

# **BBC Executive Fair Trading Bulletin**

## **July - September 2011 inclusive**

The complaints detailed below reflect investigation by the BBC Executive in line with the BBC's process for dealing with Fair Trading Complaints. Further details of this process can be found at:

[http://www.bbc.co.uk/info/policies/fairtrading\\_complaints/](http://www.bbc.co.uk/info/policies/fairtrading_complaints/)

Where complainants are dissatisfied with the BBC Executive's findings they have the right of appeal to the BBC Trust.

### **Summary of complaints**

This is a summary of complaints made against the BBC on Fair Trading grounds between July to September 2011 including complaints that have been made to the Office of Fair Trading (OFT), Ofcom and European Commission (Section A) and those made directly to the BBC (Section B).

Where relevant, updates are provided in relation to complaints reported in previous Fair Trading Bulletins. Where complaints have been rejected by external competition authorities, this will also be reported.

### **Section A - Complaints made to the Office of Fair Trading, Ofcom or the European Commission**

There are no complaints to report.

### **Section B - Fair Trading Complaints to the BBC**

The BBC received a complaint relating to a promotional video for an external company, available on YouTube, in which a member of BBC staff appeared.

The complainant alleged that the appearance of the BBC member of staff in the video amounted to endorsement by the BBC of the services provided by the external company.

The complaint is being investigated under the published Fair Trading Complaints & Appeals process.

The BBC received two separate complaints relating to a survey undertaken by BBC News into 3G mobile coverage in the UK. The survey required audiences with smartphones operating the Android operating system to download a smartphone application ("app") made available via a third party. EpiTiro shared data collected by the app with the BBC for the purposes of creating a coverage map and producing other news output.

The complainants allege that:

- The relationship between the BBC and EpiTiro was contrary to the Fair Trading Guidelines;
- That, via its participation in the project, the BBC endorsed the dataset which EpiTiro would have the exclusive ability to exploit; and
- That a “more equitable solution” would have been for the BBC to have published the underlying data in full on an open-source basis.

The complaints are being investigated under the published Fair Trading Complaints & Appeals process.