



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,
Limerick.

10th September 2024

Deputy Mick Barry,
Dail Eireann,
Leinster House,
Kildare Street,
Dublin 2.
E-mail: mick.barry@oireachtas.ie

Dear Deputy Barry,

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: 35245/24

To ask the Minister for Children; Equality; Disability; Integration and Youth the number of children on the waiting list for assessments of need; and if he 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 judgement of Ms Justice S Phelan in the case of CTM & JA v the HSE was delivered in March 2022. This judgment 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 had 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 has also impacted significantly on their capacity to provide necessary intervention / treatment for children with disabilities.

There has been a 25% increase in the number of applications for AON received in 2023 – from 6,775 in 2022 to 8,472 in 2023. This growth has continued into 2024, with a further 2,603 received in Quarter 1 (569 up on same period last year) and 2,742 applications received in Quarter 2 2024.

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.

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. At end of Quarter 2, 2024, 10% of assessments were completed within the timeframes set out in the Disability Act 2005 and accompanying Regulations.

Assessment of Need is reported on quarterly. The most recent data available is the end of Quarter 2 2024. The total number of applications 'overdue for completion' at end of Quarter 2, 2024, now stands at 11,131 (including 521 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 25% on the end 2023 figure of 8,893.

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

A targeted waiting list initiative commenced in May 2024 and the Government has allocated funding of €6.89 million to facilitate the HSE to procure up to 2,500 additional AONs, with delivery targeted over the next 6 months. This funding is in addition to existing HSE core funding of the €5m mentioned above, allocated for procurement of private assessments.

This waiting list initiative targets 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.

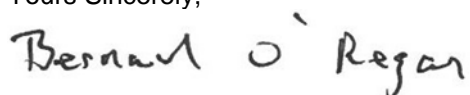
This initiative is being progressed through the existing framework of providers procured by each CHO Area, while also seeking to expand the list with any new private provision.

In the first half of the year, 1,841 AONs have been completed, which is a 28% increase on the same period last year. This increase is due in part to the new targeted waiting list initiative

However, despite this increased activity in relation to AON, waiting lists are growing as demand outstrips system capacity. In this regard, we anticipate that, by the end of 2024, there will be over 18,981 AONs due for completion, comprising: AONs overdue at end of Q2 2024 (11,131); AONs expected during the remainder of 2024 (5,350); as well as 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.

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,
National Disability Team

