

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 9 January 2019

Public Authority: The British Broadcasting Corporation ("the BBC")

Address: Room BC2 A4
Broadcast Centre
White City
Wood Lane
London
W12 7TP

Decision (including any steps ordered)

1. The complainant requested information from the British Broadcasting Corporation ("the BBC") concerning differences in salaries paid to senior managers in World Service Languages compared to those paid to senior managers elsewhere in BBC News.
2. The Commissioner's decision is that the BBC failed to respond to the request within 20 working days and therefore breached Section 10 of the Freedom of Information Act ("the FOIA").
3. As a response has been issued, the Commissioner does not require the BBC to take any further steps.

Request and response

4. On 30 October 2018, the complainant wrote to the BBC and requested information in the following terms:

"1: Any documents held by BBC HR related to the Senior Manager Review and the differences in salaries paid to Senior Managers in World Service Languages compared to those paid to Senior Managers elsewhere in BBC News.

2: Any documents held by BBC HR related to the Senior Manager Review and the differences in workload carried out by Senior Managers in World Service Languages compared to that carried out by Senior Managers elsewhere in BBC News."

5. The BBC provided a response on 21 December 2018.

Scope of the case

6. The complainant contacted the Commissioner on 2 December 2018 to complain about the way his request for information had been handled and he specifically requested a decision notice recording the late response provided by the BBC.
7. It is noted that the complainant made a second request for information on 25 November 2018, and the BBC aggregated the two requests for the purpose of costs under section 12 of the FOIA.
8. This decision notice concerns only the timeliness of the response to the request submitted to the BBC on 30 October 2018.

Reasons for decision

9. Section 1(1) of the FOIA states that:

Any person making a request for information to a public authority is entitled –

*(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
(b) if that is the case, to have that information communicated to him.*

10. Section 10(1) of the FOIA states that a public authority must respond to a request promptly and "not later than the twentieth working day following the date of receipt."
11. From the evidence provided to the Commissioner in this case, it is clear that in failing to issue a response to the request within 20 working days, the BBC breached Section 10(1) of the FOIA.

Right of appeal

12. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0300 1234504

Fax: 0870 739 5836

Email: GRC@hmcts.gsi.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

13. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
14. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Ben Tomes
Team Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF