

Louise Wright

From: FOI Enquiries
Sent: 16 June 2008 15:29
To: **540**
Subject: FOI Enquiry - TV Licensing - RFI20080647

Dear **540**,

Thank you for your request for information under the Freedom of Information Act 2000, which was received on 13 June 2008. We shall deal with your request as promptly as possible and, at the latest, within 20 working days. If you have any queries about your request please contact us at the address below.

The reference number for your request is RFI20080647.

Kind regards,

The Information Policy and Compliance Team
BBC Freedom of Information
Room 2252, BBC White City
201 Wood Lane
London W12 7TS, UK

Website: www.bbc.co.uk/foi
Email: foi@bbc.co.uk
Tel: 020 8008 2883
Fax: 020 8008 2398

Louise Wright

From: FOI Enquiries
Sent: 11 July 2008 17:01
To: S. 40
Subject: FOI request about TVL licensing contracts - RFI20080647
Attachments: RFI20080647 - final response.pdf

Dear S. 40,

Please find attached the response to your request for information, reference RFI20080647



RFI20080647 - final
response.p...

Yours sincerely
Rachel Hallett

BBC Information Policy and Compliance
Room 2252, White City
201 Wood Lane
London W12 7TS, UK

Website: www.bbc.co.uk/foi
Email: foi@bbc.co.uk
Tel: 020 8008 2883
Fax: 020 8008 2398

Released by the BBC under
the Freedom of Information Act 2000



Information Policy & Compliance
bbc.co.uk/foi

S. 40

11 July 2008

Dear S. 40

Freedom of information request – RFI20080647

Thank you for your request received on 13 June 2008 seeking further information about TV Licensing. Your request is being dealt with under the Freedom of Information Act 2000 ("the Act"). In your request you asked the following:

I am very disturbed by the aggressive and threatening behaviour of Capita Business Services Limited and, possibly, others trading as "TV Licensing". I believe their thuggish methods are designed to increase revenues for the BBC by intimidating those who have no legal requirement to purchase a television licence into purchasing one. I therefore wish to identify components of the agreements to which I referred previously that may motivate Capita etc to behave as they do, so that I may raise this issue at an appropriate political level. I therefore require to understand the mechanism(s) whereby the BBC remunerates Capita.

... I can not understand that there can be so many agreements with this company in a three year period that copying and despatching those agreements would take 2.5 days, or anything like. I therefore suggest that, in the first instance at least, you copy to me your agreements with Capita.

I note this request is being made in response to your previous request (ref RFI20080495) for details of all current agreements, contracts and arrangements between the BBC and Capita Business Services Limited or any and all other organisations, companies or contractors contracted by the BBC and using the generic trading name "TV Licensing". I refused this request under section 12 (fees regulations), as to respond would have taken more than 2.5 days.

I appreciate your latest attempt to narrow your request in line with my previous advice on this subject. However, I am afraid your new request is still worded in such a way that we are still unable to respond, since to do so would still exceed the appropriate limit. This is because each of our agreements with Capita would need to be examined clause-by-clause and redacted where they contain any information which may also be subject to other exemptions under the Act (for example,



INVESTOR IN PEOPLE

information which may prejudice the commercial interests of any person if released). It is the BBC's view that this activity would take more than 2.5 days and hence would exceed the appropriate limit. To demonstrate this, I can tell you that the main contract with Capita alone (which is itself only one of the agreements in question) is 141 pages long.

I should, however, emphasise that I do not agree that TV Licensing use threatening or aggressive behaviour in their activities.

They make enquiries to addresses where there is no record of a TV Licence to ask about the situation and their initial enquiries are simply information-seeking. When they are made aware of the position, they can amend their records accordingly and thereby minimise contact.

The difficulty arises when they do not receive responses to their communications, because they cannot know the situation at an address. We owe it to all licence-payers to ensure that all addresses where television is used are appropriately licensed. For this reason subsequent enquiries do become progressively stronger in tone to deter possible evaders. However, these communications do make it clear that these messages are aimed at those who would avoid their licensing responsibility, and provide advice on contact for non-television users and those who need or already hold a licence.

Advice and assistance on narrowing your request

If you would care to narrow your request so that we might be able to deal with it within two and a half days, we would be happy to revisit this response. To assist you in this task, I have again listed below a suggestion for how the request can be made more specific so that we might be able to collate the requested information within the time limit.

Within two and a half days, we can collate:

- the information requested regarding one particular aspect of one agreement, contract or arrangement. For example, we could provide you with the terms and nature of the agreement with Capita regarding the provision of TV Licensing call-centres.

I appreciate this is not the response you were seeking. However, I feel this is the most realistic advice for providing this information.

If you would like us to proceed on this basis please contact us again. However, please note that as well as being exempt from disclosure under section 12, the information you seek may also be subject to other exemptions under the Act. For example, some of the information contained in documents relating to specific contracts (particularly relating to pricing schedules) may be exempt under section 43 of the Act, as its release may prejudice the commercial interests of any person (including the public authority holding it).

Appeal rights

If you are not satisfied with this response you have the right to an internal review by a BBC senior manager or legal adviser. Please contact us at the address provided, 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, telephone 01625 545 700 or see <http://www.ico.gov.uk/>

I hope this response is helpful.

Yours sincerely,

Natalie Saunderson
Policy Adviser
BBC TV Licensing Management Team