



National Audit Office

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watchdog

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Reference FOI-1599
Date 27 April 2023

THE DEPARTMENT OF ENERGY AND NET ZERO.

Thank you for your request of 30 March 2023 in relation to 'Financial Services Compensation Scheme Limited'. Your request is being handled under the terms of the Freedom of Information Act 2000 (FOIA).

Your specific request states:

"I am writing to make a request under the Freedom of Information Act 2000, with regards to the contact information for the appropriate Information Security contacts within The Department of Energy and Net Zero. As a leading information security consultancy, Advent IM has a vested interest in maintaining up-to-date knowledge of the relevant individuals within the UK government. This information will assist us in ensuring that we are able to liaise effectively with the correct parties in the event of any pertinent security matters arising. To this end, I would like to request the following information:

- The name(s) and contact details (phone number, email address) of the individual(s) responsible for Information Security within The Department of Energy and Net Zero.*
- Any relevant information regarding the responsibilities of these individuals in relation to Information Security."*

We can confirm that we hold information in scope of your request, but we consider it to be exempt from disclosure under Section 40 (Personal information) of the FOIA. **Annex A** explains the exemption and how it applies to your request and our consideration of the Public Interest Test in relation to s.40. **Annex B** sets out the steps you can take if you are not satisfied with the way we have handled your request.

Additionally, it might be helpful to contact the Department of Energy and Net Zero directly for the information you require, or consider the information available online at [Department for Energy Security and Net Zero - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/organisations/department-of-energy-security-and-net-zero) and [About us - Department for Energy Security and Net Zero - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/organisations/department-of-energy-security-and-net-zero/about)

I hope this information is helpful.

Yours sincerely,

NAO FOI Team

157-197 Buckingham Palace Road, Victoria, London SW1W 9SP
020 7798 7000 www.nao.org.uk



Cert No. 8835

ISO 14001

Annex A

This annex sets out the exemptions that we have applied to your request.

Section 40, Freedom of Information Act 2000 – Personal information

Section 40, paragraphs 1-4, of the Freedom of Information Act 2000 (FOIA) provides that:

(1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.

(2) Any information to which a request for information relates is also exempt information if—

(a) it constitutes personal data which does not fall within subsection (1), and

(b) the first, second or third condition below is satisfied.

(3A) The first condition is that the disclosure of the information to a member of the public otherwise than under this Act—

(a) would contravene any of the data protection principles, or

(b) would do so if the exemptions in section 24(1) of the Data Protection Act 2018 (manual unstructured data held by public authorities) were disregarded.

(3B) The second condition is that the disclosure of the information to a member of the public otherwise than under this Act would contravene Article 21 of the GDPR (general processing: right to object to processing).

(4A) The third condition is that—

(a) on a request under Article 15(1) of the GDPR (general processing: right of access by the data subject) for access to personal data, the information would be withheld in reliance on provision made by or under section 15, 16 or 26 of, or Schedule 2, 3 or 4 to, the Data Protection Act 2018, or

(b) on a request under section 45(1)(b) of that Act (law enforcement processing: right of access by the data subject), the information would be withheld in reliance on subsection (4) of that section.

Reasons why we have applied this exemption

We are not obliged, under Section 40(2) of the FOIA to provide personal information that is the personal information of another person if releasing it would contravene any of the provisions of the Data Protection Act 2018. In this instance we believe the release of the contact information you have requested would contravene the first data protection principle which is that the processing of personal data must be lawful, fair and transparent. Processing in this context includes disclosure and therefore we consider section 40(2) is engaged. In this instance we do not believe it would be fair to the named individual, to disclose their personal information. This exemption is absolute and is not subject to the public interest test.

Annex B

Statement of Policy

Our policy is to respond to requests made under the Freedom of Information Act 2000 as helpfully and promptly as possible, having regard to the principles set out in the Act. I therefore hope you are happy with the way we have handled your request. If you are not, then you should take the following steps.

In the first instance, within 40 working days, write to the National Audit Office Freedom of Information (FOI) Team at FOI.requests@nao.org.uk or by post to:

FOI Team, Green 2, National Audit Office, 157-197 Buckingham Palace Road, London, SW1W 9SP

The Head of FOI will arrange a review, which will be conducted by a senior member of staff who was not involved in decisions relating to your original request. Once the review has been completed, we will write informing you of the outcome.

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:

<https://ico.org.uk/> or Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF