

General Counsel



Freedom of Information Requests

Guidance for applicants



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Document history

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1. Introduction to Nest and the Freedom of Information Act

Nest Corporation is subject to the Freedom of Information Act 2000 (FOIA), in its capacity as a public body, by virtue of its listing in Schedule 1 of that Act. The Act gives any person of any nationality, anywhere in the world, the right of access to official information held by public authorities. This right is subject to certain exemptions.

The Act also provides you with the right to be told whether the information you want exists or not, but this right is also subject to certain exemptions.

We place an emphasis on transparency in our brand values and aim to reflect this through the rest of the organisation, including in responding to Freedom of Information requests.

The Act also applies to Nest Invest Ltd. ('Nest Invest') which, as a wholly owned subsidiary of the Corporation, is also subject to the FOIA by virtue of section 3(1)(b). Hereafter, references to Nest Corporation include Nest Invest.

2. What information is covered by the Act?

Information held by Nest Corporation as a 'public authority', in its role as a Public Corporation. Information held by Nest Invest for its own purposes (and not on behalf of someone else).

3. What information is not covered by the Act?

Information held by Nest Corporation as the trustee of the Scheme, relating to the Scheme and Nest Corporation's trustee activities.

4. How do I make a request for information under the Freedom of Information Act?

Your request for information must:

- be in writing
- be in permanent form, including e-mail
- give your name for reply
- give an address for correspondence – an e-mail address is acceptable
- describe the information requested as far as you possibly can.

Please note that if you are unable to provide your application in writing because of extenuating circumstances appropriate arrangements will be made for you to lodge your information request.

Please send your request to:

secretariat@nestcorporation.org.uk

or

Freedom of Information requests, Secretariat Nest Corporation/Nest Invest, 10 South Colonnade, London, E14 4PU

5. How long will I need to wait for a reply?

A reply should be sent to you within 20 working days of Nest Corporation or Nest Invest receiving your request. If your request is complicated, we may need longer than 20 working days, but if this is the case, we will let you know within the original 20-day period and will keep you informed of the progress of your request.

6. What should I include in my request?

We will be able to deal with your request most efficiently if we have a clear understanding of what you want. Please be as specific as possible. The Information Commissioner has produced some helpful guidance about [making requests](#).

We may need to contact you to clarify your request before we are able to answer it. We will do this by telephone, e-mail or letter depending on the contact details you supplied when you sent your request.

In most cases if we do need to contact you to clarify your request, the 20 working day deadline to respond to your request will only start when we are clear about what you require.

7. In what format will a response be given?

Requests can be met in a variety of ways such as providing a copy of the original document either electronically or in hard copy, providing a summary of the information or by arranging for you to visit Nest Corporation to read the documents.

Where possible, the information will be provided in the format that you request.

8. Can you refuse to give me the information I ask for?

Yes, if you ask for information held by Nest Corporation in its capacity as trustee of the Nest Scheme. If the information is held by Nest Corporation as a public body, we may still refuse if certain exemptions apply, which are set out below. These exemptions also apply to Nest Invest.

8.1 Exemptions

The Act contains several exemptions to the right of access to information. The exemptions allow some information to be withheld.

Most exemptions must be considered in two stages:

1. Does the exemption apply to part or all the information requested?
2. If the exemption does apply, is the public interest better served by withholding the information than by releasing it?

However, some information is covered by what is known as an 'absolute' exemption. In these cases, it is not necessary to consider whether there is a public interest in disclosure.

Further information on the exemptions can be found on the [Information Commissioner's website](#).

9. Will it cost me money to make a request?

Nest Corporation/Nest Invest policy is to release information without charging a fee when possible. However, if it will cost us more than £450 to find the information and prepare it for release, we can turn down your request, or ask you to narrow it down so that it does not exceed the £450 limit. If we decide to charge you, we will advise you fully before we continue with your request.

We will calculate any charges in line with the [Freedom of Information Fees Regulations](#).

10. What if you do not hold the information I am requesting?

If we do not hold the information you asked for but believe that another public authority does, we will give you the details on how you can contact it to request the information.

11. How can I complain if you have not provided the information I requested?

If you are not happy with the outcome of your request you can ask us to reconsider your request, how it was handled and our decision.

We hope we can resolve most complaints on an informal basis. As such, we ask you first to contact the person at Nest Corporation/Nest Invest who originally handled your enquiry.

They will try to address your complaint informally and must respond to your complaint within 20 working days.

12. What if I am dissatisfied with the outcome of my complaint, or I don't receive a response within 20 working-days?

You are entitled to make a formal complaint and to have the case reviewed.

12.1 Internal review

If you are dissatisfied with the outcome of an informal complaint, you may request an internal review. You should do this within two months of receiving our original response to your request.

You should make the request in writing, including by e-mail, either to the person who responded to your request or by writing to:

secretariat@nestcorporation.org.uk

or

Secretariat, Nest Corporation/Nest Invest, 10 South Colonnade, London, E14 4PU

Your complaint will be acknowledged within five working days.

A senior member of Nest Corporation or Nest Invest staff who was not part of the original decision-making process will then undertake an internal review. They will look at all aspects of your request again and inform you of their new decision. This decision may support the original, may overturn it or may provide you with new information. A reply should be sent to you within 20 working days, although we may need to take longer if certain exemptions from disclosure apply. If we need more time to carry out the review, we will contact you and give you an estimate of when you will receive a response. Where we find that our procedures have not been followed correctly, we will let you know what steps we are taking to make sure that similar errors do not happen again.

12.2 Review by the Information Commissioner

Following our internal review if you are still not satisfied, or if we have not been able to resolve your complaint, you can contact the Information Commissioner to ask it to investigate the issue.

The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
Telephone: 01625 544700
Fax: 01625 524510

Email: mail@ico.gsi.gov.uk

Website: www.informationcommissioner.gov.uk