

Reference: 517120

Jerin John  
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### **Freedom of Information: Right to know request**

Thank you for your request for information where you asked about Ofcom's review of Public Service Broadcasters (PSB).

This was received by Ofcom on 6 February and it has been considered under the Freedom of Information Act 2000.

You referred to section 264(1) - (3), (6) and (13) of the Communications Act 2003 and then you asked:

*Would you please inform me of the information taken into account in, the considerations comprised in and the outcome of each of the reviews Ofcom has conducted under section 264 insofar as they related to the BBC and dealt with the matters referred to in the subsections or parts of subsections quoted above?*

*Would you in addition please tell me whether these reviews took account of the Public Sector Equality Duty of the BBC under section 149 of the Equality Act 2010?*

Ofcom has carried out three reviews of PSB under section 264 of the Communications Act 2003. All of these reviews are available on our website, where you can find our consultations, supporting data and consultancy reports, and final statements. You can find these documents here: <https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/public-service-broadcasting>. The information taken into account in, the considerations comprised in and the outcome of these reviews is contained in the documentation available via this link.

In the same location you will also find our annual reports on PSB. These provide part of the evidence base for our PSB Reviews, and include a range of information on the amount of programming made by PSBs, their spend on programmes, and audience satisfaction with the system.

In relation to your question regarding whether these reviews took account of the BBC's Public Sector Equality Duty under section 149 of the Equality Act 2010, the response is no. Section 264 of the Communications Act 2003 does not contain a provision requiring us to do so.

If you have any queries, then please contact [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk). Please remember to quote the reference number above in any future communications.

Yours sincerely,

## Jerin John

If you are unhappy with the response or level of service you have received in relation to your request from Ofcom, you may ask for an internal review. If you ask us for an internal review of our decision, it will be treated as a formal complaint and will be subject to an independent review within Ofcom. We will acknowledge the complaint and inform you of the date by which you might expect to be told the outcome.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

### Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for undertaking internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact:

Steve Gettings  
The Secretary to the Corporation  
Ofcom  
Riverside House  
2a Southwark Bridge Road  
London SE1 9HA

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

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