

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 30 January 2017

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

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

Decision (including any steps ordered)

1. The complainant requested information concerning compensation for sex crime victims. The Commissioner's decision is that the BBC did not deal with the request in accordance with the FOIA. This is because the public authority provided its response outside the statutory 20 working days and it has therefore breached section 10(1) of the FOIA. As a response has now been provided during the course of the investigation, the Commissioner does not require any steps to be taken.

Request and response

2. On 20 November 2016, the complainant wrote to the BBC and requested the following information:

'Former BBC employees Jimmy Savile and Stuart Hall committed multiple sex crimes, many of them against children, on BBC premises.

In accordance with section 1 of the Act, please provide the following information held by the BBC to date:

1. *The number of alleged victims of Jimmy Savile that the BBC has paid compensation to.*
2. *The total amount of compensation paid to those alleged victims disclosed in response to point 1 above.*

- 3. The value of the largest compensation payment made to an alleged victim of Jimmy Savile.*
- 4. The number of alleged victims of Stuart Hall that the BBC has paid compensation to.*
- 5. The total amount of compensation paid to those alleged victims disclosed in response to point 4 above.*
- 6. The value of the largest compensation payment made to an alleged victim of Stuart Hall.'*

Scope of the case

3. On 7 January 2017 the complainant contacted the Commissioner to complain about the handling of the request.
4. The Commissioner considers the scope of this case to be to determine if the response to the request for information has been dealt with within the required timescales under section 10 of the FOIA.
5. The Commissioner contacted the BBC on 10 January 2017 and the BBC has now provided a response to the complainant.

Reasons for decision

6. Section 10(1) of FOIA states that on receipt of a request for information a public authority should respond to the applicant within 20 working days.
7. The BBC did not respond to the request within the statutory time limit. The Commissioner has therefore found that the BBC breached section 10(1) of FOIA.

Right of appeal

8. 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: <http://www.justice.gov.uk/tribunals/general-regulatory-chamber>

9. 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.
10. 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

Pamela Clements
Group Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF