

**Private & Confidential**



4 January 2023

**Our Ref. FOIR 111 022**

**Re: – FOI Decision (refuse)**

Dear ,

I refer your recent request under the Freedom of Information Act (FOI Act) 2014. Your request was received on 5 December 2022.

Copies of all Review, Inspection, Monitoring Reports of the Standards for the Assessment of Need and how the Standards are delivered in practice. (Disability Act 2005, EPSEN Act 2004).

I have now made a final decision to refuse your request on the basis that the records sought do not exist. This decision was made today, 4 January 2023

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

1. An explanation of the relevant findings concerning the records to which access is denied, and
2. A statement of how you can appeal this decision should you wish to do so.

This letter addresses each of these two parts in turn.

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

#### **(a) Section 15(1)(a) – Refusal on administrative grounds to grant FOI requests**

Section 15(1)(a) of the FOI Act states:

**Head Office:**  
Unit 1301, City Gate, Mahon,  
Cork, Ireland.  
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**Dublin Regional Office:**  
George's Court, George's Lane,  
Dublin 7, Ireland  
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*“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,”*

As HIQA has not carried out inspections against the Standards for the Assessment of Need, we do not hold any review, inspection or monitoring reports related to these standards or records on their implementation. As the records you have sought do not exist, I must refuse your request on the basis of Section 15(1)(a) of the FOI Act.

## **2. Rights of appeal**

If you are unhappy with this decision you may seek an internal review. In the event that you wish to do so, please e-mail [foi@hiqa.ie](mailto:foi@hiqa.ie). The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of HIQA. Please note that a fee of €30 (€10 for medical card holders) applies in the case of an internal review.

You should make your appeal within 4 weeks, from the date of this notification, where a day is defined as a working day excluding, the weekend and public holidays. However, the making of a late appeal may be permitted in appropriate circumstances.

## **3. Publication**

It is the policy of HIQA to make decisions on non-personal FOI requests, including this decision letter and a copy of the records released, available to the public on our website <https://www.hiqa.ie/about-us/freedom-of-information>. Any personal information relating to you, such as your name etc. will be removed from the decision letter before this happens. This decision letter and the records released under FOI, will be added to our website approximately one week after today's date.

If you have any queries in relation to this decision, please feel free to contact the Corporate Reporting Officer Sean Lynch at [foi@hiqa.ie](mailto:foi@hiqa.ie).

Yours sincerely

Ciara McShane  
National Operations Manager