

Freedom of Information Internal Review decision

Internal Reviewer	Simon Pickard, Senior Compliance Manager
Reference	IR2012022 (RFI20120435)
Date	6 August 2012

Requested information

The requester wrote to the BBC on 15 April 2012 requesting the following information;

'Please can you place the CD of your response to this request (RFI20110206) on-line – on your own host services, or if this is not possible mail me a copy please?'

Issues on review

The BBC responded to the requester on 16 May 2012 stating that under section 11 of the Freedom of Information Act, the BBC was not required to provide a CD-ROM, but were required to communicate the information by provision of a copy in permanent form, by any means which are reasonable in the circumstances. The BBC was of the opinion that as the requester had been able to submit their original request by email, that it was reasonable to provide them with the information requested using the same method.

As part of the original response, the BBC advised the requester that the original documents exceeded the technological limit that could be sent via the BBC email system, and that they requested documents would follow immediately in a separate email.

The requester responded later in the day of 16 May stating that no further emails had been received and that the BBC could upload the documents at the following site; http://www.whatdotheyknow.com/help/officers#large_file .

On the 14 June 2012, the requester wrote to the BBC to ask for an internal review into the handling of the request as they had still to receive the information requested on 16 May 2012, and furthermore had not received any acknowledgement to previous follow-ups and chasers.

On the 26 June 2012, the BBC wrote to the requester stating that they had now had the original documentation saved onto a CD-rom which was ready to be posted to the requesters address. At the same point, the BBC acknowledged receipt of the request for an internal review into the handling of the request.



Finally, the requester wrote to the BBC on 30th June 2012 to confirm that the CD-rom had successfully arrived through the post.

Decision

The remit of this internal review is to look into the handling of the original request and to consider whether it had been undertaken in accordance with the Freedom of Information Act ("the Act"). The requester is not seeking any review regarding the information that was provided in disclosure for this request.

The Act stipulates that requests should be completed no later than in 20 working days unless they are legitimately extended to consider the Public Interest test.

It is clear that from the date of the original request (15 April 2012) to the final date that it would appear that the BBC responded (somewhere between 26 June and 30 June 2012), that the BBC exceeded the time limits set out in the Act. There was no public interest test to consider that would have justified any extension to the timeframe in handling this request.

The BBC have not only failed to comply with the terms of the Act with the handling of this request but have also failed to keep the requester updated with the progress of their request or explained why it has taken so long to finally provide them with the information they had requested. I can see no reason for this request to have taken so long to complete.

Finally, the requester asked for an internal review on 14 June, had to then chase for an acknowledgement on the 20 June and finally received a response from the BBC regarding the internal review on 26 June.

Whilst I am pleased to note that the requester finally received the information that they had originally asked for, and was kind enough to confirm receipt, I am disappointed with the BBC's handling of this request and have forwarded my review to the Head of Information Policy & Compliance.

Appeal Rights

If you are not satisfied with the outcome of your 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 www.ico.gov.uk

Simon Pickard
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