pricing information would be likely to prejudice the commercial interests of Proximity and its subcontractor, UK Mail and the BBC.

The release of the information would reveal valuable information about our contractors' and sub-contractors' pricing to their competitors, while they would not be in possession of the same information regarding their competitors. The release of the requested information would therefore be likely to assist such competitors in future negotiations.

I am satisfied in terms of section 2(2) of the Act that in all the circumstances of the case, the public interest in maintaining the exemptions outweighs the public interest in disclosing the information. I have provided further explanation of my consideration of the public interest test in the section 'Why information has been withheld' below.

However, in line with our duty to provide you with reasonable advice and assistance under section 16 of the Act, I can tell you that the average postage cost to post one standard TV Licensing letter (which is defined as a "DL" envelope size or smaller, weighing less than 100 grams, and able to be "mail sorted" to achieve the best rate) in the financial year 2012/13 was £0.2059.

Question B

Providing that you can confirm that that you have owned or resided in the property to which you refer during the time period to which your request relates, the information you have requested constitutes your personal data. We are therefore unable to provide this information to you under the Act because section 40(1) of the Act exempts information that constitutes the applicant's own personal data.

However, you do have a right of access to your own personal data under section 7 of the Data Protection Act 1998. You can invoke your right by making what is known as a Subject Access Request (or 'SAR'). The process for making a SAR is filling out the appropriate form, a copy of which I have attached to this letter. Please complete this form and attach the required proof of identity (a copy of passport or photocard driver's licence and a copy of a bank statement or utility bill dated within the last 3 months). Please note that there is also a £10 fee for SARs.

The reason we require proof of identity is that we must be sure that person requesting the personal data is who they say they are. Without proof of identity we are unable to release any personal data to you.

Please return the completed form and proof of identity to me at the address below so that I may commence processing your SAR.

Freedom of Information Advisor
BBC TV Licensing Management Team
The Lighthouse
Media Village
201 Wood Lane
London W12 7TQ

Question C

Firstly, I should explain that I have interpreted this question to refer to mailings sent by TV Licensing to unlicensed addresses. Unlicensed addresses are those not covered by a valid TV Licence, where we have a reason to believe a licence is required, for example, where an expired licence has not been renewed, or a current licence holder has moved out and no other TV Licence has been moved in. TV Licensing have a range of mailings that can be sent to unlicensed addresses, with tailored content and messages that vary depending on the reason for the address being classified as unlicensed.

As you have not specified a time period for your question, I am providing you with approximate figures for the number of mailings sent to unlicensed properties in the 2012-13 financial year (since this is the way all our figures are reported).

2012-13	Unlicensed mailings
April 2012	1,756,212
May 2012	1,867,746
June 2012	1,476,798
July 2012	1,516,314
August 2012	1,662,578
September 2012	1,877,908
October 2012	2,484,762
November 2012	1,614,541
December 2012	1,491,906
January 2013	2,120,782
February 2013	1,871,058
March 2013	1,813,635

Question D

There are many types of unlicensed mailings and the average response rate to these mailings during the 2012-13 financial year was 13.3%.

Question E

If TV Licensing is advised that a property is unoccupied and up for sale, they will stop further enquiry letters being sent to that property for a period of time, normally for three to six months because experience has shown that most properties become re-occupied in that time. However, in cases where it is anticipated that re-occupation may take longer, the stop on enquiry letters can be extended to a maximum of one year.

If TV Licensing is informed that the property remains unoccupied when that period ends, a further stop can be placed on enquiry letters being sent.

Why information has been withheld

As section 43 is a qualified exemption, I am required by section 2(2) of the Act to assess whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The following factors are in favour of disclosure:

1. that the BBC is using public money effectively; and
2. that the BBC is getting value for money in respect of its use of the licence fee when purchasing goods and services.

However, it is the BBC's contention that given its commercial sensitivity, these objectives will be threatened if the information requested is disclosed.

I consider that the above public interest factors in favour of disclosure are served by the following:

1. The fact that the BBC is subject to a broad range of internal mechanisms, including oversight by the BBC Trust (responsible for commissioning value for money investigations into specific areas of BBC activity (Article 24(2) (i) of the Charter) and the Executive Board (responsible for conducting the BBC's operational affairs in a manner best designed to ensure value for money (Article 38(1) (h) of the Charter).
2. The BBC is required to comply with Ofcom regulations, the fair trading regime and competition law in general.
3. In the interests of transparency and accountability, certain limited information on expenditure is already provided in the BBC's Annual Report and Accounts and the TV Licensing Annual Review.

In addition, the following factors are in favour of withholding the information:

1. That the BBC maintains a strong bargaining position vis-à-vis suppliers during contractual negotiations in order to ensure that the licence fee is spent effectively.
2. That the competitive position of companies in their particular market is not disadvantaged by doing business with the BBC. It would not be in the public interest to disclose sensitive information about the commercial arrangements between particular companies if that information would be likely to be used by competitors to gain a competitive advantage.
3. Releasing the cost of commercial transactions would be likely to adversely affect the BBC's negotiating position in future contractual negotiations with suppliers of this type of service. This would compromise the BBC's ability to achieve value for money for licence fee payers.

In this instance, I consider that the public interest is served by ensuring that the pricing details of the BBC's commercial arrangements are protected. I am therefore satisfied, in terms of section 2(2) of the Act, that in

all the circumstances of the case, the public interest in withholding the information outweighs the public interest (outlined above) in disclosing the information.

Appeal Rights

If you are not satisfied that the BBC has 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 under the Act 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/>.

Kind regards

Rupinder Panesar

Freedom of Information Advisor, TV Licensing Management Team

