

Private & Confidential



13 May 2020

Our Ref: FOIR 010 020


Re: –FOI internal review decision (original decision affirmed)

Dear 

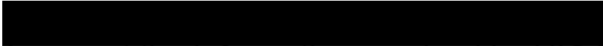
I refer to your application for an internal review in respect of your Freedom of Information (FOI) request, dated 28 April 2020. I note that the fee in respect of your internal review was received by the Health Information and Quality Authority (HIQA) on 29 April 2020.

Your FOI request was as follows:

In a letter to me from HIQA dated 24th February 2020 the following is stated

"Further to receipt of unsolicited information by the Health Information and Quality Authority regarding "

I have requested dates of receipt of this unsolicited information from HIQA but have been denied.

I therefore need any written information or recorded verbal information for 2019 and 2020 to date in relation to unsolicited information in respect of .

I request the information received by HIQA

I, Carol Grogan, have conducted the internal review in respect of your FOI request. This review of your request is an entirely new and separate decision. I confirm that I am a more

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senior member of staff of the Health Information and Quality Authority, than the original decision maker.

I have decided today, 13 May 2020, to affirm the original decision in relation to your FOI request. In arriving at this decision I have had regard to the original request, the records which were located as part of that request, and your application for an internal review.

This letter confirms this decision and notifies you of your right to seek a further review from the Office of the Information Commissioner, if you wish to do so.

If you have any queries in respect of this decision, please feel free to contact the FOI Administrator, Sean Lynch, at foi@hiqa.ie

1. Findings, particulars and reasons for decisions to deny access

Reasons for Decision

Information obtained in confidence

Section 35. (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 information was given to the Authority in confidence and on the understanding that the information would be treated as such. Its disclosure would likely prejudice the giving of similar information to the Authority by the same person or other persons. It is important that the such information should continue [REDACTED]

Public Interest Test

The public interest issues that favour of release of information includes the right of the public to have access to information related to them.

The public [REDACTED] records include preserving the confidentiality of people giving information to HIQA and the impact on obtaining information in future if confidentiality is not maintained.

Having balanced the above factors, I place greater weight on the public interest favouring the withholding of the records and, therefore, my decision is to refuse access to these records.

I have also considered whether it is possible to redact the records in order to allow it to be released while maintaining the confidentiality of the person or persons supplying information. However, this is not possible on this occasion.

2. Appeal rights

If you are not satisfied with this decision, you are entitled to seek a review from the Office of the Information Commissioner. An "application for review" should be made no later than 6 months from the date of this notification. There is a fee of €50 (or €15 for medical card holders) for a review.

For further details on how to make an application for review to the Office of the Information Commissioner, please see: <https://www.oic.ie/apply-for-a-review/how-to-apply-for-a-review/>

Yours sincerely,

Carol Grogan
Head of Programme (Regulatory Practice Development)

[Redacted]

[Redacted]

[Redacted]