



Oifig an Stiúrthóir Cúnta Náisiúnta,
Foireann Míchumais Náisiúnta,
An Chéad Urlár - Oifigí 13, 14, 15,
Áras Phlásóg na Rós, Coimpléasc Gnó na hOllscoile,
Páirc Náisiúnta Teicneolaíochta,
Caladh an Treoigh,
Luimneach.

Office of the Assistant National Director,
National Disability Team,
First Floor- Offices 13, 14, 15,
Roselawn House, University Business Complex,
National Technology Park,
Castletroy,

21st February 2025

Deputy Padraig O Sullivan
Dail Eireann,
Leinster House,
Kildare Street,
Dublin 2.
E-mail: padraig.osullivan@oireachtas.ie

Dear Deputy O Sullivan,

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: 7550/25

To ask the Minister for Children; Equality; Disability; Integration and Youth if she will provide the waiting list times for assessment of needs, in tabular form; and if she will make a statement on the matter.

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 Disability Act outlines the statutory timelines under which Assessments of Need under the Act must be completed. In summary, the assessment report must be completed within 6 months of the date the application was received. While the HSE endeavours to meet its legislative obligations under the Act, it has struggled to achieve compliance with these timeframes. In 2024, 10.4% of assessments were completed within the timeframes set out in the Disability Act 2005 and accompanying Regulations.

The total number of applications 'overdue for completion' at end of 2024, now stands at 14,221 (including 618 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) – which represents an increase of 60% on the end 2023 figure of 8,893. This is largely due to the following:

- A 26% increase in the number of applications for AON received in 2024 – from 8,472 to 10,690.



- A total of 4,162 AONs were completed in 2024. The percentage of these AONs that show 'No Disability' has increased from 15.8% in 2010 to 22% in 2023. The significance of this is that the AO and possibly Assessors would have spent time assessing these applications as they would have either gone through the AON process and deemed not to have a disability (as defined by the Disability Act), or they would have begun the process and been identified as not having a disability during the desk-top phase.
- The judgement in the case of CTM & JA v the HSE March 2022 found that the Preliminary Team Assessment (PTA) approach described in the HSE's SOP for Assessment of Need did not meet the requirements of the Disability Act. The HSE is now required to deliver diagnostic assessments where necessary and appropriate as part of the AON.
- The number of applications for AON under the Act has risen steadily since its implementation in June 2007, largely driven by the High Court ruling in 2009 which confirmed that eligibility for AON applies to persons born on or after 1st June 2002.
- The non-commencement of the Education for Persons with Special Education Needs (EPSEN) Act (2004). 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 2024, this figure averaged 67%.**
- The education system drives a significant proportion of AON demand. It is noted that children may be recommended for an AON for reasons other than educational supports, as concerns about need for therapeutic interventions may be identified by school staff. The only statutory right to an AON process is under the Disability Act 2005. A disability diagnosis may be required to access certain educational supports and there is a need for a better understanding for families around the nature of an assessment required for educational purposes, specifically where the assessment is not required to be a statutory AON under the Disability Act 2005.

Please see the table below which gives the number of AON applications overdue at the end of Q4 2024 as extracted from the AOS. (Assessment Officer System)

With regard to overdue AON, of the 14,221 applications that are overdue, 11,693 (82%) 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.

Table 1: Applications overdue for completion end of Quarter 4, 2024

| CHO | Overdue | <1 month | 1 - 3 Months | >3 Months |
|--------------|--------------|------------|--------------|--------------|
| AREA 1 | 594 | 35 | 58 | 501 |
| AREA 2 | 370 | 45 | 83 | 242 |
| AREA 3 | 442 | 40 | 26 | 376 |
| AREA 4 | 1163 | 150 | 267 | 746 |
| AREA 5 | 573 | 35 | 63 | 475 |
| AREA 6 | 1513 | 124 | 280 | 1109 |
| AREA 7 | 4635 | 210 | 256 | 4169 |
| AREA 8 | 1738 | 150 | 304 | 1284 |
| AREA 9 | 3193 | 135 | 267 | 2791 |
| Total | 14221 | 924 | 1604 | 11693 |

Actions to address AON waiting lists

The HSE's National Clinical Programme for People with Disability (NCPDP) led the process of developing a revised AON Standard Operating Procedure (SOP) incorporating guidance on completion of clinical assessment to replace the



element of the SOP which was found to be non-compliant with the Disability Act (2005) – the Preliminary Team Assessment. This was launched in July 2023.

Additional funding

Approximately €10.5m was spent in 2023 to address waiting lists for clinical assessments identified through the Assessment of Need process and in 2024, an additional €5m in one off funding has been allocated. This funding is being utilised to procure diagnostic ASD assessments from the private sector. The HSE at local level is also using time related savings to source AON assessments privately for children in the order as registered on the AOS (AON information management system) in line with the date of receipt of a completed AON application.

Targeted Initiative focussed on long waiting families

This waiting list initiative has targeted those families waiting longest for AONs, with the HSE reimbursing clinicians directly through the procurement of capacity from approved private providers. This provides a more equitable and fair approach rather than reimbursement of parents directly. This initiative was progressed through the existing framework of providers procured by each CHO Area and also sought to expand the list with any new private provision.

Information received from the CHO Areas indicates that under this targeted initiative, 2,479 AONs have been commissioned from private providers/assessors from June to December, 2024 at a cost of €8,229,919. This suggests that the average cost per AON is €3,320.

| | Number of AONs | Cost | Average Cost per AON |
|----------------------|----------------|-------------------|----------------------|
| June | 379 | €1,245,455 | €3,300 |
| July | 342 | €1,155,703 | €3,379 |
| August | 371 | €1,173,031 | €3,162 |
| September | 318 | €1,080,993 | €3,399 |
| October | 344 | €1,174,933 | €3,416 |
| November | 365 | €1,155,168 | €3,165 |
| December | 360 | €1,244,636 | €3,457 |
| Total to date | 2,479 | €8,229,919 | €3,320 |

However, despite this increased activity in relation to AON, the number of people overdue an Assessment of Need is growing as demand outstrips system capacity. In this regard, we anticipate that by the end of 2024, 19,559 AONs will be due for completion: AONs overdue at end of Q4 2024 (14,221); new AONs received in Q4, 2024 (2,838); 2,500 Preliminary Team Assessments carried out under the previous Standard Operating Procedure (SOP), an approach found by the High Court not to have met the requirements of the Disability Act.

The increased numbers of applications for Assessment of Need, which is a legal entitlement under the Disability Act 2005, is a reflection of the increase in population and of families exploring all options for accessing services for their child.

However, an AON is not required to access Primary Care, Children's Disability Services or Mental Health Services providing services including assessment, goals setting, intervention and follow up services. This direct access ensures more efficient and timely access for many families.

The situation in relation to AON is not the same in every area. The numbers of applications in some areas have historically been significantly lower than other areas. This reflects a service model used in those areas to engage with families as soon as practicable and support them to access services without them having to resort to the Assessment of Need legal route.

This will be explored by the HSE in the context of the Roadmap for Service Improvement actions relating to Services Access and Improvement, with the objective to spread this good practice across all teams nationally, and rebalancing



the demand for AON with CDNT Service Provision, including workshops with families and with staff on how this can be achieved.

Yours Sincerely,

Bernard O'Regan
Assistant National Director,
Access and Integration,
Disability Services

