



Information Rights

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

Mr I Hillas

[request-696136-5d7375e0@whatdotheyknow.com](mailto:request-696136-5d7375e0@whatdotheyknow.com)

29 October 2020

Dear Mr Hillas

**Request for Information – RFI20201548**

I write further to your letter to the BBC received on 29<sup>th</sup> September 2020 containing a request under the Freedom of Information Act 2000 ('the Act') seeking the following information.

*"Dear British Broadcasting Corporation,*

*The BBC has stated:*

*"TV Licensing™ also makes use of information supplied by Axciom, a leading technology and services company specialising in the provision of data. This commercially available information indicates whether an unlicensed address may be occupied and this may include names of individuals.*

*Additionally, TV Licensing™ also licenses data from third parties for the purposes of reconciling, enhancing or cleansing the information on the database. This process is managed by Proximity with data sourced from Experian, Equifax, GBGroup, and the ReAD Group.*

*GBG:*

*Provides landline telephone numbers, which are sourced from BT. TV Licensing™ uses this information to contact licence-holders on expiry of their TV licences.*

*Experian:*

*Operates a product called MOSAIC, which is used to segment customers (e.g. put them into targeted groups) on the TV Licensing database. It can be used to monitor customer behaviour at household and postcode level.*

*Equifax:*

*Provides an indication that the occupier of a No Licence Needed (NLN) property has moved in the previous 3 months. TV Licensing™ will then contact the present occupier of the NLN property to confirm its licensable status.*

*REaD Group:*

*Provides an indication that the occupier of a No Licence Needed (NLN) property has moved in the previous 3 months. TV Licensing™ will then contact the present occupier of the NLN property to confirm its licensable status. This company provides an indication that a property is occupied or unoccupied."*

*end of quotes.*

*As TV licensing authority in the UK, BBC has total responsibility in all matters concerning the administration and enforcement of the TV licence. This is a Freedom of Information request lodged under the Freedom of Information Act 2000 for full disclosure of and publication of:*

*BBC proposal documents proposing the sourcing of third party data sourced and used by TV Licensing™*

*BBC policy documents setting out in detail the implementation of the sourcing and exploitation of third party data used by TV Licensing™ "*

Please note that "TV Licensing" is a trade mark used by companies contracted by the BBC to administer the collection of television licence fees and enforcement of the television licensing system. The majority of the administration of TV Licensing is contracted to Capita Business Services Limited ('Capita'). Over-the-counter services are provided by PayPoint plc ('PayPoint') in the UK, and by the Post Office in the Isle of Man and Channel Islands. Target Group Limited ('Target') is the supplier for the Simple Payment Plan. Marketing and printing services are contracted to Proximity London Limited. Media services are contracted to Havas Media Limited. The BBC is a public authority in respect of its television licensing functions and retains overall responsibility.

As you are aware, the Act gives a general right of access to all types of recorded information held by public authorities; and that we are not required to create new information to respond to a request, or give a judgement or opinion that is not already recorded. I shall address each part of your request in turn below.

## **Part I**

In line with its statutory duty to ensure that every address where television receiving equipment is installed or used to watch or record television programmes as they are being shown on TV is properly licensed; TV Licensing needs to contact all addresses in the UK; whether it is to communicate with existing customers or to write to addresses where there is no record of a Licence or the current licensing requirements (if any) are unknown. The primary source of our

information is the TV Licensing database, which is continually updated to ensure it is as accurate as possible at any point in time. TV Licensing also licenses data from third parties for the purposes of reconciling, enhancing or cleansing the information on the database. This process is managed by Proximity with data sourced from a range of third party data suppliers.

I have interpreted this part of your request as relating to the current contractual provisions between Proximity and the third party data suppliers cited in your request. Please be advised that whereas the data provided is utilised by the BBC in respect of its TV Licensing activities, the arrangements governing the sourcing and supply of this data are exclusively between Proximity and the suppliers. There is no direct contractual relationship between the BBC and these third party suppliers and whilst the contractual documentation is held by Proximity, it is not held on behalf of the BBC.

The Act gives rights of public access to information held by public authorities (as defined in section 3 of the Act). Section 3(2)(a) of the Act says that, for the purposes of the Act, information is held by a public authority if it is held by the public authority themselves or if it is held by another person on behalf of the authority. Proximity is not a public authority as defined by the Act therefore information it holds but which is not held on behalf of the BBC is not subject to the Act. Please be advised that if these contracts were entered into directly by the BBC, we consider that the provisions of the section 43 exemption (Commercial interests) will be applicable to any disclosure thereof.

Under our duty to advise and assist you, I can tell you that all MOSAIC licensees (including Proximity) are required to comply with Experian's stipulated contractual terms and conditions of use. These are publicly available on the Experian website.

## **Part 2**

The data provided by these third party suppliers is utilised in accordance with TV Licensing's Privacy Policy to determine address occupancy for the purpose of contacting addresses. This policy is available on the TV Licensing website at <https://www.tvlicensing.co.uk/privacy-security-policies>. Please note that this data is collected specifically for the legitimate purpose of operating the TV Licensing system and is retained for the period of time necessary to fulfil this purpose.

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

Rupinder Panesar

**Freedom of Information Advisor, TV Licensing Management Team**

