



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

Mr
Via email:

25 June 2014

Dear

Request for Information – RFI20140873

Thank you for your request of 28th May 2014 under the Freedom of Information Act 2000 ('the Act') seeking the following information:

"[1] Please confirm or deny that (1) The BBC or (2) Capita Business Services Limited (Trading [under licence] as "TV Licencing") acting on behalf of The BBC or (3) The BBC Trust is aware of an internet-based campaign purportedly against The TV Licence - whose website / page address is: www.facebook.com/dontpaybbcsctumtax... and that call themselves or itself: "TV Licence Resistance" being a campaign group with (at the time of writing) close to 60,000 "members".

[2] If it can be confirmed that either The BBC or The BBC Trust or Capita Business Services (TV Licensing) IS aware of the said campaign please also confirm or deny that any person at or from or on behalf of either organisation is charged with or regularly do monitor the campaign's facebook page.

[3] If such a person IS tasked with monitoring the "TV Licence Resistance" facebook page, please confirm what, (if any) action does The BBC or The BBC Trust or Capita Business Services Limited (trading as TV Licencing) undertake as part of that monitoring."

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.

Please be advised that the Act gives a general right of access to all types of recorded information held by public authorities. We are not required to create new information to respond to a request, or give a

judgement or opinion that is not already recorded. Whilst this is not a request for recorded information, I am happy to answer your questions outside the scope of the Act.

The BBC, like many other organisations, monitors the internet to check for online references to the organisation across a range of sites. The BBC checks the internet for mentions of "TV Licensing / TV Licence". These searches are carried out for the purpose of identifying external information relating to TV Licensing such that, where appropriate, we can respond and assist licence fee payers or correct inaccurate information as well as flag up customer complaints.

Internet monitoring with regard to TV Licensing is conducted in-house and is absorbed as part of the TV Licensing press office's 'business as usual' activities. As a result of this activity, I can confirm that the BBC is aware of the Facebook page that you have cited.

The BBC Trust Unit does not monitor the internet in the way described above, and the Trust Unit has confirmed that it has not raised the Facebook page you have mentioned with the Trustees. It is possible that individual Trust members may be aware of the page; however, in order to confirm this, the Trust Unit would need to check with them. As explained above, we are not required to create new information in order to respond to requests.

Whilst Capita may hold recorded information on the Facebook page, it is not held by Capita on behalf of the BBC. The Act gives rights of public access to information held by public authorities (as defined in section 3 of the Act). Section 3(2)(a) of the Act says that, for the purposes of the Act, information is held by a public authority if it is held by the public authority themselves or if it is held by another person on behalf of the authority. Capita is not a public authority as defined by the Act therefore information it holds but which is not held on behalf of the BBC is not subject to the Act.

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 SK9 5AF. Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate) or see <http://www.ico.gov.uk/>.

Kind regards

Rupinder Panesar
Freedom of Information Advisor, TV Licensing Management Team