



Oifig an Stiúrthóir Cúnta Náisiúnta,
Foireann Míchumais Náisiúnta,
An Chéad Uirlár - 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,
Limerick.

3rd March 2025

Deputy Pádraig Rice,
Dail Eireann,
Leinster House,
Kildare Street,
Dublin 2.
E-mail: padraig.rice@oireachtas.ie

Dear Deputy Rice,

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: 8116/25

To ask the Minister for Children; Equality; Disability; Integration and Youth the amount expended on carrying out assessments of need, by month in 2024 and 2023; the total amount paid to agencies to carry out these assessments; the company names of the top beneficiaries of payments and amounts paid to each of these agencies in both years.

PQ: 8117/25

To ask the Minister for Children; Equality; Disability; Integration and Youth if the HSE has contracted the services of agencies to complete assessments of need; if a tender process was conducted before contracts were awarded; and if she will make a statement on the matter..

HSE Response

Assessment of Need under the Disability Act 2005

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.

Data regarding Assessment of Need

Please see the Table 1 below which gives data on the numbers of Applications received and completed per year since 2022. The numbers overdue at the end of each year is also given

Please note that this information is extracted from the Assessment Officer System Database which does not distinguish between Assessments of Need which were outsourced or which were completed by the HSE.

Table 1

Year	Number of AON completed applications received	Number of AONs completed	Number of overdue
2022	6,755	3,071	4,613
2023	8,472	3,205	8,893
2024	10,690	4,162	14,221

In addition, please note that this information is extracted from the Assessment Officer System Database which does not distinguish between Assessments of Need which were outsourced or which were completed by the HSE.

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.



Outsourcing Assessment of Need

All aspects of the Assessment of Need process must be performed within the AON legislation. The new Assessment of Need Standard Operating Procedure (Disability Act 2005) was updated and finally approved on the 14/7/2023. This procedure applies to all Assessment Officers and clinicians involved in the Assessment of Need process.

There are two aspects to Assessment of Need. The administrative process (Assessment of Need Officer) and the clinical aspect (assessment undertaken by Clinicians).

It is the Assessment of Need Officer, appointed by the HSE, who coordinates and arranges Assessments of Need as required under Part 2 of the Disability Act (2005). Only an Assessment Officer (AO) can issue the Assessment of Need report. This cannot be completed by a private provider and/or voluntary provider

A Liaison Officer (LO) also appointed by the HSE, performs the functions described at Section 11 of the Disability Act (2005), which is to provide service statements for persons for whom an Assessment of Need report has been issued.

In accordance with the Regulation 5 (S.I. No. 263 of 2007)(S.I. No. 704 of 2021) within each Community Healthcare Organisation area, the Assessment Officer will process applications for assessment in order of the date on which they are received. Where two or more applications are received on the same date then they shall be processed in alphabetical order of the surname of the applicant.

It is the Assessment Officer's role to arrange for assessments to be undertaken.

It is the Assessment Officer's role to ensure that all assessors are:

- Informed of the names of any other assessors who have received requests to assess the child or young person;
- Are aware of their obligations under the iHIQA Standard No. 5 to carry out the assessments in a co-ordinated manner in order to accurately identify the needs of the child / young person and to agree prioritisation of health needs.

In line with appropriate procurement procedures, Garda vetting and due diligence practice, private providers are currently being contracted by the HSE to provide assessments and / or interventions. In such instances, the HSE ensures that the contracted providers are appropriately qualified and that any assessments or interventions are provided in line with the appropriate standards.

Progressing the outsourcing of these assessments is challenging however, in this regard, Disability Services nationally worked with HSE Procurement to conclude a tender process and Service Specification for the delivery of Assessment of Need from private providers.

Please see attached list of Private Providers of Assessments. We do not have a breakdown of how much is paid to each provider. Assessments can vary depending on what assessments are required. An assessment for ASD can be more complex.

Actions to address overdue Assessments of Need

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 was 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.

It is important to note that children do not require an Assessment of Need as defined by the Disability Act (2005) in order to access a CDNT or Primary Care service. They can be referred by a healthcare professional or parent/carer to the CDNT for children with complex needs as a result of their disability, or to Primary Care for children with non-complex needs.

Yours Sincerely,

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

