

Private & Confidential

[REDACTED]

28 April 2020

Our Ref: FOIR 011 020

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

Dear [REDACTED],

I refer to your application for an internal review in respect of your Freedom of Information (FOI) request, dated 1 April 2020. I note that the fee in respect of your internal review was received by the Health Information and Quality Authority (HIQA) on 7 April 2020 and a formal acknowledgment was sent to you on that date.

Your FOI request was as follows:

"I am formally requesting the following information in electronic form by email under the FOI act.

It appears that HIQA hand hygiene inspections have changed over the years.

I remember earlier reports provided data on actual hand hygiene compliance as verified by HIQA inspectors.

More recent reports only seem to provide data on reported hand hygiene training compliance.

Can you provide all reports, data and communications on who, when, why and how this change in coverage was started, agreed and implemented?"

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

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I have decided today, 28 April 2020, to vary 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 explains 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 Liaison Officer, Lydia Buckley on [redacted] or via foi@hiqa.ie

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

The right of access under the FOI Act applies only to existing records. Where a request is made for a record which does not exist, or cannot be found after reasonable steps have been taken to locate the record, Section 15(1)(a) of the FOI Act provides that such a request may be refused.

Section 15(1)(a) states as follows:

"15. (1) A head to whom an FOI request is made may refuse to grant the request where—

(a) the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken"

I am of the view that Section 15(1)(a) applies in this instance as the records you have requested do not exist.

Reasons for Decision

Your request was for records which documented how and why a specific change was made in terms of HIQA's methodology for monitoring against the National Standards for the Prevention and Control of Healthcare Associated Infections.

This change in methodology was a move away from the direct observation of hand hygiene practices in hospital, based on a limited sampling of observed practices, during the inspection process. While direct observation of hand hygiene practices was included in the inspection methodology for inspections conducted in the period 2012 to 2015, together with references to compliance rates Health Protection Surveillance Centre (HSPC) audit reports, HIQA's inspection methodology has since evolved. This has been to enable HIQA to effectively target emerging issues such as the proliferation of multidrug resistant organisms.

In light of improving practices, processes, and systems to support improved hand hygiene practices in hospitals since 2014, and the establishment of a more comprehensive programme of hand hygiene auditing which was coordinated by the Health Protection Surveillance Centre (HSPC), the methodology changed from focusing on direct observation of hand hygiene practices to focusing on the implementation of hand hygiene policies by healthcare providers and training on hand hygiene practices.

I note that a number of documents were provided to you at original decision stage, including was the project plan for the Revision of the Prevention and Control of Healthcare Associated Infection Monitoring Programme (2016). This document sets out how a revision of the monitoring programme, including inspection methodology, took place.

The changes in respect of hand hygiene practices were considered and implemented as a part of this wider revision of the monitoring programme. As these changes took place as part of a wider review of healthcare monitoring practices, there is no record which specifically details the changes to this particular aspect of the inspection methodology took place. [REDACTED] are seeking does not exist.

A number of steps were taken in order to confirm that a record matching your request does not exist. These included:

- Contact being made with key people in the Healthcare Team in order to ascertain where relevant documents may be located.
- An electronic search for relevant documents in the project plan folder for the Revision of the Prevention and Control of Healthcare Associated Infection Monitoring Programme [REDACTED]
- A review of Healthcare Team minutes from 2014-2017.
- A review of selected documents relating to infection prevention control, including:
 - Overview of inspections in public acute hospitals against the National Standards for the Prevention and Control of Healthcare Associated Infections
 - Overview of HIQA unannounced infection prevention and control inspections in 2015.

Accordingly, your request must be refused on the basis that the record you seek does not exist, after all reasonable steps have been taken to ascertain its whereabouts, in accordance with Section 15(1)(a).

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/>

If you have any queries in respect of this decision, please feel free to contact the FOI Liaison Officer, Lydia Buckley on [REDACTED] or via foi@higa.ie

Yours sincerely,

Sean Egan
Head of Healthcare Regulation