



Information Policy and Compliance

bbc.co.uk/foi

Richard Lamont

By email to Richard@lamont.me.uk

23 August 2007

Dear Richard,

Freedom of information request – RFI2007000709

Thank you for your request under the Freedom of Information Act 2000 (“the Act”) dated 15th August, seeking a copy of the report to Andy Baker about the network radio failure which happened on 5th August.

I attach a copy of the report and also a document which sets out the timeline of events. As you will see from the document control page, the document has been updated on 20th August, which was after the date of your request. Although we are required by the Act to provide only the information held on the date of the request, we are happy to volunteer the most recent version of the document. The changes made to this version are in section 5 and relate to some of the actions taken following the incident.

We have redacted some information under section 24 of the Act (national security). The reasons for withholding this information are the same as for your previous request, but I set them out for the sake of completeness.

We are applying this exemption to the detailed information which, if it was not withheld under this exemption, would enable others to attack or disable our networks (or those operated to provide services to us) and would possibly prevent us from delivering such services.

We recognise that there may be public interest in disclosing this information, given that the fault potentially affected a large number of listeners (as it affected all of the BBC’s national analogue radio networks) and that Radio 1 was off-air for a substantial period of time. It is in the public interest that the BBC is as open as possible to licence-fee payers about the reasons why its services were off-air and the measures in place to prevent this type of loss of service. It is with this in mind that we are releasing the most recent version of the document.



INVESTOR IN PEOPLE

Against the public interest in releasing this information are our obligations to provide information and services in times of emergency and crisis, which are set out in the Charter and Agreement. There is clearly public interest in being able to receive such services in such times.

Our judgement is that the detail otherwise released in response to your enquiry provides sufficient information to address any public interest in the incident and so there is no remaining interest in the information we have withheld under section 24.

I am 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 in disclosing the information.

Appeal rights

I note your comments about the information withheld under section 24 in our response to your previous request. We appreciate that there may be speculation and information (not necessarily correct) publicly available on the Internet about some of the subjects about which we receive Freedom of Information requests. However, this does not necessarily make it appropriate for the BBC to put that information into the public domain if we believe exemptions apply. We have considered carefully the use of exemptions, and as you may be aware information which is already publicly accessible, for example on the internet, is exempt under section 21 of the Act in any case.

If you are not satisfied with this response 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. 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/>

Yours sincerely,

Steve Gutteridge
BBC Distribution