



Your Service
Your Say

Foireann Náisiúnta um Rialachas Gearáin & Foghlama
FSS, 31/33 Sráid Chaitríona, Luimneach

National Complaints Governance and Learning Team
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PQ 57808/21

To ask the Minister for Health the number of complaints received in which a person is dissatisfied with an assessment of needs and a lack of follow-up service in circumstances in which an assessment of needs has been completed and the assessment identifies the need for the provision of a service in each year from 2016 to date, in tabular form; and if he will make a statement on the matter.

-Mark Ward

Dear Deputy Ward,

I refer to the above Parliamentary Question which was referred by the Minister for Health to the Health Service Executive for direct response.

I have had the matter examined and I have been advised as follows:

The Disability Act 2005 provides for a special complaints and appeals procedure for service users if they are unhappy with their child's assessment of need or Service Statement. Any parents/guardians **or** any service user over 16 years old and under 18 years old who has applied for Assessment of Need can make a complaint under this process.

Under the Disability Act 2005 a parent/guardian can make a complaint regarding Assessment of Need if:

1. The child is found not to have a disability and the Parent/Guardian does not agree
2. The assessment is not done in line with the standards set by the Health Information and Quality Authority
3. An assessment is not started and completed within the agreed timeframes
4. Parent/Guardian believes that the content of the child's Service Statement is inaccurate or incorrect
5. Services in the child's Service Statement are not being delivered.

The specific grounds for complaint set out in the Act are as follows:

- (A) a determination by the assessment officer concerned that he or she does not have a disability;
- (B) the fact, if it be the case, that the assessment under section 9 was not commenced within the time specified in section 9(5) or was not completed without undue delay;
- (C) the fact, if it be the case, that the assessment under section 9 was not conducted in a manner that conforms to the standards determined by a body referred to in section 10;
- (D) the contents of the service statement provided to the applicant;
- (E) the fact, if it be the case, that the Executive or the education service provider, as the case may be, failed to provide or to fully provide a service specified in the service statement.

The total number of complaints received from 2016 to 2021 where the issue related to the assessment of need (Grounds A, B or C) or the service statement (Grounds D or E) was **5244**.

The table below breaks down the complaints received each year from 2016 to date. The number of complaints received in which a person is dissatisfied with an assessment are listed under the column headed '**Assessment Related Complaints**'. The number of complaints regarding a lack of follow-up service in circumstances in which an assessment of needs has been completed and the assessment identifies the need for the provision of a service are listed in the column headed '**Service Statement Related Complaints**'. This column may also include a small number of complaints which may not be considered a lack of follow-up services. Please see notes below on '*Ground D complaints*' for further information.

Where a complaint was made in relation to both the assessment and the service statement the complaint will appear in both columns.

YEAR	Assessment related complaints - No. of complaints where Grounds A/B/C were selected	Service Statement related complaints - No. of complaints where Grounds D*/E were selected
2021	358	121
2020	996	104
2019	1077	80
2018	716	12
2017	723	13
2016	1101	13

**Ground D complaints – whilst the majority of complaints within this category relate to future start dates for services to commence, or a lack of services specified on the service statement; it can also include a smaller number of complaints in relation to the service review date or the location for where the health service will be provided, which may not necessarily be considered a lack of services. We don't hold specific data on the breakdown of issues within this complaint category.*

I trust the above data addresses your query. Should you need anything further please let me know.

Yours sincerely,



Christopher Rudland
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