



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

Nicholas Wilson
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8 December 2017

Dear Mr Wilson,

Freedom of Information Request - RFI20171694

Thank you for your request under the Freedom of Information Act 2000 (the Act) dated 16 November, seeking the following information:

'Can you tell me if the BBC generally or any department or person is bound by the Official Secrets Act. If so, could you please identify who is covered.'

In response to your request we understand that the requirement for all staff to automatically sign the Official Secrets Act was phased out circa 1984.

As there is no central record of this requested information, in order to respond in full to your request the BBC would need to carry out an audit of each employees file to ascertain whether they have signed the act. As there is over 18,000 staff currently at the BBC we estimate that to carry out this search would take more than two and a half days. Under section 12 of the Act, we are allowed to refuse to handle the request if it would exceed the appropriate limit. The appropriate limit has been set by the Regulations (SI 2004/3244) as being £450 (equivalent to two and a half days work, at an hourly rate of £25).

Furthermore, any information regarding the names of individuals that have signed the Official Secrets Act would be withheld under section 40(2) (personal information) of the Act. Under section 40(2) of the Act, personal information about identifiable living individuals is exempt if disclosure to a third party would breach one or more principles in the Data Protection Act 1998. The individuals concerned would not expect their personal data to be disclosed to a third party. To do so would be unfair; therefore, disclosure would breach the First Data Protection Principle (fair and lawful processing).

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, Tel: 0303 123 1113 or see <https://ico.org.uk/>.

Yours sincerely

Information Rights

