

Freedom of Information Internal Review decision

Internal Reviewer	Lawyer – Legal Workplace and Information Rights
Reference	RFI20181568 / IR2018081
Date	11 October 2018

Requested information

On 14 August 2018, you requested that the BBC provide the following information under the Freedom of Information Act 2000 ('the Act'):

- “1. Please can you provide me all relative information with regards to a member of the public broadcasting live via Facebook/youtube/instagram and wether [sic] ot[sic] meets licencing requirements to be viewed.*
- 2. Please also provide me minutes/mentions of this subject from meetings, emails and internal memos.*
- 3. Whilst its not required under the act as a gesture of good faith could i also have the official[sic] stance on social media live streaming from members of the public or private business and wether[sic] viewing such requires licencing.*
- 4. If it is the case where licencing is a requirement can you cite where in the communication act it relates.*
- 5. Furthermore can you give details of successful convictions based on live viewing over social media from a member of the publics live broadcast, again only if its deemed to be licenced.*
- 6. Lastly if its not a licencing requirement can i have documentation held on file citing the distinction between "live broadcasts from a tv company etc" and "live broadcasts from a member of the public.”*

On 13 September 2018, you requested an update on the status of your request.

On 19 September 2018, in the absence of a response, you requested an internal review of the BBC's handling of your request.

The issues for review

This review will consider:

- i. whether the BBC complied with its obligation under section 10(1) of the FOI Act to respond to a valid request “promptly and in any event not later than the twentieth working day following the date of receipt”, and
- ii. whether the BBC complied with its obligation under section 16 of the FOI Act to provide advice and assistance to you.

Decision

The BBC did not in this instance comply with its obligation under the FOI Act; in particular, the obligation under section 10(1) of the FOI Act to provide a response to your request within 20 working days. I apologise for the delay in responding to you, and for not providing an update on the status of the BBC's response.

I note that a substantive response to your request was provided on 26 September 2018.

Appeal Rights

If you are not satisfied with the outcome of your 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 <https://ico.org.uk/>