



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

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16th May 2023

Deputy David Cullinane,
Dail Eireann,
Leinster House,
Kildare Street,
Dublin 2.
E-mail: david.cullinane@oireachtas.ie

Dear Deputy Cullinane,

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: 20897/23

To ask the Minister for Health the number of children on waiting lists for an assessment of need at the end of quarter 1 2019-2023, inclusive, in tabular form; the number overdue for completion; and the average length of wait.

HSE Response

The Assessment of Need process is set out in the [Disability Act, 2005](#). The aim of an Assessment of Need under the Disability Act is to identify whether a person has a disability, the nature and extent of the disability, any health and education needs arising from that disability, as well as what services are required to meet those needs.

The numbers of applications for AON under the Act have risen steadily since its implementation in June 2007. 7144 applications for AON were received in the most recent 4 quarters (Q2, 2022 – Q1 2023). This was the highest number of applications received in any 12 month period since Part 2 of the Act was 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 persons born after 1st June 2002 who are suspected of having a disability, 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 2022, this figure averaged 55%. This is a reflection that the AON process is an accumulative process in terms of numbers of children and young people seeking access.

Please see tables 1 to 5 provided in the Appendix. Assessment of Need reports are available on a Quarterly basis, these tables are taken from the Quarter 1 (January, February, March) Assessment of Need report for each year 2019, 2020, 2021, 2022 and 2023.

The judgement of Ms Justice S Phelan in the case of CTM & JA v the HSE found that the Preliminary Team Assessment approach described in the HSE's Standard Operating Procedure for Assessment of Need does not meet the requirements of the Disability Act. This judgement in effect requires the HSE to deliver diagnostic assessments where necessary and appropriate as part of the Assessment of Need process. This ruling has a significant impact operationally and has resulted in a growth in the numbers of overdue Assessments of Need. The requirement for services to prioritise



the statutory Assessment of Need process will also impact significantly on their capacity to provide necessary intervention / treatment for children with disabilities.

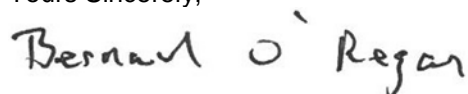
The HSE is continuing to review the files of all children who received a preliminary team assessment and engaging directly with families to establish what additional assessments will be required to meet the requirements of the Act. Additional funding has been secured to support the additional assessments required. Some assessments have been procured from the private sector and further procurement is planned.

The HSE's National Clinical Programme for People with Disability (NCPPD) has led the process of developing Interim Clinical Guidance to replace the element of the Standard Operating Procedure which was found to be non-compliant with the Disability Act (2005) – the Preliminary Team Assessment. This guidance has been reviewed by the HSE's and Department of Health's legal advisors and feedback provided. It has also been agreed with staff representative bodies. It is now being finalised by NCPPD and a date for circulation will be agreed following this.

The NCPPD has also committed to establishing a Task Group on Assessment of Need to address other issues related to the Assessment of Need process that are not addressed in the Interim Clinical Guidance. This group will include representatives from all the key stakeholders and particularly those with lived experience, and will meet monthly over the next 12 months.

The HSE is committed to the delivery of appropriate services for children with disabilities and working with families and staff to develop services that meet their needs. It is important to note that children do not require an Assessment of Need to access health services and parents may refer their child directly to their local Children's Disability Network Team (CDNT).

Yours Sincerely,



**Mr Bernard O'Regan,
Head of Operations - Disability Services,
Community Operations**



Appendix

Table 1: Applications overdue for completion - End of Quarter 1, 2019

Of the 3,686 applications that are overdue, 2,830 (77%) are overdue for longer than 3 months. Months overdue are calculated based on the statutory timelines of 3 months from start stage 2 and no more than 6 months from the application date. This overdue figure does not include applications that have been put on hold, are closed or are ineligible for Assessment.

CHO	LHO	Overdue	<1 month	1 - 3 Months	>3 Months
AREA 1		103	15	4	84
AREA 2		44	12	16	16
AREA 3		352	52	76	224
AREA 4		978	69	123	786
AREA 5		404	18	13	373
AREA 6		117	18	28	71
AREA 7		478	33	54	391
AREA 8		473	49	57	367
AREA 9		737	63	156	518
Total		3686	329	527	2830

Table 2: Applications overdue for completion - End of Quarter 1, 2020

Of the 5,083 applications that are overdue, 3,682 (72%) are overdue for longer than 3 months. Months overdue are calculated based on the statutory timelines of 3 months from start stage 2 and no more than 6 months from the application date. This overdue figure does not include applications that have been put on hold, are closed or are ineligible for Assessment.

CHO	LHO	Overdue	<1 month	1 - 3 Months	>3 Months
AREA 1		149	63	26	60
AREA 2		112	33	42	37
AREA 3		598	82	121	395
AREA 4		879	119	124	636
AREA 5		468	30	49	389
AREA 6		217	39	47	131
AREA 7		751	60	105	586
AREA 8		677	76	95	506
AREA 9		1232	75	215	942
Total		5083	577	824	3682

Table 3; Applications overdue for completion - End of Quarter 1, 2021

Of the 3,503 applications that are overdue, 2,915 (83%) are overdue for longer than 3 months. Months overdue are calculated based on the statutory timelines of 3 months from start stage 2 and no more than 6 months from the application date. This overdue figure does not include applications that have been put on hold, are closed or are ineligible for Assessment.

CHO	LHO	Overdue	<1 month	1 - 3 Months	>3 Months
AREA 1		5	1	1	3
AREA 2		18	7	5	6



AREA 3	192	4	10	178
AREA 4	903	71	94	738
AREA 5	251	17	5	229
AREA 6	91	16	14	61
AREA 7	735	65	82	588
AREA 8	292	36	44	212
AREA 9	1016	65	51	900
Total	3503	282	306	2915

Table 4: Applications overdue for completion - End of Quarter 1, 2022

Of the 1,718 applications that are overdue, 1,113 (65%) are overdue for longer than 3 months. Months overdue are calculated based on the statutory timelines of 3 months from start stage 2 and no more than 6 months from the application date. This overdue figure does not include applications that have been put on hold, are closed or are ineligible for Assessment.

CHO	LHO	Overdue	<1 month	1 - 3 Months	>3 Months
AREA 1		62	23	10	29
AREA 2		33	17	11	5
AREA 3		8	0	1	7
AREA 4		566	41	53	472
AREA 5		86	11	24	51
AREA 6		56	18	20	18
AREA 7		213	55	50	108
AREA 8		165	26	58	81
AREA 9		529	76	111	342
Total		1718	267	338	1113

Table 5: Applications overdue for completion - End of Quarter 1, 2023

- > Of the 5,484 applications that are overdue, 4,206 (77%) are overdue for longer than 3 months.
- > Months overdue are calculated based on the statutory timelines of 3 months from start stage 2 and no more than 6 months from the application date. This overdue figure does not include applications that have been put on hold, are closed or are ineligible for Assessment.

CHO	LHO	Overdue	<1 month	1 - 3 Months	>3 Months
AREA 1		241	40	38	163
AREA 2		74	13	14	47
AREA 3		298	21	33	244
AREA 4		732	59	93	580
AREA 5		260	21	32	207
AREA 6		334	47	59	228
AREA 7		1630	126	232	1272
AREA 8		375	50	76	249
AREA 9		1540	126	198	1216
Total		5484	503	775	4206

