



23rd February 2024

Mr. Duncan Smith TD
Dail Eireann
Leinster House
Dublin 2

PQ 56960/23

To ask the Minister for Children; Equality; Disability; Integration and Youth the reason for the delays in releasing approved funding to a gym (details supplied) created to provide a safe space for people with disabilities, which has now been forced to cease operations due to financial strains; and if he will make a statement on the matter.

[Details Supplied: The InvincABLE Gym]

Dear Deputy Smith,

The Health Service Executive (HSE) has been requested to reply directly to you in the context of the above Parliamentary Question, which was submitted to the Minister for Health for response.

I have reviewed the matter and the following is the current position.

The HSE/South East Community Healthcare (SECH) has a range of care services and supports in place for people with disabilities, included in some situations by way of Service Level Agreements (SLAs) with private providers.

The Health Act 2004 provided for the HSE, subject to conditions, to fund services supplied by non-statutory agency. As with any circumstances where public bodies are engaging a contractor, the HSE are obliged to uphold a process of accountability in respect of such funding allocation.

National Financial Regulations apply across the HSE, its Hospital Groups, Community Health Organisations and all staff as regards services provided on behalf of the HSE (including controls applicable in relation to funds dispensed by the HSE per Sections 38 and 39 of the Health Act of where HSE administered grant aid funding is being received).

The completion of a SLA and submission of all required supporting documentation is required as part of these processes.

Subject to conditions as standard (including general governance and referral pathways), the HSE/SECH has been in discussion with a private supplier in the Waterford area towards agreeing the range of services provided and the due funding of same.

A resultant SLA being in place would enable the HSE to initiate a pro rata payment plan.

Unfortunately, ahead of a first payment to be made in accordance with an SLA in this instance, the HSE/SECH was advised that the company involved had closed the premises in question and was not in a position to enter into the agreement.

The HSE/SECH remains available to discuss a reactivation of such an SLA in line with the pro rata payment plans applicable in such situations.

Following a meeting with InvincAble held on 5th December 2023 a proposal was issued from the company requesting the below:



- €17k for insurance (advised this was urgently needed)
- A guarantee that the company would receive a minimum of three referrals per day (Monday to Sunday)

HSE confirmed in writing that once the service was operational funding towards insurance for October to December was available to be paid to the company once an invoice was sent to Disability Services for €4,250.

Following on from the above mentioned payment, the outstanding annual amount of €17,000 would be paid to the company pro rata on a monthly basis. In order to confirm a timeline of payments to the company, they were asked to submit a monthly invoice for €1,416.67 to Disability Services on the 20th of every month.

In relation to the requested guarantee of a minimum of three referrals per day – this requires further information regarding service delivery. It was suggested at the meeting on 5th December 2023 by the HSE that there are three referrals that HSE agreed to approve in principle subject to receiving a detailed proposal from the company outlining the access to service, delivery and duration with costs identified for this.

A further suggestion to promote referrals was outlined at the meeting whereby information could be provided to Disability Day Services and current disability clients could then apply to access the facilities at the company. SECH have asked that the company consider progressing this option and the Day Opportunities Officer (DOO) is available to meet with them to progress this.

Correspondence was issued to the company on 12th December 2023 advising that the proposal was issued to both Minister Butler and Minister Rabbitte's offices. A response issued to the company and this remains available for their consideration.

A Business Case to outline the level of service delivery is required by the company to process funding as part of an agreed Service Plan.

I trust this information is of assistance to you. Should you have any further queries please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Karen Fitzgerald'.

Karen Fitzgerald
A/Head of Service – Disability Services
South East Community Healthcare