



Oifig an Stiúrthóir Cúnta Náisiúnta,
Foireann Míchumais Náisiúnta,
An Chéad Urlár - Oifigí 13, 14, 15,
Àras Phlásóg na Rós, Coimpléasc Gnó na hOllscoile,
Páirc Náisiúnta Teicneolaíochta,
Caladh an Treoigh,
Luimneach.

Office of the Assistant National Director,
National Disability Team,
First Floor- Offices 13, 14, 15,
Roselawn House, University Business Complex,
National Technology Park,
Castletroy,
Limerick.

9th April 2024

Deputy Paul Murphy,
Dail Eireann,
Leinster House,
Kildare Street,
Dublin 2.
E-mail: paul.murphy@oireachtas.ie

Dear Deputy Murphy,

The Health Service Executive has been requested to reply directly to you in the context of the following parliamentary questions, which were submitted to this department for response.

PQ: 12501/24

To ask the Minister for Health the reason CHOs have such a differing opinion on what is covered by GDPR and what information is entitled under Freedom of Information.

PQ: 12502/24

To ask the Minister for Health the reason information metrics are not centrally located

Note: By way of providing further clarity and context regarding these PQs, spread sheets were provided by Deputy Murphy's office. These spread sheets concern Childrens Disability Network Teams Interim Metrics. These spread sheets were compiled by a person (not by HSE National Disability Services) from information received from each Community Healthcare Area under Freedom of Information requests.

HSE Response

Each public body has staff known as FOI Decision Makers who are trained and are authorised to make decisions and review decisions under the FOI Act. Any person can make a request for any record held by a public body covered by the FOI Act 2014, however, it is important to note that this does not necessarily mean that the requester will receive the exact records they are seeking.

There are various reasons for this and with the exception of *reasons for decisions*, a person cannot ask for information which has not been recorded in any form.



A Decision Maker releases information relevant to the FOI request based on the records that have been provided/ made available to the Decision Maker.

However, there is an onus on the Decision Maker to provide an explanation to the requester as to why they cannot provide the information requested.

In addition, the Decision Maker, if denying access or full access to documents, must give detail regarding the sections of the Act which can apply to deny access to documents. These are known as its exemption provisions.

It is also important to note that the requester, if not satisfied with the decision made, can appeal the decision of the Decision Maker and seek an internal review of the decision which is a complete and new review of the request by someone more senior. If following this the requester is still not satisfied, they can appeal this decision to the Office of the Information Commissioner.

Further information regarding Freedom of Information can be found at:

<https://foi.gov.ie/>

In addition, to note, that a formal application under the FOI act may not always be the most effective way to seek information. The Information Commissioner would also advise that public bodies can release information administratively without the need for a formal application under the Act.

Children Disability Network Teams

With regard to the spread sheets kindly provided by Deputy Murphy's office to give clarity regarding the questions asked, I would like to provide some context regarding the Children Disability Network Teams (CDNTs) and CDNT metrics.

91 Children's Disability Network Teams (CDNTs) are aligned to 96 Community Healthcare Networks (CHNs) across the country and are providing services and supports for children aged from birth to 18 years of age.

The CDNTs are currently providing services and supports for 45,741 children and strategies and supports for urgent cases on the waitlist where staffing resources allow. However, there are significant challenges for CDNTs including:

- Significant staffing vacancies
- Growth in numbers of children with complex need
- Growth in demand for Assessment of Need, diverting further resources away from interventions.

A National Management Information System for all 91 CDNTs is being rolled out and when implemented, will provide current data on waiting lists and other details for all CDNTs.

The roll out of the system is gradual with CDNTs being at varying levels of data collection. 34 of the 91 CDNTs are live at this time. Pending full roll-out, manual data collection of interim CDNT metrics is on-going.

While we await full roll out of the CDNT IMS, some individual CDNTs indicate that they do not have a system in place to capture the full level of CDNT activity/ interim data, therefore there are gaps in data returns for some of the CHO Areas.

Meanwhile, the HSE nationally continues to collate the unpublished Interim CDNT Data.



It is important to note that while CDNT Interim Metrics are being collated nationally on a monthly basis, some of the questions asked in the compiled spreadsheet provided with the PQs (for example Health and Safety, number of complaints filed) are not on the national metric template.

All Lead Agencies (S38 and 39) return quarterly data separately under their Service Arrangement in relation to risks, complaints etc, however that is not gathered by National Disabilities Office.

Yours Sincerely,

Bernard O'Regan

Bernard O'Regan
Assistant National Director
National Disability Team

