

Lydia Buckley

From: [REDACTED]
Sent: Wednesday 15 May 2019 15:14
To: FOI
Subject: Fol request

To whom it may concern,

Under the Freedom of Information Act 2014, I would like to request the following:

The total number of complaints Hiqa has received about nursing homes in Ireland since January 1, 2018, and a copy of all of the complaints.

I would like to receive the correspondence by emails.

Yours sincerely,

[REDACTED]

Lydia Buckley

From: Sean Lynch
Sent: Monday 27 May 2019 18:59
To: [REDACTED]
Subject: RE: FoI request

Dear [REDACTED]

Thank you for your Freedom of Information request. There is a significant amount information in this request, I would appreciate if you could let me know if you would limit the request to a 12 month period, that is 15 May 2018 to 15 May 2019.

Kind regards,

Sean

From: [REDACTED]
Sent: 15 May 2019 15:14
To: FOI
Subject: FoI request

To whom it may concern,

Under the Freedom of Information Act 2014, I would like to request the following:

The total number of complaints Hiqa has received about nursing homes in Ireland since January 1, 2018, and a copy of all of the complaints.

I would like to receive the correspondence by emails.

Yours sincerely,

[REDACTED]

Lydia Buckley

From: [REDACTED]
Sent: Monday 27 May 2019 23:36
To: Sean Lynch
Subject: Re: Fol request

Yes, Sean. I am happy to limit it to that period.

[REDACTED]

From: Sean Lynch <slynch@hiqa.ie>
Sent: Monday 27 May 2019 18:58
To: [REDACTED]
Subject: RE: Fol request

Dear [REDACTED],

Thank you for your Freedom of Information request. There is a significant amount information in this request, I would appreciate if you could let me know if you would limit the request to a 12 month period, that is 15 May 2018 to 15 May 2019.

Kind regards,

Sean



Please consider the environment before printing this email.

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Ta an t-eolais san ríomhphost seo, agus in aon ceanglainleis, faoi phribhleid agus faoi run agus le h-agmaigh an seolai amháin. D'fhéadfadh abhar an seoladh seo bheith faoi phribhleid profisiúnta nó dlíthiúil. Mura tusa an seolai a bhí beartaithe leis an ríomhphost seo a fháil, tá cosc air, nó aon chuid de, a úsáid, a choipeal, nó a scaoileadh. Ma thainig se chugat de bharr dearmad, teigh i dteagmhail leis an seoltóir agus scríos an t-abhar ó do ríomhaire le do thoil.

Data Protection Alert - please ensure security around this information is in keeping with the data protection act and that the information is not used for any other purpose other than what is transmitted in this e-mail

From: [REDACTED]
Sent: 15 May 2019 15:14

To: FOI

Subject: FoI request

To whom it may concern,

Under the Freedom of Information Act 2014, I would like to request the following:

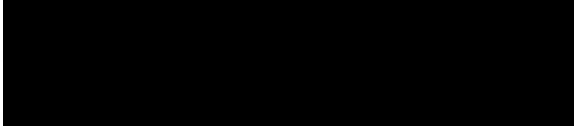
The total number of complaints Hiqa has received about nursing homes in Ireland since January 1, 2018, and a copy of all of the complaints.

I would like to receive the correspondence by emails.

Yours sincerely,



Private & Confidential



28 May 2019

Our Ref. FOIR 024 019

Re: – Acknowledgement of FOI request

Dear 

I refer to the following request which you have made under the Freedom of Information Act 2014 for records held by the Health Information and Quality Authority:

The total number of complaints Hiqa has received about nursing homes in Ireland for the period 15 May 2018 to 15 May 2019 and a copy of all of the complaints.

Your request was received by this, the Health Information and Quality Authority, on 15 May 2019, and was subsequently amended to the above request. I will be the Freedom of Information Administrator handling your request, if you have any queries in relation to your request you can contact me by telephone on 01 814 7486 or by email at foi@hiqa.ie.

A final decision on your request would normally be sent to you within 4 weeks. A week is defined in the Act to mean 5 consecutive weekdays, excluding Saturdays, Sundays and public holidays. This means that you can expect a decision letter to be issued from the Health Information and Quality Authority not later than 13 June 2019.

There are some limited situations under the FOI Act which could mean that the period for a final decision may be longer than the normal four weeks. If this occurs in the case of your request, I will promptly advise you in writing. Should our final decision not reach you on time, please feel free to call me to discuss any problems that may have arisen.

Head Office:
Unit 1301, City Gate, Mahon,
Cork, Ireland.
Tel: +353 (0) 21 240 9300
Fax: +353 (0) 21 240 9600

Dublin Regional Office:
George's Court, George's Lane,
Dublin 7, Ireland
Tel: +353 (0) 1 814 7400
Fax: +353 (0) 1 814 7499

If you have not heard from us once the allotted time has expired, you are automatically entitled to appeal to the Health Information and Quality Authority for a review of the matter. This review proceeds on the legal basis that the initial request is considered to be refused once the specified time for responding to it has expired. The review is a full and new examination of the matter carried out by another member of staff of the Health Information and Quality Authority.

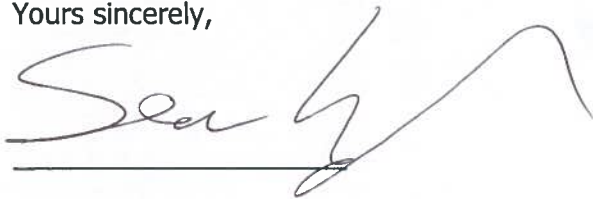
In the event that you need to make such an appeal, you can do so by writing to FOI Unit, Health Information and Quality Authority, Dublin Regional Office, Georges Court, George's Lane, Smithfield, Dublin 7, D07 E98Y or alternatively by sending an e-mail to foi@hiqa.ie.

You should state that you are appealing because an initial decision was not sent to you within the time permitted. In that event, you would normally have 4 weeks (after the initial decision should have been sent to you) in which to make the appeal. The Health Information and Quality Authority will, however, allow the appeal to be made late in appropriate circumstances. Please note that a fee of €30 applies for an appeal. Payment should be made by way of electronic transfer. Please contact the FOI Office for further details.

Publication

This Authority will publish a log of all non-personal Freedom of Information requests received in 2019 on its website.

Yours sincerely,



Sean Lynch
Freedom of Information Administrator

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Private & Confidential

[REDACTED]

12 June 2019

Our Ref. FOIR 024 019

Re: – Freedom of Information request – Decision to part grant

Dear [REDACTED]

I refer to the following request which you have made under the Freedom of Information Act 2014 for records held by the Health Information and Quality Authority:

The total number of complaints Hiqa has received about nursing homes in Ireland for the period 15 May 2018 to 15 May 2019 and a copy of all of the complaints.

Your request was received by this, the Health Information and Quality Authority, on 15 May 2019, and was subsequently amended to the above request. The Authority has made a final decision today 12 June 2019 to part grant your request. If you have any queries regarding this correspondence you can contact me by telephone at 01 814 7488.

HIQA received 557 complaints about nursing homes during the time period specified in your request.

The purpose of this letter is to explain that decision. This explanation has the following parts:

1. a schedule of all of the records covered by your request;
2. access arrangements
3. findings, particulars and reasons for decisions to deny access in parts
4. a statement of how you can appeal this decision should you wish to do so.

This letter addresses each of these parts in turn.

1. Schedule of records

A schedule is attached. It shows the documents that the Authority considers relevant to your request. It also gives you a summary and overview of the decision as a

Head Office:
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whole. The schedule describes each document, and indicates whether the document is released in full, released with deletions or not released. The schedule refers to the sections of the FOI Act which apply to prevent release.

2. Access arrangements

You have requested access to the records by email and I consider it an appropriate form of access in this case. The records described as released will now be made available to you in a redacted format attached to this email letter.

3. Findings, particulars and reasons for decisions to deny access in part

Reasons for decisions to deny access in part:

Section 35 – Information obtained in confidence

(1) Subject to this section, a head shall refuse to grant an FOI request if—
(a) the record concerned contains information given to an FOI body, in confidence and on the understanding that it would be treated by it as confidential (including such information as aforesaid that a person was required by law, or could have been required by the body pursuant to law, to give to the body) and, in the opinion of the head, its disclosure would be likely to prejudice the giving to the body of further similar information from the same person or other persons and it is of importance to the body that such further similar information as aforesaid should continue to be given to the body,

The decision maker contends that the records concerned contain information given to the Authority in confidence and on the understanding that it would be treated as such, its disclosure would be likely to prejudice the giving to the Authority of further similar information from the same person or other persons. It is of importance to the Authority that such further similar information as aforesaid should continue to be given.

There are no discernible or particular public interest grounds leaning in favour of a release in this specific case. The decision maker has decided to release a redacted version of the records in this request so that all possible identifiable information is removed.

Section 37 - Personal Information

In relation to all records identified in the schedule, each contains matters where access to the records would involve disclosure of personal / identifiable information

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within the meaning of Section 37 of the FOI Act. Where appropriate the Authority has sought to the largest extent possible to redact personal or identifiable information so as to part grant records identified.

Section 37(1) provides as follows:

Subject to this section, a head shall refuse to grant an FOI request if, in the opinion of the head, access to the record concerned would involve the disclosure of personal information (including personal information relating to a deceased individual).

Section 37(5) provides that a head may grant the request if the:

"public interest that the request should be granted outweighing the public interest that the right to privacy of the individual to whom the information relates should be upheld."

Grounds for Decision to Part Grant Request

The records contain the name(s) of individual(s) and or other personal identifiable data and for this reason the Authority is of the view that the exemption applies and the records will be redacted in order not to disclose the personal identifiable information of third parties.

Public Interest Consideration

The Authority accepts that Section 37(1) is subject to Section 37(5) which provides that access to a record may be granted in specified circumstances where the public interest would, on balance, be better served by granting than by refusing to grant the request.

4. Rights of appeal

You may appeal this decision. Please note that a fee applies for an appeal, with the exception of an appeal against the imposition of a €30 fee. In the event that you need to make such an appeal you can do so by writing to the Freedom of Information Unit, Health Information and Quality Authority, George's Court, George's Lane, Dublin 7 or by email to foi@hiqa.ie. Payment should be made by way of electronic transfer. Please contact the FOI Office for further details.

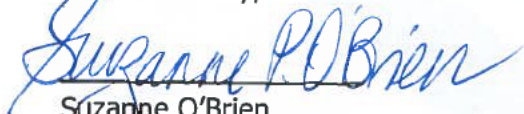
You should make an appeal within 4 weeks (20 working days), from the date of this notification. However, the making of a late appeal may be permitted in appropriate circumstances. The appeal will involve a complete consideration of the matter by a more senior member of the staff of the Authority.

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Please note this Authority will publish a log of all Freedom of Information Requests received in 2019 on its website.

Yours sincerely,


Suzanne O'Brien
Freedom of Information Officer

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Cork, Ireland.

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**HIQA - Freedom of Information
 Schedule of Records: Summary of Decision Making**

15 May 2019

FOI Received

FOI Request Reference **FOIR 024 019**

Decision due no later than

Decision Maker **Shane Grogan**

Rec. No	Brief description and date of record	File Ref	No. of pages	Third Party Involvement Y/N	Decision: Grant/Part Grant/Refuse	Basis of Refusal: Section of Act	Reason for Decision	Public Interest Considerations (for and against release)	Record Edited/ Identify Deletions
1	Copy of DCOP complaints received from 15.05.18-15.05.19	FOIR 024 019_DCOP	53	N	Part Grant	Section 35 and Section 37	Information received in confidence and Personal Information		Yes
2	Copy of DCOP Complaints received from staff and treated as protected disclosures	FOIR 024 019_DCOP complaints from staff	16	N	Refuse	Section 35 and Section 37	Information received in confidence and Personal Information	Complaints from staff treated as protected disclosures	Yes

**HIQA - Freedom of Information
Schedule of Records: Summary of Decision Making**



FOI Request Reference **FOIR 024 019**

FOI Received

15 May 2019

Decision Maker

Shane Grogan

Decision due no later than

Rec. No	Brief description and date of record	File Ref	No. of pages	Third Party Involvement Y/N	Decision: Grant/Part Grant/Refusa	Basis of Refusal: Section of Act	Reason for Decision	Public Interest Considerations (for and against release)	Record Edited/ Identity Deletions