

Mr A Wilmore
request-857357-1cb9fa18@whatdotheyknow.com

24 May 2022

Dear Mr A Wilmore,

Freedom of Information Request - RFI2022-0544

Thank you for your request to the BBC of 27 April 2022 seeking the following information under the Freedom of Information Act 2000 ('the Act'):

- *Please advise the total cost of Project Chameleon from implementation up to 1st March 2022.*

In accordance with section 1(1) of the Act, the BBC confirms that we do hold information regarding the cost of Project Chameleon. However we consider this information to be exempt from disclosure under section 43(2) of the Act as disclosure would be likely to prejudice the commercial interests of the BBC, and any external companies used, by undermining future commercial negotiations.

As section 43 is a qualified exemption, the BBC is required by section 2(2) of the Act to consider the public interest factors both for and against disclosing information in relation to this request. Specifically, we looked at whether in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

In favour of disclosure, we recognised that there is a public interest in the following:

- that there is transparency in the accountability of the BBC for public funds;
- that the BBC is using public money effectively, and that the BBC is getting value for money when purchasing goods and services;
- that the BBC's commercial activities (including the procurement process) are conducted in an open and honest way; and

On the other hand, in considering factors that might weigh in favour of the public interest in withholding, we took into account:

- That companies, or individuals provide the BBC with commercially sensitive information, so that the BBC is able to make robust decisions regarding its suppliers of goods and services, including ensuring that the BBC obtains the best value for money from each transaction;
- That the BBC maintains a strong bargaining position vis-à-vis suppliers during contractual negotiations in order to ensure that the licence fee is spent effectively;
- That the competitive position of companies in their particular market is not disadvantaged by doing business with the BBC. It would not be in the public interest

to disclose sensitive information about a particular company if that information would be likely to be used by competitors to gain a competitive advantage.

We are therefore satisfied, in terms of section 2 of the Act, that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

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. A request for an internal review must be made within 40 working days of receiving the BBC's response to your original request.

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