



Feidhmeannacht na Seirbhíse Sláinte  
Health Service Executive

Oifig an Cheannaire Oibríochtaí,  
Na Seirbhísí Míchumais/An Rannán Cúram Sóisialta,  
31-33 Sráid Chaitríona, Luimneach.

Office of the Head of Operations,  
Disability Services/Social Care Division,  
31-33 Catherine Street, Limerick.

25<sup>th</sup> September 2020

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Deputy Michael Moynihan,  
Dail Eireann,  
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Dear Deputy Moynihan,

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

**PQ 23314/20**

*To ask the Minister for Health the number of children as of 31 August 2020 or the latest date available that were awaiting a first assessment from the HSE under the Disability Act 2005, by LHO area in tabular form.*

**HSE Response**

The Disability Act (2005) provides for an Assessment of Need (AoN) for people with disabilities. Any child suspected of having a disability, born on or after June 1st 2002 is eligible to apply for an Assessment of Need that will detail his/ her health needs arising from the disability. Since the commencement of Part 2 of the Disability Act in June 2007 the Health Service Executive has endeavoured to meet its legislative requirements as set out in the Act. However, it is acknowledged that the numbers of assessments overdue for completion remain high, although there had been some improvement in these figures in 2018 and 2019 prior to the COVID-19 public health emergency.

Assessment of Need is reported on a quarterly basis, so the latest information available is end of Quarter 2 2020. Table 1 below provides the number of applications for Assessment of Need under the Disability Act that were overdue for completion on the last day of Quarter 2, 2020 broken down by CHO Area. The information is based on data extracted from the Assessment Officers' System Database (AOS). 5,533 applications are overdue for completion with 136 of these on the grounds of there being exceptional circumstances as provided for in paragraph 10 of the regulations.

**Applications overdue for Completion**

CHO	Total Overdue <sup>1</sup>	Overdue/ Exceptional Circumstances <sup>2</sup>	Overdue/ No Exceptional Circumstances
AREA 1	133	0	133
AREA 2	100	4	96
AREA 3	589	7	582
AREA 4	943	5	938
AREA 5	555	8	547
AREA 6	236	7	229
AREA 7	942	1	941
AREA 8	721	49	672
AREA 9	1314	55	1259
Total	5533	136	5397

<sup>1</sup>All assessment reports that were not completed within 6 months of application or within 3 months of Start Stage 2 and before the end of the quarter are included in this report.

<sup>2</sup>The number of Assessment Reports for which an extended time-frame was negotiated with the parent on the grounds of there being exceptional circumstances as provided for in paragraph 10 of the regulations. Consent to extension is only valid if agreed extension date has not already passed.

## **Important contextual information regarding Assessment of Need under Disability Act**

In June 2007 Part 2 of the Disability Act (The Act) was commenced for children aged less than 5 years. Since then, the HSE has endeavored to meet its legislative requirements as set out in the Act. However, as a consequence of a High Court ruling of December 2009, the effect of which was to open eligibility to all children born after 1<sup>st</sup> June 2002, the number of children aged five and over has risen steadily as a percentage of all applications received. At the end of 2011, the figure stood at 26%, while at end of 2019, this figure was 55%. This is a reflection that the AON process is an accumulative process in terms of numbers of children seeking access. It should be noted that the clinical teams who complete the assessments are also the teams who deliver intervention.

Prior to the COVID-19 Public Health Emergency there were various measures in place to address the Assessment of Need Waiting list. These are outlined in the following paragraphs.

### **CHO Improvement Plans**

Each CO is required to have in place plans to ensure compliance with AON. The National Disability Operations Team both supports and monitors the effectiveness of these plans on a routine basis. Prior to the public health emergency there was reason to believe that these plans were showing some positive effect in terms of dealing with non-compliance. However, it is critically important to note that there are “structural” and “resource” challenges that impact on CHOs’ capacity to deal effectively with AON compliance. Therefore, additional to the aforementioned, important attention is paid to the following actions being implemented as part of an overall plan to improve the effectiveness and delivery of family centred interventions with children and young people with a disability.

### **New Standard Operating Procedure (SOP) for Assessment of Need (AoN)**

The Disability Act requires the HSE to provide a consistent approach to Assessments of Need across the country. The HSE acknowledges that this has not always been the case and that approaches to assessment and waiting times varied hugely.

To help address this situation, the HSE developed a Standard Operating Procedure for the Assessment of Need process to ensure that;

- children with disabilities and their families access appropriate assessment and intervention as quickly as possible
- the approach to Assessment of Need is consistent across all areas.

As required by this procedure, an Assessment of Need will include a Preliminary Team Assessment that will identify initial interventions and any further assessments that may be required. This preliminary assessment will usually be undertaken by a children’s disability service that are also tasked with delivering intervention. While not required by the Act, diagnostic assessments will continue to be provided, as appropriate, and these will be captured in the child’s Service Statement as part of the Assessment of Need process.

These changes are intended to alleviate the current situation where children in some parts of the country may wait a number of years before they can access an assessment. During this waiting period, they often have little or no access to intervention or support. It is intended that the changes in the SOP, particularly the new preliminary assessment, will facilitate children with disabilities to access assessment in a timelier fashion.

Implementation of this Standard Operating Procedure was previously deferred to allow further consultation with stakeholders and to facilitate an industrial relations process with staff representative organisations. A lengthy industrial relations process concluded in early January. The outcome of this process has facilitated the HSE to implement this Standard Operating Procedure for all new Assessment of Need applications from 15<sup>th</sup> January 2020. Some services will have a cohort of outstanding “legacy” AONs that will require a range of diagnostic

assessments. AON applications received on or after 15th January will receive a Preliminary Team Assessment (PTA) in line with the SOP.

The HSE believes that the implementation of this SOP, along with the appointment of 100 additional therapy posts and the planned reorganisation to Children's Disability Network Teams, will have a positive impact on the lives of the children and young people who require our services.

### **Overall Reform of Children's Disability Services - Progressing Disability Services Programme**

The HSE acknowledges the challenges in meeting the demand for children's disability services and is acutely conscious of how this impacts on children and their families.

A number of service improvements are being introduced that, when implemented, will help improve access to services for children with disabilities and developmental delays. The overall programme of improvement is the ongoing roll out of Progressing Disability Services for Children and Young People (PDS). This requires the reorganisation of all current HSE and HSE funded children's disability services into geographically-based Children's Disability Network Teams (CDNTs).

PDS is doing this by forming partnerships between all the disability organisations in an area and pooling their staff with expertise in the different types of disabilities to form the CDNTs. These teams will provide for all children with significant disability, regardless of their disability, where they live or where they go to school.

The HSE is establishing Children's Disability Networks across each of the nine CHOs comprised of Specialist Multi-Disciplinary Teams to work with children with complex disability needs. Each Network will have a Children's Disability Network Manager with specialist expertise in providing children's disability clinical services. The appointment of these managers will facilitate the establishment of the Children's Disability Network Teams in 2020.

### **COVID-19 Public Health Emergency**

In preparing for and responding to COVID-19 and to fully align with Public Health guidance as recommended via the NPHET, the HSE and its partner service providers put in place a range of measures, which included the prioritisation of vital residential and home support services whilst curtailing or closing certain services such as day services, as well as certain clinical supports in order to; a) prioritise essential public health services at CHO level and b) ensure continued delivery of the referenced residential and home supports provision. I should note that in the absence of regular access to some service and supports, CHOs and service providers have tried to maintain services that can be delivered safely; providing outreach and telecare solutions, using technology where possible; and using creative and innovative models of care to support service users, both adults and children.

While applications for Assessment of Need under the Disability Act continue to be accepted, the HSE acknowledges that during the current COVID-19 pandemic situation, it has not been possible for services to undertake clinical assessments while maintaining social distancing and meeting health and safety requirements. It has therefore, been difficult to complete the assessment within the statutory timelines.

### **Roadmap for Reopening**

In the context of the Governments Resilience & Recovery Framework (2020 – 2021), the HSE regards the provision of disability services as essential to maintaining a response to people with a disability. All disability services must follow public health guidance in this area, including the prevention and management of COVID-19 related infection. The HSE and its funded disability partners will continue to provide disability services in line with public health guidance and direction and having regard to the availability of staffing resources.

Reference is drawn to the following HSE weblink which provides updates and guidance for disability service providers, including 'service resumption planning guidance'.

<https://www.hse.ie/eng/services/news/newsfeatures/covid19-updates/partner-resources/>

Attention is also drawn to the following important web links which provides up to date information resources in respect of COVID-19.

[www.hspc.ie](http://www.hspc.ie)

<https://www.gov.ie/en/campaigns/c36c85-covid-19-coronavirus/>

The HSE and Service Providers recognise the critical need and importance of disability supports for people and their families. The impact of COVID-19 on people's lives has and continues to be very significant. Our collective aim is to restore services in a safe way and in line with the very significant investment made by the State and funded agencies and we will continue to work with service users and their families/carers to ensure that we achieve this aim.

Yours sincerely,



**Dr. Cathal Morgan,  
Head of Operations - Disability Services,  
Community Operations**