



Information Policy & Compliance  
[bbc.co.uk/foi](http://bbc.co.uk/foi)

Peter Jones

Via email: [request-97907-e68a881f@whatdotheyknow.com](mailto:request-97907-e68a881f@whatdotheyknow.com)

25 January 2012

Dear Mr Jones,

**Request for Information – RF120111589**

Thank you for your request of 24<sup>th</sup> December 2011 under the Freedom of Information Act 2000 ('the Act') seeking the following information:

*I am aware that TV Licensing, acting on behalf of the BBC as Licensing Authority, sends regular information/warning letters to unlicensed properties in an effort to "educate" the occupier about TV licensing requirements.*

*Please send me any BBC/TV Licensing produced documents relating to the structure, format, wording and approval process for these letters.*

*Who precisely has the final say on whether or not a letter is acceptable to distribute to unlicensed properties?*

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 Ltd (which undertakes the majority of the administration of the TV Licensing system), with the administration of our cash related payment schemes contracted to iQor UK Limited. PayPoint Network Ltd and PayPoint Collections Ltd are contracted to provide over-the-counter services. Marketing and printing services are contracted to Proximity London Ltd as are public relations and advertising services. The latter are subcontracted by Proximity to Fishburn Hedges Boys Williams Ltd, Abbott Mead Vickers BBDO Ltd and PHD Media Ltd. The BBC is a public authority in respect of its television licensing functions and retains overall responsibility.

To interpret your request in its widest sense, would encompass most of the information generated by the Sales and Marketing Team within the TV Licensing Management Team. I have not interpreted your request to be intended to be for this level of detail (and in any event to interpret your request this widely would

engage Section 12 of the Act<sup>1</sup>) therefore I am providing the documents which I consider to be relevant to your request.

Please find attached the following documents:

1. Disclosure document 1 – TV Licensing Message Guidelines
2. Disclosure document 2 – TV Licensing Brand Guidelines
3. Disclosure document 3 – BBC TV Licensing approvals matrix
4. Disclosure document 4 & 5 – TV Licensing letters approvals matrix

### **Disclosure document 1 - Message Guidelines**

The Message Guidelines are intended to provide guidance on style of language, key messages, tone etc. All newly commissioned advertising and direct response communication materials are required to align with the Message Guidelines.

### **Disclosure document 2 - Brand Guidelines**

The Brand Guidelines are intended provide guidance on look and feel, use of the TVL logo, colours etc. All newly commissioned advertising and direct response communication materials are required to follow the instructions in the brand guidelines.

### **Disclosure document 3 - BBC Letters approvals matrix**

The matrix shows down the left hand side each stage of the approvals process and who needs to approve at each stage.

### **Disclosure documents 4 & 5 - TV Licensing letters approvals workflows**

These documents contain a number of flowcharts identifying the TV Licensing approvals process at each stage of the campaign development process. These two documents are very similar and show the same stages of the process but reflect the slight differences in the processes followed dependent on the way the data for the campaign is selected.

In response to the question in the final part of your request I can confirm that the last BBC person to approve an individual letter prior to printing is a Marketing Manager or Campaign manager within the BBC

---

<sup>1</sup> Under section 12 of the Act, a public authority is allowed to refuse to handle the request if it would exceed what is referred to as the 'appropriate limit'. The appropriate limit has been set by the Regulations (SI 2004/3244) as being £450 (equivalent to two and a half days work, at an hourly rate of £25).

TV Licensing Sales and Marketing team. Accountability for the content of letters rests with Head of TV Licensing Sales and Marketing team, currently Peter Kirk.

In the case of two very small references within Disclosure documents 1 & 2 I am withholding information which I consider to be exempt under sections 31(1)(a), (b), (d) and (g) and (2)(a) of the Act which relate to law enforcement, specifically that disclosure would, or would be likely to, prejudice the prevention or detection of crime, the apprehension or prosecution of offenders, the collection of the licence fee and the BBC's ability to discharge its public functions in respect of such matters.

This is because the information would assist those attempting to evade payment of the licence fee by providing them with information which would allow them to play the system. This would make TV Licensing's enforcement activity more difficult and would increase the costs of collecting the licence fee. I am satisfied in terms of section 2(2) of the Act that in all the circumstances of the case, the public interest in maintaining the exemptions outweighs the public interest in disclosing the information. I have provided further explanation of my consideration of the public interest test in the section 'Why information has been withheld' below.

The two small redactions can be found as follows:

- On page 3 of Disclosure Document 1 –(the TVL Messaging Guidelines) - under the subheading 'Enforcement'
- Under section 3.4 (on page 35) of Disclosure document 2 (the TVL Brand Guidelines) - again under the subheading 'Enforcement'

### **Why information has been withheld**

I am required under section 2(2) of the Act to assess whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The following factors are in favour of disclosure:

1. Ensuring that the licensing authority is exercising its functions appropriately and proportionately
2. Ensuring that public funds are being appropriately applied, that is:
  - a. ensuring that the TV Licensing system is being efficiently run; and
  - b. ensuring that value for money is being obtained.

I consider that the above public interest factors in favour of disclosure are served by the following:

1. The BBC is required to satisfy the National Audit Office ('NAO') as to the value for money of the collection and enforcement arrangements and is accountable for the economy, efficiency and effectiveness of such arrangements. NAO's most recent audit is published on the NAO website at [www.nao.org.uk](http://www.nao.org.uk).

2. The BBC has reduced the cost of collection from 6.2% of the total licence fee collected in 1991/2, when it took over this responsibility from the Home Office, to 3.4% for the financial year 10/11. This demonstrates that the TV Licensing system is being efficiently run. This and further related information is available in the BBC's annual report (see [www.bbc.co.uk](http://www.bbc.co.uk)) and the *TV Licensing Annual Review* ([www.tvlicensing.co.uk/about/our-performance-AB6/](http://www.tvlicensing.co.uk/about/our-performance-AB6/)).

In addition, the following factors are in favour of withholding the information:

1. The BBC has a duty to enforce the television licensing system and it is essential that information is not made public that would assist those wanting to evade payment of the licence fee.
2. If information that would assist evaders was made public, evasion would invariably increase. This would be to the detriment of the honest majority of people who are properly licensed and to the overall amount of revenue available to the BBC.
3. An increase in the rate of licence fee evasion would lead to an increase in detection costs.
4. An increase in the costs of detecting licence fee evasion would lead to a decrease in the available funds to be put towards producing the BBC's content.

In this instance, the public interest is served by maintaining an effective deterrent to licence fee evasion and thus in turn protecting the BBC's revenue stream to produce its output.

There is hence a greater public interest in ensuring the effective collection of the licence fee than in disclosing the information you have sought. I am 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 (outlined above) in disclosing the information.

I trust this satisfies your request.

## **Appeal Rights**

If you are not satisfied that the BBC has 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 under the Act 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/>

Kind regards

Louise Wright  
Senior Policy Advisor, Licence Fee Unit

