



Information Rights

bbc.co.uk/foi bbc.co.uk/privacy

Luciano Giampaglia

via e-mail: request-324302-7ef2bf74@whatdotheyknow.com

19 April 2016

Dear Mr Giampaglia

Freedom of Information Request - RF120160539

Thank you for your request under the Freedom of Information Act 2000 (the Act) received on 23 March, seeking the following information:

'Please release a list of all non celebrities (staff, employed or self employed) working for the BBC who receive pay above £80,000 with their methods of receipt of payment and tax arrangements detailed. This includes directors, this includes James Harding.

If you do not have details of a person's tax arrangements or do not deduct tax under PAYE , please state why along with details of any special arrangements.'

We are withholding information regarding the salaries and tax arrangements of staff receiving above £80,000 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).

At the BBC, as in other organisations, there are a variety of payment structures that may be used covering different kinds of contracts. Standard Broadcasting industry practice provides recognition that work can be transient and individuals move from one piece of work to another on a regular basis. We comply with HMRC requirements in respect of all of our contractual arrangements.

However, the BBC releases the exact salaries and remuneration of senior staff and managers who earn over £150,000, going further in our openness than central government or the Information Commissioners guidelines. This information is publicly available at the following URL:

<http://www.bbc.co.uk/aboutthebbc/insidethebbc/managementstructure/biographies/>

To further the openness on expenditure in this area, the BBC routinely publishes the salary details of Senior Manager (“SM”) roles within £5k bands. The information can be accessed at the following URL using the links under the heading ‘operational areas of the BBC’:

<http://www.bbc.co.uk/aboutthebbc/insidethebbc/howwework/accountability/disclosures.html>

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 (local rate) or 01625 545 745 (national rate) or see <http://www.ico.gov.uk/>.

Yours sincerely

Information Rights

Freedom of Information

From January 2005 the Freedom of Information (FOI) Act 2000 gives a general right of access to all types of recorded information held by public authorities. The Act also sets out exemptions from that right and places a number of obligations on public authorities. The term “public authority” is defined in the Act; it includes all public bodies and government departments in the UK. The BBC, Channel 4, S4C and MG Alba are the only broadcasting organisations covered by the Act.

Application to the BBC

The BBC has a long tradition of making information available and accessible. It seeks to be open and accountable and already provides the public with a great deal of information about its activities. BBC Audience Services operates 24 hours a day, seven days a week handling telephone and written comments and queries, and the BBC’s website bbc.co.uk provides an extensive online information resource.

It is important to bear this in mind when considering the Freedom of Information Act and how it applies to the BBC. The Act does not apply to the BBC in the way it does to most public authorities in one significant respect. It recognises the different position of the BBC (as well as Channel 4 and S4C) by saying that it covers information “held for purposes other than those of journalism, art or literature”. This means the Act does not apply to information held for the purposes of creating the BBC’s output (TV, radio, online etc), or information that supports and is closely associated with these creative activities.

A great deal of information within this category is currently available from the BBC and will continue to be so. If this is the type of information you are looking for, you can check whether it is available on the BBC’s website bbc.co.uk or contact BBC Audience Services.

The Act does apply to all of the other information we hold about the management and running of the BBC.

The BBC

The BBC’s aim is to enrich people’s lives with great programmes and services that inform, educate and entertain. It broadcasts radio and television programmes on analogue and digital services in the UK. It delivers interactive services across the web, television and mobile devices. The BBC’s online service is one of Europe’s most widely visited content sites. Around the world, international multimedia broadcaster BBC World Service delivers a wide range of language and regional services on radio, TV, online and via wireless handheld devices, together with BBC World News, the commercially-funded international news and information television channel.

The BBC’s remit as a public service broadcaster is defined in the BBC Charter and Agreement. It is the responsibility of the BBC Trust (the sovereign body within the BBC) to ensure that the organisation delivers against this remit by setting key objectives, approving strategy and policy, and monitoring and assessing performance. The Trustees also safeguard the BBC’s independence and ensure the Corporation is accountable to its audiences and to Parliament.

Day-to-day operations are run by the Director-General and his senior management team, the Executive Board. All BBC output in the UK is funded by an annual Licence Fee. This is determined and regularly reviewed by Parliament. Each year, the BBC publishes an Annual Report & Accounts, and reports to Parliament on how it has delivered against its public service remit.