



Information Policy & Compliance  
[bbc.co.uk/foi](http://bbc.co.uk/foi)

27<sup>th</sup> July 2011

## Freedom of Information Request - RFI20110736

Thank you for your request under the Freedom of Information Act 2000 (the Act) received on 26 June 2011, seeking the following information:

- 1. The names and job titles of all staff who receive a car allowance, and the value of the allowance for each member of staff.*
- 2. The total amount awarded to staff via car allowance in each of the past three financial years.*

The unique reference for your request is RFI20110736 and I now respond as follows:

### Question 1

All staff in Senior Manager grades receive a car allowance on a monthly basis. This information is already in the public domain as the amounts are included in the total remuneration figures in the list of Senior Managers on the 'About the BBC' website (please refer to the hyperlinks provided on page 2 of this letter).

As with many major organisations, a car allowance is paid to senior members of staff as part of their overall remuneration package and we operate a policy of discounting senior salaries by up to 80% against the market rate. We are on course to cut our senior management salary bill by 25% by the end of the year, and we have set out our plans to reduce the salary bill still further in future.

The car allowances are included in the remuneration figures published online. As you may be aware, the BBC releases the exact salaries and remuneration of over 100 of its most senior staff, going further in our openness than central government or the Information Commissioner's (ICO) guidelines<sup>1</sup>. This information

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<sup>1</sup> [http://www.ico.gov.uk/upload/documents/library/freedom\\_of\\_information/practical\\_application/salaries\\_v1.pdf](http://www.ico.gov.uk/upload/documents/library/freedom_of_information/practical_application/salaries_v1.pdf)



is publicly available here and, since April 2011 includes the identity of senior staff sitting on the BBC's major operational boards and also any managers who earn over £150,000 per annum:

<http://www.bbc.co.uk/info/running/bbcstructure/index.shtml>

To further the openness on expenditure in this area the BBC published a list of all Senior Managers in each BBC Division with generic job titles in £5k bands. This information can be accessed here (at the bottom of each Division): <http://www.bbc.co.uk/aboutthebbc/running/bbcstructure/>

There are three levels of car allowance that senior managers are eligible for:

Executive Board members receive £12,900 per annum

SM1s receive £7,800 per annum

SM2s receive £4,800 per annum

These allowances have not been increased for at least 10 years.

The BBC's Director-General, does not receive a car allowance. However the Director-General is entitled to a car and driver under earlier arrangements. The Director-General has no entitlement to a personal car allowance or fuel allowance.

As a result of historical contractual arrangements, a very small number of non-SM staff are also in receipt of the car allowance at the lower rate.

We will not be disclosing the names and specific job titles of SM staff below the "top 100" and the non-SM staff. We believe the privacy rights of the individuals have to be weighed against the public interest in knowing how public money is being expended. Staff below the most senior management level have a reasonable expectation that details of their remuneration will not be made public and therefore to disclose those details would be unfair in the context of the Data Protection Act 1998. Thus the information is exempt from disclosure by virtue of section 40(2) of the Act.

Additionally, the BBC has not included in this response those individuals engaged by the BBC as "talent". This is also in line with a recent decision notice of the ICO<sup>2</sup> where the Commissioner decided that, unlike senior BBC employees, the roles undertaken by "talent" did not relate to the performance of a public function involving the spending of public money and/or the taking of influential policy decisions. Consequently, individuals in those cases had a reasonable expectation that their personal data would not be disclosed and it would be unfair and a breach of section 40(2) of the Act to do so.

## **Question 2**

In response to part 2 of your request, please find below the total paid in car allowances to BBC staff over the last 3 financial years. Please note, the figure include payments to staff who have since left the BBC.

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<sup>2</sup> ICO reference FS50085710

<b>Financial Year</b>	<b>Total Paid in Car Allowance (£)</b>
2008/2009	3,381,439
2009/2010	3,470,119
2010/2011	3,279,866

As our subsidiaries (BBC Studios & Post Production Ltd, UKTV, BBC World News Ltd, BBC Worldwide Ltd) World Service Trust and BBC Children in Need are not subject to the Act – under section 6(1) (b)(ii) – the information for their personnel is not included in the figures quoted above.

I hope this response satisfies your request.

### **Appeal Rights**

If you are not satisfied with this response, you have the right to an internal review by a BBC senior manager. Please contact us at the following address: BBC Freedom of Information, Room 2252, White City, 201 Wood Lane, London W12 7TS, 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, whose contact details are:

Information Commissioner's Office,  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire  
SK9 5AF

Telephone: 01625 545 700

Website: <http://www.ico.gov.uk/>

Yours sincerely

Rachel Currie  
BBC People

## **Freedom of Information**

From January 2005 the Freedom of Information (FOI) Act 2000 gives a general right of access to all types of recorded information held by public authorities. The Act also sets out exemptions from that right and places a number of obligations on public authorities. The term “public authority” is defined in the Act; it includes all public bodies and government departments in the UK. The BBC, Channel 4 and S4C are the only broadcasters covered by the Act.

## **Application to the BBC**

The BBC has a long tradition of making information available and accessible. It seeks to be open and accountable and already provides the public with a great deal of information about its activities. BBC Information operates 24 hours a day, seven days a week handling telephone and written comments and queries, and the BBC’s website [bbc.co.uk](http://bbc.co.uk) provides an extensive online information resource.

It is important to bear this in mind when considering the Freedom of Information Act and how it applies to the BBC. The Act does not apply to the BBC in the way it does to most public authorities in one significant respect. It recognises the different position of the BBC (as well as Channel 4 and S4C) by saying that it covers information “held for purposes other than those of journalism, art or literature”. This means the Act does not apply to information held for the purposes of creating the BBC’s output (TV, radio, online etc), or information that supports and is closely associated with these creative activities.

A great deal of information within this category is currently available from the BBC and will continue to be so. If this is the type of information you are looking for, you can check whether it is available on the BBC’s website [bbc.co.uk](http://bbc.co.uk) or contact BBC Information.

The Act does apply to all of the other information we hold about the management and running of the BBC.

## **The BBC**

The BBC's aim is to enrich people's lives with great programmes and services that inform, educate and entertain. It broadcasts radio and television programmes on analogue and digital services in the UK. It delivers interactive services across the web, television and mobile devices. The BBC's online service is Europe's most widely visited content site. Around the world, international multimedia broadcaster BBC World Service delivers a wide range of language and regional services on radio, TV, online and via wireless handheld devices, together with BBC World News, the commercially-funded international news and information television channel.

The BBC's remit as a public service broadcaster is defined in the BBC Charter and Agreement. It is the responsibility of the BBC Trust (the sovereign body within the BBC) to ensure that the organisation delivers against this remit by setting key objectives, approving strategy and policy, and monitoring and assessing performance. The Trustees also safeguard the BBC's independence and ensure the Corporation is accountable to its audiences and to Parliament.

Day-to-day operations are run by the Director-General and his senior management team, the Executive Board. All BBC output in the UK is funded by an annual Licence Fee. This is determined and regularly reviewed by Parliament. Each year, the BBC publishes an Annual Report & Accounts, and reports to Parliament on how it has delivered against its public service remit.