

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 20 April 2021

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 from the BBC about taxi bookings which were made through the BBC's central booking system and their overall costs.
2. The Commissioner's decision is that the BBC has breached section 10(1) of the FOIA in that it failed to provide a valid response to the request within the statutory time frame of 20 working days.
3. The Commissioner requires the BBC to take the following steps to ensure compliance with the legislation.
 - Respond to the complainant's request in accordance with the FOIA
4. The BBC must take these steps within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the Act and may be dealt with as a contempt of court.

Request and response

5. On 11 December 2020, the complainant wrote to the BBC and requested information in the following terms:

"Under the Freedom of Information Act, please could you tell me how many taxi bookings were made through the BBC's central booking system and the overall cost broken down into the financial years 2019-20, 2018-19 and 2017-19.

Please can you break this data down further into the following (also by financial year):

- 1) The number of bookings cancelled and the overall cost*
- 2) The highest fare in each financial year and the locations the taxi went to and from for each*
- 3) The number of journeys from London to Salford Taxis between London and Salford (both ways) and the overall cost*

Added to this, please can you give me more information on two BBC employees' taxi journeys please:

4) Shirley Cameron took taxis on 24/06/19 costing £40.72 and £13.58. Please can you tell me the 'reason' for taking the taxi (left blank on the publicly available expenses sheet), the departure time of both trips, and the locations where the taxi went to and from (if sensitive information, please provide the area).

5) Peirs Wenger took a £13 taxi and gave a 50p tip on 23/04/19. Please can you provide the relevant documentation - e.g. the receipt - for this (please redact any sensitive information if necessary)."

6. To date, a substantive response has not been issued.

Scope of the case

7. The complainant contacted the Commissioner on 1 March 2021 to complain about the failure by the BBC to respond to his request.
8. The Commissioner has considered whether the BBC has complied with its obligations in relation to the time for compliance at section 10 (1) of the FOIA.

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. On 23 March 2021 the Commissioner wrote to the BBC, reminding it of its responsibilities and asking it to provide a substantive response to the complainant within 10 working days.

12. Despite this intervention the BBC has failed to respond to the complainant.

13. From the evidence provided to the Commissioner in this case, it is clear that the BBC did not deal with the request for information in accordance with the FOIA. The Commissioner finds that the BBC has breached section 10(1) by failing to respond to the request within 20 working days and it is now required to respond to the request in accordance with the FOIA.

Right of appeal

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

15. 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.
16. 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

Deirdre Collins
Senior Case Officer
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF