



Freedom of Information Guidance Manual

A Combined Guide Issued in Accordance with
Section 15 and 16 of the
FREEDOM OF INFORMATION ACTS 1997 & 2003

Freedom of  information

May 2006

The National Treatment Purchase Fund

Disclaimer

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**Guide to the Functions and Records of the National Treatment Purchase
Fund**

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Introduction

The National Treatment Purchase Fund (NTPF) was established by Government to treat public patients who have been longest on public hospital surgical in-patient waiting lists. It became a statutory body from 1 May, 2004.

The remit of the Fund is to focus on public patients waiting longest for surgical procedures on public hospital waiting lists and to purchase operations for them primarily in the private hospital system both in Ireland and abroad where necessary.

The Fund has sent patients for treatment from minor excisions to major operations such as joint replacements to cardiac surgery etc. The vast majority of referrals are made at public hospital level. Referrals are also initiated by General Practitioners and patients themselves access the Fund by contacting the NTPF lo-call number of **1890 720 820**.

The National Treatment Purchase Fund has since been given the responsibility for the collection and publication of national waiting list data. The old system involved the collection of statistics by specialty, not names. It contained un-validated data on patient status and was not collected consistently. It was not possible to link the old system with specific patients on procedures required and hence the NTPF decided that it should collect the waiting lists in a different way. It was decided to establish a National Patient Treatment Register (PTR).

With a national register and National Waiting List Website, hospital health care managers, general practitioners and the general public can look up waiting list times by the most common procedures in each speciality and hospital. However, actual patient names and details are not disclosed and patient confidentiality is maintained at all times. This system puts more power and information into patients hands.

Mission Statement

In keeping with the Government's Health Strategy, the mission of the National Treatment Purchase Fund is to reduce the length of time patients are on hospital waiting lists by offering choice in obtaining access to treatment promptly, safely and to a high standard of patient satisfaction. The NTPF will fulfil this mission by:

- Putting patient needs first
- Assuring quality of patient care
- Measuring results and performance
- Operating a reliable Patient Treatment Register as a basis for quantifying waiting times
- Maintaining cooperative relationships with hospitals, consultants and out-patients
- Operating efficiently
- Obtaining value for money

Functions

The broad functions of the National Treatment Purchase Fund are to:

- Reduce waiting times for patients longest on public hospital waiting lists
- Set up and maintain a national waiting list database
- Arrange and purchase treatment for public patients
- Only arrange treatment with the permission of each patient
- Arrange treatment in a confidential manner
- Is committed to assuring and monitoring quality standards in relation to clinical treatment and patient care
- In its functions the board will have regard for the cost of resources and to secure the most beneficial effective and efficient use of such resources that are available to perform its functions.

HOW DOES IT WORK

- Public hospital patients from all over the country are eligible to be treated under this initiative. The consent of the patient for referral under the NTPF will be asked for. Patients will be asked if they wish to be treated under this scheme, if they consent to their name, address and type of procedure required being transmitted to the National Treatment Purchase Fund and consent to the transfer of their medical notes to the hospital designated to treat them;
- All treatment offered is provided free of charge to the patient and does not affect patient medical card or social welfare entitlements;
- Patient records are transferred by the hospital or health board where the patient is on the waiting list to the doctor/hospital where the patients treatment will be provided;
- An NTPF liaison officer from the patients referring hospital or health board will let the patient know where the proposed treatment will take place and who the patients consultant will be;
- The patient is then contacted by the NTPF liaison officer in the hospital where the treatment will take place. He/she will give the patient a date for the operation and advise on any preparations that the patient needs to make before they are admitted to hospital;
- If the patient has agreed to be treated outside of Ireland all necessary travel arrangements will be organised;
- The patients treatment is provided in a hospital that has been vetted by an NTPF clinical quality control team;
- In most cases it is expected that the patient will be discharged home to the care of their GP and the hospital will give the patient a letter for him/her. If it is necessary for the patient to have a follow up out-patient appointment with the consultant who treated the patient the NTPF will arrange this.
- Discharge summaries are then returned to the patients general practitioner, the referring hospital and to the NTPF to confirm treatment and other additional information.

Freedom of Information

The provisions of the Freedom of Information Acts apply to the National Treatment Purchase Fund from 31st May 2006.

The Freedom of Information Act 1997, as amended by the Freedom of Information (amendment) Act 2003 (FOI Act), effective from 21 April 1998, established three new statutory rights:

- the right to access official records held by Government Departments or other public bodies listed in the Act;
- the right to have personal information held on them corrected or updated where such information is incomplete, incorrect or misleading; and
- the right to be given reasons for decisions taken by public bodies that affect them.

The purpose of the Acts is to create a greater level of openness, transparency and accountability among public bodies. It also gives the citizen access to personal information held by public bodies. This is not an unlimited access, as sensitive personal information may need to be withheld in order to protect vulnerable individuals. Currently the Act applies to all government departments, health boards, local authorities and a range of other public bodies. The Act does not apply to private organisations or companies except where they may have a contract for the provision of services with a public body.

The following records come within the scope of the Act:

- all records held by the NTPF which were created after 21 April 1998*;
- any record created before 21 April 1998 if this record is necessary for understanding a record created after 21 April 1998;
- all personal information, which is held by the NTPF, regardless of when the records were created;

*The NTPF was established in 2002 and therefore only holds records from that date.

Classes of Records held by the National Treatment Purchase Fund

The type of records held by the NTPF can be classified as follows:

Client/Patient Records	Staff Personnel Records
General administration Files	Procedure Manuals
Financial Records	
National Waiting List Data/Patient Treatment Register	

Excluded data

- Personal data which does not relate to the applicant
- Commercially sensitive information, whilst taking account of EU procurement guidelines
- Deliberations of the Board
- Information obtained in confidence as defined in Part III s 26 of FOI Act 1997

Section 16 Publications

Section 16 of the Freedom of Information Acts, requires the National Treatment Purchase Fund to publish a manual containing rules, procedures, practices, guidelines and interpretations used by the body and index of any precedents kept by the body which may be use in making decisions, determinations or recommendations under any enactment or scheme administered by the body, with respect to:

- Rights, privileges or benefits to which members of the public are or may be entitled.
- Obligations, penalties or other sanctions to which members of the public are or may be subject; and,
- Information in relation to the manner or intended manner of administration of any scheme.

Routinely Available Information

The National Treatment Purchase Fund makes information available to the public on its functions and activities. General information is available on the Organisation's website www.ntpf.ie including press releases and hospital progress reports.

The Patient Treatment Register website also contains reports on national waiting times www.ptr.ie. This website can be accessed through the main website for the NTPF.

This information will continue to be available from the National Treatment Purchase Fund or on-line without the requirement of the FOI acts.

The FOI allows for the public to gain access to information which is not routinely available through other sources. This manual provides a guide to the structures of the National Treatment Purchase Fund and assistance to gaining access to information under the FOI Act.

How to obtain information under the FOI Act

The following information/records come within the scope of the FOI Acts:

- records containing personal data: (you have the right to see all records containing personal information relating to yourself held by the National Treatment Purchase Fund)
- Records containing personnel data; (personnel records are available to staff); and
- Other records: Subject to a limited number of exceptions, all other records created in the National Treatment Purchase Fund since its establishment in 2002 are available on request.

All applications under the FOI Act should be addressed to:

Freedom of Information Officer
The National Treatment Purchase Fund
Ashford House
Tara Street
Dublin 2

Tel: 01 6427101
Fax: 01 6427102

e-mail: foi@ntpf.ie

How to apply for information

In order for a request for information/records to comply with the requirements of the FOI Acts and to enable the request to be dealt with as efficiently as possible:

- Your application should be in writing. A template is provided in Appendix 1 which may be used.
- Your application should also indicate that the information is sought under the Freedom of Information Acts, legal jargon is not necessary a simple reference to the act will suffice;
- If the information is required in a particular format, i.e. photocopy, floppy disk, etc, this must be specified and the National Treatment Purchase Fund will endeavour to accommodate your request.
- You should give as much detail as possible to enable the National Treatment Purchase Fund to identify the record(s). If you have difficulty in identifying the precise records which you require, we will be happy to assist you in preparing your request.
- You may be required to provide proof of identity, especially when requesting personal information so you may be required to produce your Passport, Driving License, Birth cert or such like.
- You should include a daytime telephone number so that you can be contacted if it is necessary to clarify details of your request; and
- You should pay the prescribed fee by cheque or bank draft made payable to the National Treatment Purchase Fund. If you are claiming a reduced

applications fee, the request must also be accompanied by the medical card registration number, and your consent to the verification of these details.

Time Limits

- Your request should be acknowledged within two weeks of receipts (section 7(2))
- This notice will set out your rights of application in the event of the request not being dealt with within the specified time limits.
- A decision whether to grant or refuse the request will be issued within four weeks (section 8(1))
- If the request is granted determination of the manner in which access will be offered is also notified at this stage.

The following requests are exempt:

- A request under section 7 for a record containing only personal information related to the requester (including a request made pursuant to s 28(b))
- by a parent or guardian on behalf of a minor or disabled person or the next-of-kin or personal representative of a deceased person)
- An application under section 17 (right of amendment of records relating to personal information)
- An application under section 18 (right of person to information regarding acts of public bodies affecting the person)
- An application in relation to a decision to charge a fee.

Right of Review and Appeal

The FOI set out a series of exemptions to protect sensitive information where its disclosure may damage key interests of the State or third parties. Where the National Treatment Purchase Fund invokes these provisions to withhold information, the decision may be appealed.

Section 8(2)(d) requires reasons for refusal to be given together with findings on any material issues relevant to the decision and particulars of any matter relating to the public interest taken into consideration for the purposes of the decision. This reason should enable the applicant to make an informed decision about an appeal.

Fees

The Freedom of Information Act 1997 & 2003 provides for search and fees. The Freedom of Information Act 2003 requires the charging of upfront fees in advance of the processing of requests for access to non-personal records.

1. Application Fees

(a) Request for records

- A standard application fee of **€15** must accompany an FOI request under section 7 for records containing non-personal information
- A reduced fee of **€10** applies if the person making such a request is covered by a medical card

Fees for Search and Retrieval and Copying of Records

- In respect of non-personal information, fees apply in respect of the time spent in efficiently locating and retrieving records released, based on a standard hourly rate of **€20.95**. Photocopying charges of **€0.04** per page also apply. Separate charges apply in respect of the reproduction of records in other formats.
- In respect of personal information, the charge of **€0.04** for copying can be applied though this can be waived having regard to the means of the requester and the nature of the records concerned. Fees for search and retrieval of personal information do not apply unless a very large number of records are involved
- No charges apply in respect of the time spent by public bodies in considering requests
- Where a deposit is payable, the public body must, if requested, assist the requester to amend the request so as to reduce or eliminate the amount of the deposit

Charges for search and retrieval and photocopying may be waived:

- Where the cost of collecting and accounting for the fee would exceed the amount of the fee (this will apply in respect of fees less than **€6.35**)
- Where the information would be of particular assistance to the understanding of an issue of national importance
- In the case of photocopying personal information, where it would not be reasonable having regard to the means of the requester and the nature of the records sought (charges for search and retrieval of personal information do not apply unless the request relates to a significant number of records)

(b) Internal Review under s 14

- A standard fee of **€75** must accompany an application for internal review under section 14
- A reduced fee of **€25** applies if the person bringing the application is a medical card holder or a dependant of a medical card holder

The following internal review applications are exempt:

- An application in relation to a decision concerning records containing only personal information related to the applicant (including an application made pursuant to section 28(b) by a parent or guardian on behalf of a minor or disabled person or the next-of-kin or personal representative of a deceased person)
- An application in relation to a decision under section 17 (right of amendment of records relating to personal information)
- An application in relation to a decision under section 18 (right of personal to information regarding acts of public bodies affecting the person)
- An application in relation to a decision to charge a fee or deposit, or a fee or deposit of a particular amount.

Review by Information Commissioner under section 34

A standard fee of **€150** must accompany applications to the Information Commissioner under section 34

A reduced fee of **€50** applies if:

- the person bringing the application is a medical card holder or a dependant of a medical card holder,
- the person is specified in section 29(2) i.e. a third party with the right to apply directly to the Information Commissioner where a public body decides to release their information on public interest grounds

The following applications to the Information Commissioner are exempt:

- An application concerning records containing only personal information related to the applicant (including an application arising from a request under section 28(6) by a parent or guardian on behalf of a minor or disabled person or the next-of-kin or personal representative on behalf of a deceased person)
- An application in relation to a decision under section 17 (right of amendment of records relating to personal information)
- An application in relation to a decision under section 18 (right of person to information regarding acts of public bodies affecting the person)
- An application in relation to a decision to charge a fee or deposit exceeding **€25** under section 47 in respect of search and retrieval and photocopying of records (decisions in relation to the charging of fees or

- deposits for search and retrieval and/or photocopying of less than €25 and are not subject to review by the Information Commissioner)
- An application in relation to a decision to charge a fee under section 47(6A), or a fee of a particular amount under section 47(6A), on the grounds that the records concerned do not contain only personal information related to the requester or the requester is not a medical card holder or a dependent of a medical holder

Breakdown of Activities by Division/Department

Operations Department

The Operations Department aims to provide the structures, processes and support to underpin the activities of the National Treatment Purchase Fund core business, namely facilitation of patient treatment.

Structure of the Operations Department

Operations Manager

Operations Infrastructure Team
X 6

Patient Care Team
Supervisor
PCL Administrator x 6

Functions of the Operations Department

Compliance-

Procurement
Data Protection
Freedom of Information
Health & Safety at work
Parliamentary Questions
Public Representation
Information Security
Legal Issues
Training & User Awareness

Rules, Guidelines and Procedures used

Public Procurement Guidelines 1994 and related guidelines
Data Protection Acts 1988 & 2003
Ethics in Public Office Act 1995
Freedom of Information Acts 1997 & 2003
Safety, Health and Welfare at Work Act 1989
Internal Procedures

Human resources –

Preparation and update of the Employee Handbook
Formalise HR Policies & Procedures
Structured Training Schedule
Sports & Social Club
Recruitment
Facilities

Rules, Guidelines and Procedures used

Internal HR Policy handbook
Health & Safety Statement
Purchasing Procedures
Compliance with all Employment Law

Information Technology –

New Network / Server Infrastructure
Controls & Procedures implemented
Best Practices introduced
User Awareness
Information Security
System Maintenance
SQL Database support

Rules, Guidelines and Procedures used

Data Protection Acts 1988 & 2003
Individual systems user manuals
Internal reporting procedures

Patient Care Team -

The Patient Care (ops) Team within the NTPF work closely with the referring and treating Liaison Officers in the processing of referrals and discharge documentation. Below are some of the key responsibilities of the Patient Care (ops) Team.

- Validation, authorisation and inputting of patient referrals and the issuing of Case Authorisation Number (CAN) for particular referring hospitals/ Health board area, see table below.
- Checking and inputting of discharge documentation.
- The day to day operation of patient systems in relation to allocated areas.
- Ensuring that accurate and correct patient information is recorded on the NTPF data base and also ensuring all paper records are filed accurately.
- Answering lo-calls queries.

Rules, Guidelines and Procedures used

Internal Procedures followed by all staff.
Patient Care Booklet – Patient Flow

Classes of Records Held by Operations Department

Recruitment & Selection
Employment Conditions
Personnel Policies and Procedures
Annual Leave Details
Industrial Relations Issues
Individual Staff Members Personal Files
FOI requests and material
Correspondence with government departments
Procurement Files
Lo-call details
Referral and Discharge Documentation

Nursing Team

The National Treatment Purchase Fund works to arrange treatment for patients by acting as a link between public hospitals and the private hospitals that will ultimately treat waiting patients. The capacity to carry out the procedures is sourced and funded by the National Treatment Purchase Fund. This is usually in private hospitals within Ireland, or the United Kingdom. The referring hospital is where the patient was initially due to have his/her operation and the treating hospital is where the patient is going to be treated under the NTPF.

Each hospital/HSE area has a designated NTPF liaison officer to facilitate the identification and referral of eligible patients to the relevant hospital in which they will be treated. Equally, each treating hospital has a liaison officer to receive referred patients and arrange any further details pertaining to their treatment and discharge.

The patient care liaison team within the NTPF works closely with liaison officers in identifying eligible patients, treating hospitals and also to deal with any queries or problems that may arise. The patient care liaison team, have responsibility for particular referring hospitals/health boards. Ideally, it is best that you liaise directly with the patient care liaison nurse who is responsible for your hospital or health board. However, any member of the team will be able to answer your queries.

Structure of Nursing Team

Director of Patient Care

Administrator

Senior Team Leader

Team Leader

Patient Care Liaison Nurse x 4

Role of the Nursing Team

The Nursing Team within the NTPF works closely with liaison officers in both the public and private hospitals. Below are some of the key areas of the Nursing Team.

- Liaise with the referring hospitals and assist in the identification of eligible patients with an aim to identifying the maximum number of referrals.
- Liaise with the treating hospitals in relation to capacity, patient referrals, day to day issues.
- Management of the lo-call line.
- Monitoring of quality issues which includes the reporting on patient satisfaction surveys as well the collection and collation of data and the publication of reports are all carried out by the this team.
- Monitoring of patient volumes.
- Recording activity on a monthly basis.

Rules, Guidelines and Procedures used

Internal Procedures followed by all staff.
Patient Care Booklet – Patient Flow

Classes of Records Held by the Nursing Team

- Lo-Call details
- Patient medical treatment details
- Patient discharge details
- Responses to patient questionnaires
- Lo—Call and PMS systems which the nursing team works from, holds patients personal details and referral and d/c information – we do not hold medical records

NATIONAL TREATMENT PURCHASE FUND

PATIENT FLOW

A Surgical capacity sourced by N.T.P.F.
Capacity offered to Referring Hospital

B

1. Eligible patients contacted by Referring hospital
2. NTPF Information Booklet supplied to patient
3. Patient permission obtained for referral

C

1. Patient details supplied to NTPF by referring hospital
2. NTPF issue CAN (case authorisation number) to referring hospital.
3. NTPF issue matching CAN to treating hospital.

D Patient's details and chart (quoting CAN)
transferred by referring hospital to treating.

E Referring Hospital informs listing Consultant & G.P. of
treatment

F Treating Hospital makes arrangements for
treatment and communicates same to
patient

G Admission
&
Treatment

Discharge & Follow – Up

- H**
1. Private Hospital confirms pre-op care arrangements with patient
 2. Discharge information forwarded to G.P., Referring hospital/Hospital/Consultant, NTPF.
 3. In the event of an adverse incident all stakeholders undertake to inform NTPF.
 4. Patient removed from Public Hospital in-patient waiting list
 5. Clinical outcomes audit & patient satisfaction survey – NTPF.

Finance

Finance Department is responsible for financial control, compliance with relevant legal, taxation & accounting requirements, negotiations with Hospital providers on treatment prices, the preparation & control of all financial budgets and has operational responsibility for the Board's financial transactions with its suppliers, bankers and other parties (eg the Department of Health & Children, CSO etc).

An annual report of the Board's income & expenditure, Balance Sheet and other accounting information is subject to audit by the Office of the Comptroller & Auditor General under Section 5 of the Comptroller & Audit General (Amendment) Act, 1993.

Structure of the Department

Director of Finance

Pricing x 1

Supervisor x 1

Hospital Payments x 5

Overhead expenses & Bank control x 1

Payment control x 1

Data control x 1

Functions

Internal Control

Pricing control and value for money

Payment of creditors

Cash monitoring & control

Information production

Data integrity

Tax (VAT, Income Tax, PWST etc) compliance

Rules, Policies & Procedures

Generally accepted accounting practices

Revenue law, rules & obligations

Department of Finance requirements on Project control & reports

Information Team

The structure of the information team

Information Manager

Deputy Project Co-ordinator

Project Administrator

The Patient Treatment Register

The Patient Treatment Register (PTR) is the first online, verified database of public in-patient and day case waiting lists in Ireland. It was developed with co-operation from the Department of Health and Children, the Health Services Executive and the public hospitals. Phase One, which included seven hospitals, has been up and running since September 2005. A further 12 have now been added and it is being rolled out nationally, with the remaining target hospitals to be delivered by the end of 2006.

The National Treatment Purchase Fund has statutory responsibility for the collation, management and publication of waiting list data from hospitals.

The Patient Treatment Register provides:

- An accessible website link for patients (both adult and children), with detailed information on the top surgical procedures and waiting times for each;
- A GP website like on waiting times for over 7,500 procedures in individual hospitals in order to assist the referral process;
- A separate link for each hospital with detailed information on procedures, patient status and guidelines for using the register;
- Direct interaction capability between the NTPF and the patient. Patients receive a letter and a PTR card from the NTPF so that they can access the information to opt for treatment under the fund;
- A comprehensive picture of hospital waiting lists in Ireland, including waiting times, numbers and the status of patients, together with consistent national operating guidelines and definitions.

With a national register and National Waiting List Website, hospital health care managers, general practitioners and the general public can look up waiting list times by the most common procedures in each speciality and hospital. This system puts more power and information into patients hands.

Functions of the Information Team in Consultation with the Hospitals

- Development of Minimum Data Set.
- Development of National Guidelines
- Development of reporting requirements
- Protocols for contact with patients by the NTPF
- Support to Hospitals to meet with NTPF technical requirements of the system
- Development of NTPF software and interface with hospital systems
- Support to Hospitals to meet with NTPF operational requirements to adhere with guidelines
- Production and publication of bi-annual statistics
- Implementation of internet site
- Track and trend analysis and review

How the Patient Treatment Register works:

1. General practitioners and patients can log on to the web site at www.ptr.ie to check the wait times for particular procedures.
2. The GP and patient can use this information to decide which hospital the patient should be referred to.
3. The patient attends their out-patient consultation appointment and a decision is made on the procedure required.
4. Once the patient decides they want to accept this procedure, the hospital places them on its internal waiting list system which is electronically transferred to the PTR.
5. If the patient is still on a waiting list after three months, the NTPF writes to eligible patients and offers them treatment under the Fund in a private hospital.
6. Upon receipt of such a letter the patient can opt for treatment under the NTPF or continue to wait in their original hospital.

The PTR gives patients options on their course of treatment and can reduce the length of time that they have to wait for their procedure.

Classes of Records Held

- Waiting list data
- PTR guidelines

Guidelines for data collection

Request for Access to Records under the Freedom of Information Act, 1997 & 2003

For the Attention of FOI Officer, NTPF, Ashford House, Tara Street, Dublin 2

Please use BLOCK letters

Details of applicant

Surname: _____ First Name: _____

Postal Address: _____

Telephone Numbers & Email	Office Use Only:
Home:	Date FOI Request Received:
Work:	Application Fee Received:
Email:	Identity Verified:
	Consent Confirmed:

Personal Information

(You will not normally be given access to personal information of another person unless you have obtained the written consent of that person. If you are requesting personal information, please give any variations which may be relevant e.g. Murphy and O'Murchú. Before you are given access to personal information, the NTPF will require proof of identity)

In accordance with section 7 of the FOI Act, I request access to records which are: (Please tick as appropriate)

- Personal Non-personal (application fee required)

Form of Access

My preferred form of access is: (Please tick as appropriate)

- To receive copies of the records by post
- Other - please specify: _____

Details of Request

I request the following records: *Please describe the records as fully as you can*

SIGNATURE: _____

DATE: _____