



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/Community Operations,  
31-33 Catherine Street, Limerick.

T: 00353 (0) 61 483369

Suíomh Gréasáin/Website: <http://www.hse.ie>

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Deputy Alan Farrell,  
Dail Eireann,  
Leinster House,  
Kildare Street,  
Dublin 2.  
e-mail: [alan.farrell@oireachtas.ie](mailto:alan.farrell@oireachtas.ie)

Dear Deputy Farrell,

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 23283/21**

*To ask the Minister for Health if the change of policy in the assessment of needs in relation to it now being used solely as a screening service for children's needs has had an impact on the number of legal proceedings against the HSE for not meeting the three month appointment target set out in the accompanying legislation; and if he will make a statement on the matter.*

**PQ 23284/21**

*To ask the Minister for Health if a diagnosis of autism can still be made through the assessment of needs process if the child presents with characteristics associated with autism; and if he will make a statement on the matter. -*

**PQ 23285/21**

*To ask the Minister for Health the reason the change of policy in relation to the assessment of needs was made in 2018 and not implemented until January 2020; and if he will make a statement on the matter.*

**HSE Response**

Since the Disability Act commenced in June 2007, the HSE has endeavoured to meet its legislative obligations under 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 1st June 2002, the number of children aged five and over, and in addition of school-going age, has risen steadily as a percentage of all applications received. At the end of 2011, the figure stood at 26%, while throughout 2020, this figure averaged 54%. This is a reflection that the AON process is an accumulative process in terms of numbers of children seeking access. 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.

## Standard Operating Procedure for AON

An internal HSE review of the practice of implementation of Part 2 of the Act in 2016 confirmed anecdotal evidence that the approach to AON was not consistent across the country. It was apparent that practice varied widely across the 9 Community Health Organisation (CHO) areas as well as within CHO areas. While a large number of "Guidance Notes" regarding AON processes had been issued since 2007, there had been no nationally standardised or agreed definition of an Assessment of Need. This led to an inconsistent approach to assessment as well as inequity in terms of time afforded to 'assessment' versus 'support or treatment' interventions with children and their families.

To help address this situation, the HSE has implemented a Standard Operating Procedure (SOP) 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.

In line with this procedure, Stage 2 of the Assessment of Need process comprises 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. The Standard Operating Procedure provides an indicative timeframe for this assessment, however, the format for each assessment is a matter for the assessing clinicians and will be based on the information provided through the stage 1 desktop assessment. While not required by the Act, diagnostic assessments, such as assessments for ASD, 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.

The HSE believes that the implementation of this SOP and the planned reorganisation to Children's Disability Network Teams (CDNTs), will have a positive impact on the lives of the children and young people who require our services.

With regard to the query on the length of time toward implementation of the SOP, it is important to note that the SOP was implemented in January 2020 following an extensive consultation with stakeholders and associated industrial relations process.

Children who require a diagnostic assessment for ASD usually access these assessments through children's disability services (Children's Disability Network Teams – CDNTs or equivalent). However, some children will access these assessments through Child & Adolescent Mental Health Services (CAMHS) or through Primary Care. Children do not need to apply for an Assessment of Need under the Disability Act (2005) to access an ASD assessment.

The recently established ASD Programme Board has established an ASD Assessment and Clinical Pathways Working Group. This group is looking at matching presentation complexity with assessment intensity for all possible ASD assessments. This should ultimately reduce waiting times for autism assessment.

## Overdue Assessments of Need

In August 2020 the HSE secured €7.8m to address overdue Assessments of Need (AON). This funding was provided on a once off and strictly time bound basis to eliminate all AONs overdue at 30th June 2020. This funding provided a very welcome and timely opportunity to address AON backlogs as implementation of the Standard Operating Procedure for Assessment of Need and the reconfiguration of all children's disability

services to Children's Disability Network Teams (CDNTs) will ensure that further backlogs do not occur. Furthermore, the elimination of these waiting lists will support the new CDNTs to deliver child and family centred services in line with the Progressing Disability Services for Children & Young People (PDS) model.

Each Community Healthcare Organisation developed a plan to address their backlog of overdue Assessments of Need through:

- Overtime initiative for existing therapists at weekends / evenings
- Procurement of private assessments
- Short term recruitment of additional staff

The impact of COVID 19 restrictions also required clinicians to deliver some of these assessments remotely.

Significant numbers of assessments have been completed in the period since September 2020 and it is anticipated that most of the CHO areas will have eliminated their backlogs by the end of Quarter 2 2021.

Activity for Quarter 1 indicates that there has been significant progress in the number of Assessment of Need reports completed during the Quarter. This has led to a significant reduction in the total number of applications 'overdue for completion', which now stands at 3,103 (excluding those applications 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). The increase in activity in Q1 can be attributed to the additional funding allocated to the AON process via Slaintecare. This has been utilised to provide additional assessments through a range of options including overtime for existing staff and private procurement.

As outlined in the Quarter 1 Assessment of Need report 2,693 AONs were completed in the period between January and March 2021. The majority of these assessments were completed as part of the AON waiting list initiative scheme. However, data submitted by the nine Community Healthcare Organisations indicates that 86% of children who received a Preliminary Team Assessment under the new procedure during this period were referred to an intervention pathway while 53% required further assessment. This represents a significant improvement in the pathway to intervention for children and their families.

### **Assessment of Need Complaints and Redress System**

The Disability Act provides for a dedicated complaints system with an associated enforcement mechanism through the Circuit Court. The fact that the HSE does not commence or complete an Assessment of Need within the statutory timeframes is one of the grounds for complaint. It is anticipated that applicants will continue to utilize this enforcement mechanism if there are continued delays. The elimination of overdue AONs will impact on the number of these cases.

### **Review of the Standard Operating Procedure**

In developing this SOP the HSE sought independent clinical opinion. As part of its continuous quality improvement programme the HSE has committed to a review of the operation of this SOP that will commence in March 2021. The terms of reference and membership of the review group have been agreed with the Fórsa Trade Union. The membership includes nominees from Fórsa's vocational groups as well as the HSE and comprises a range of disciplines and grades of staff.

The group will, over a 12 month period:

- Examine the current SOP for Assessment of Need, in particular the issues arising with regards to the Preliminary Team Assessment.
- Examine and quantify existing staff resources, both clinical and administrative, associated with meeting the requirements of Assessment of Need under the Disability Act (2005). Identify any shortfalls and make recommendations for remedies.

- Examine infrastructural resource requirements for the delivery of AON. e.g. non staff related resources such as IT supports, etc. Make any appropriate recommendations.
- Evaluate the impact of the SOP for Assessment of Need. This will include examination of Assessment of Need activity data with a particular focus on the numbers of assessments completed and compliance with statutory timeframes.

As agreed in the Terms of Reference, Mr Robbie Ryan (Chairperson) may decide to invite submissions from any other party he considers relevant for the purposes of this review. This may include for example professional bodies or CORU. Mr Ryan will issue a series of interim reports and a final report after 12 months.

Yours sincerely,



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



Seirbhís Sláinte  
Níos Fearr  
á Forbairt

Building a  
Better Health  
Service