



Information Rights

[bbc.co.uk/foi](http://bbc.co.uk/foi)    [bbc.co.uk/privacy](http://bbc.co.uk/privacy)

Mr A Willmore

[request-723812-099fbb34@whatdotheyknow.com](mailto:request-723812-099fbb34@whatdotheyknow.com)

3 March 2021

Dear Mr Willmore,

### **Freedom of Information request – RFI20210221**

Thank you for your request to the BBC of 3 February 2021 seeking the following information under the Freedom of Information Act 2000 ('the Act'):

***“1) The provider of the proximity devices to the BBC.”***

The provider of these devices is Tended.

***“2) The number of devices delivered to the BBC.”***

The BBC has purchased 2250 devices for use across BBC sites where staff need to enter buildings as their roles are service critical.

***“3) Whether they are rented/leased or owned outright by the BBC.***

***4) If leased or rented, the average monthly cost for their lease or rent. If purchased outright, the total cost of the purchase.***

***5) The monthly operating cost for each tag.”***

These devices have been purchased outright by the BBC. We consider further cost information to be exempt from disclosure under section 43(2) of the Act as disclosure would be likely to prejudice the commercial interests of both the BBC and the third party.

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.

Factors in favour of disclosing this information:

- 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

Factors for withholding disclosure of this information:

- damage the BBC's (and/or a third party's) business reputation or the confidence that customers, suppliers or investors may have in it
- prejudice the negotiating position of the BBC (and/or a third party) in ongoing contractual negotiations
- weaken the BBC's bargaining position with suppliers of goods and services (which may in turn weaken a third party supplier's bargaining position with other customers)
- have a detrimental impact on the commercial revenue of the BBC or a third party
- weaken the competitive position of the BBC or a third party in their particular market by disclosing sensitive information which would be likely to be used by competitors to gain a competitive advantage
- harm the ability of the BBC or a third party to obtain goods and services in the future

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.

If you plan to publish or broadcast a story using the information provided in this response please include the following statement from the BBC.

A BBC spokesperson said:

“These devices help maintain social distancing so that staff who need come into a BBC building can stay safe as they keep our services running through this pandemic.”

## **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

BBC Freedom of Information  
BC2 A4, Broadcast Centre  
201 Wood Lane  
London W12 7TP

