



Feidhmeannacht na Seirbhíse Sláinte
Health Service Executive

REPORT TO THE MINISTER FOR EQUALITY, DISABILITY AND MENTAL HEALTH

AS PROVIDED FOR UNDER SECTION 13 OF THE DISABILITY ACT 2005

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1. Part 2 – Disability Act 2005

The Disability Act is a positive measure designed to advance and underpin participation by people with disabilities in everyday life. Part 2 of the Act provides for the identification and delivery of individual health, education and personal social services for people with disabilities, who meet the relevant eligibility criteria set out in the Act.

The Disability Act provides that a person who has, or may have, a disability, or a person advocating on their behalf may apply for an assessment of their health and education needs occasioned by their disability. The Act requires the HSE to appoint Assessment Officers to carry out or arrange the carrying out of Assessments of Need. The purpose of the assessments is to identify health and education needs occasioned by the disability and the services required to address these needs, without regard to the cost or the capacity to deliver these services.

To comply with the provisions of the legislation and the accompanying regulations, the assessments must commence within three months of receipt of a completed application form and be completed within a further three months. The Act requires the Assessment Officer to issue an Assessment Report, which includes a determination of whether the individual has a disability, the nature and extent of the disability, a statement of the health and education needs and the services required to address these needs.

The HSE is also required to nominate Liaison Officers who are responsible for the preparation of Service Statements, following each assessment. The Service Statement outlines the services which will be delivered within available resources, when the service will be delivered, by whom and at what location.

A key element of the Disability Act is that the difference between the level of service required and the level of service provided to address the needs identified in the Assessment Report is quantified. Section 13 of the Act requires the HSE to provide an annual report to the Minister, outlining the differences between the level of needs identified in Assessment Reports and the services provided for in Service Statements to address these needs.

In this way, information from Assessments of Need under the Act will inform future service planning and whatever resources are available will be targeted to address assessed needs.

2. Progress to Date

2.1. Commencement of the Disability Act

Part 2 of the Disability Act was implemented for persons under five years of age on 1st June 2007. Prior to commencement, a Cross Sectoral Working Group prepared draft standards for the Assessment of Need process. Six standards were identified, which related to a person centred approach, information, access to Assessment of Need, involvement of appropriate health and education staff, coordination of the Assessment of Need and monitoring and review. These standards were subsequently adopted by the interim Health Information and Quality Authority.

The HSE appointed Assessment Officers in each Local Health Office and training was provided in relation to the requirements of the Act, assessment services available and common disability presentations.

Regulations were drafted by the DoHC, with input from the HSE, and signed by the Minister, stipulating that:

- Assessments should be completed within three months of commencement.
- Service Statements should be issued, within one month of completion of assessments.
- The maximum period within which the Assessment Report should be reviewed would be 12 months.

2.2 Early Challenges in the Implementation of Act

The implementation of the Act represents a considerable change in the approach to delivering assessment and intervention services. Challenges for staff working in the area include making determinations of disability on young children and providing comprehensive Assessments of Need within the specific timeframes required by the legislation and regulations.

The HSE continues to review the process for delivering Assessments of Need and Service Statements to ensure compliance with the timelines contained in the legislation and also to ensure appropriate balance is maintained in respect of resources allocated to assessments and interventions.

2.3. Assessments and Interventions for Children under Five Years of Age

The needs identified for children with disabilities under five demonstrate an emphasis on therapeutic input to address or ameliorate the identified disability. Key disciplines in identifying needs include Speech and Language Therapy, Occupational Therapy, Psychology and Physiotherapy. These disciplines are best placed to assess the difficulties in communication, mobility and learning, referred to in the Act. The Act also refers to needs resulting from significantly disordered cognitive processes. However, this is not a common occurrence for children of this age group.

Historically, multidisciplinary therapeutic supports for children with significant disabilities have been located predominantly in non-statutory disability service providers. Specialist services have usually been focussed on responding to the needs of children with either intellectual disability or physical or sensory disability.

In recent years, in preparation for the implementation of the Act, the HSE and non-statutory providers had begun, in many areas, to coordinate services for children with complex disabilities in each LHO. The focus has been to provide services based on the child's needs rather than focusing exclusively on diagnosis.

The Act also provides for an identification of needs other than health and education. A protocol developed with the Department of the Environment allows Assessment Officers to refer families of children with disabilities who have housing needs to designated Liaison Officers in local authorities. In this way, public agencies are working together to share information on needs to ensure appropriate service responses are planned.

3. Activity Levels

3.1 Number of Applications Received and Assessments Completed in 2007

In 2007, the total number of applications received under Part 2 of the Disability Act for an Assessment of Need was 1,138. The initial process provides for the Assessment Officer to liaise with the family and source information from existing service providers, where relevant, to inform the assessment process. In line with the legislation, the assessment must commence within three months and the accompanying regulations provide that the assessment must be completed within a further three months.

Given these processes, and the fact that the Act was only in operation for seven months in 2007, only 72 assessments were completed in that year.

Nevertheless, the following statistics are of interest:

Of the 72 cases in which an Assessment Report was issued in 2007 and a Service Statement subsequently issued:

- In 32 cases, the needs were deemed to be fully met;

- In 36 cases, at least one element of unmet need was identified;
- In 3 cases, the applicants were deemed not to have a disability under the definitions contained in the Disability Act.
- In one case, no health needs were identified in the Assessment Report.

In summary, where applicants were deemed to meet the definition of disability under the Act, in almost 50% of cases, services were planned in the Service Statement to respond to those needs.

3.2 Breakdown of Assessment Reports by Area

Table 1 (below) shows the breakdown of Assessment Reports issued in 2007 by HSE Area.

Table 1: Assessment Reports Completed in 2007

HSE Dublin Mid-Leinster (DML)	20
HSE Dublin North-East (DNE)	20
HSE SOUTH	18
HSE WEST	14
Total	72

A further breakdown of this information by LHO Area is contained in Appendix 1.

3.3 Reported Shortfall of Services

Table 2 (below) shows the service areas in which the service providers indicated that, in their estimation, a shortfall existed between the level of service offered and the level ideally required.

There were some cases in which no shortfall was estimated in respect of any of the services provided. In other cases, a range of services were provided in some of which, a shortfall was estimated. Hence, the totals in table 2 do not equate to the totals in table 1.

Table 2: Service Areas in which a Shortfall has been Identified

The following table shows the number of cases in each HSE Area for which a shortfall has been identified in a particular service area.

HSE AREA	ADDITIONAL SERVICES REQUIRED										
	Occupational Therapy	Speech & Language Therapy	Physiotherapy	Pre-School Support	Psychology	Home Support	Social Work	Audiology	Home Educator	Community Resource Worker for the Blind	Music Therapy
HSE DML	10	10	2	1	2	0	1	1	1	0	1
HSE DNE	2	1	0	2	0	1	0	0	0	0	0
HSE SOUTH	6	5	2	2	0	0	0	0	0	0	0
HSE WEST	2	3	3	0	1	0	0	0	0	1	0
Total	20	19	7	5	3	1	1	1	1	1	1

A further breakdown of this information by LHO Area is contained in Appendix 2.

4. Quantifying the Level of Unmet Need

The service providers concerned were asked to estimate the additional level of service provision required in order to fully meet the needs as identified. These estimations were converted into hours per year and the WTE requirement was calculated from that figure.

It is important to bear in mind that the figures below only refer to the needs of the 72 children whose assessments were completed in 2007. the needs of children who were awaiting assessments, along with those of children whose families did not apply for assessment under the Act were not included.

The following tables show the WTE requirement in each service area for each HSE Area.

A further breakdown of this information by LHO Area is contained in Appendix 3.

Table 3: WTE Requirement by Service Area – Dublin Mid-Leinster

Service Area	Hrs pa	WTE
Speech & Language Therapy	338	0.26
Occupational Therapy	387	0.29
Physiotherapy	71	0.06
Psychology	13	0.02
Pre-School Support	750	0.56
Music Therapy	12	0.01
Audiology	6	0.01
Home Educator	16	0.01
Social Worker	12	0.01

Table 4: WTE Requirement by Service Area – Dublin North East

Service Area	Hrs pa	WTE
Speech & Language Therapy	25	0.02
Occupational Therapy	24	0.02
Pre-School Support	270	0.20
Home Support	300	0.22

Table 5: WTE Requirement by Service Area - South

Service Area	Hrs pa	WTE
Speech & Language Therapy	119	0.08
Occupational Therapy	104	0.08
Physiotherapy	42	0.03
Pre-School Support	990	0.73

Table 6: WTE Requirement by Service Area - West

Service Area	Hrs pa	WTE
Speech & Language Therapy	112	0.08
Occupational Therapy	75	0.06
Physiotherapy	77	0.06
Psychology	10	0.01
Community Resource Worker for the Blind	50	0.04

5. Areas of Significant Unmet Need

As can be seen from table 2, two service areas stand out in terms of the frequency with which they occur as showing an unmet need. These are Speech and Language Therapy and Occupational Therapy.

While stressing once more that the numbers are small and care must be taken in their interpretation, the following points are worth noting.

Occupational Therapy

Of the 72 cases analysed, 20 showed a shortfall in the provision of Occupational Therapy.

- 10 of the 20 cases were in Dublin Mid-Leinster;
- In 6 of the 20 cases, a block of therapy had been offered where ongoing therapy was ideally required;
- In 8 of the 20 cases, no service could be provided at all;
- The services were required immediately in all 20 cases;
- Service provision was evenly split between the HSE and voluntary sector providers.

Speech and Language Therapy

Of the 72 cases analysed, 19 showed a shortfall in the provision of Speech and Language Therapy.

- 10 of the 19 cases were in Dublin Mid-Leinster;
- 7 of the 19 cases showed that the service provided was about 50% of that ideally required;
- In 10 of the 19 cases, a block of therapy had been offered where ongoing therapy was ideally required;
- In 5 of the 19 cases, no service could be provided at all;
- In 2 of the 19 cases, a particular specialism was unavailable locally;
- The services were required immediately in all 19 cases.
- Service provision was evenly split between the HSE and voluntary sector providers.

Appendix 1:

Table 7. Assessment Reports Completed in 2007 by LHO Area

ASSESSMENT REPORTS COMPLETED IN 2007	
HSE DML	20
Dublin South	2
Dublin South City	2
Dublin South East	4
Dublin South West	1
Dublin West	2
Kildare/West Wicklow	5
Laois/Offaly	1
Longford/West Meath	0
Wicklow	3
HSE DNE	20
Cavan/Monaghan	7
Dublin North Centre	1
Dublin North West	0
Louth	5
Meath	5
Dublin North	2
HSE SOUTH	18
Carlow/Kilkenny	2
Cork North	1
Cork North Lee	2
Cork South Lee	1
Cork West	4
Kerry	1
Tipperary S.R	2
Waterford	5
Wexford	0
HSE WEST	14
Clare	4
Donegal	0
Galway	0
Limerick	2
Mayo	4
Roscommon	0
Sligo/Leitrim	2
Tipperary N.R	2
Total	72

Appendix 2: Table 8: Number of Cases showing Shortfalls by Service Area and LHO Area.

HSE and LHO Area	ADDITIONAL SERVICES REQUIRED										
	Occupational Therapy	Speech & Language Therapy	Physiotherapy	Pre-School Support	Psychology	Home Support	Social Work	Audiology	Home Educator	Community Resource Worker for the Blind	Music Therapy
HSE DML	10	10	2	1	2	0	1	1	1	0	1
Dublin South		1									
Dublin South City	2	1			1						
Dublin South East	1	2		1							
Dublin South West	1	1									1
Dublin West	1							1			
Kildare/West Wicklow	4	3	1		1		1		1		
Laois/Offaly		1	1								
Longford/West Meath											
Wicklow	1	1									
HSE DNE	2	1	0	2	0	1	0	0	0	0	0
Cavan/Monaghan				1		1					
Dublin North Centre											
Dublin North West											
Louth	2	1									
Meath											
Dublin North				1							
HSE SOUTH	6	5	2	2	0	0	0	0	0	0	0
Carlow/Kilkenny	2	2		1							
Cork North	1	1	1								
Cork North Lee											
Cork South Lee				1							
Cork West	1										
Kerry	1	2									
Tipperary S.R			1								
Waterford	1										
Wexford											
HSE WEST	2	3	3	0	1	0	0	0	0	1	0
Clare	1	1	1		1						
Donegal											
Galway											
Limerick											
Mayo			1							1	
Roscommon											
Sligo/Leitrim			1								
Tipperary N.R	1	2									
Total	20	19	7	5	3	1	1	1	1	1	1

Appendix 3: WTE Requirement by LHO Area

The following tables show the WTE requirement in each service area for each LHO Area. These figures combine the total requirement for a given service for the LHO Area.

Table 9: WTE Requirement by Service Area and LHO Area – Dublin Mid-Leinster

Dublin South	Hrs pa	WTE
Speech & Language Therapy	25	0.02
Dublin South City	Hrs pa	WTE
Occupational Therapy	45	0.03
Speech & Language Therapy	41	0.03
Psychology	10	0.01
Dublin South East	Hrs pa	WTE
Pre-School Support	750	0.56
Speech & Language Therapy	134	0.10
Occupational Therapy	200	0.15
Dublin South West	Hrs pa	WTE
Speech & Language Therapy	25	0.02
Occupational Therapy	35	0.03
Music Therapy	12	0.01
Dublin West	Hrs pa	WTE
Audiology	6	0.01
Occupational Therapy	25	0.02
Kildare / West Wicklow	Hrs pa	WTE
Occupational Therapy	74	0.05
Speech & Language Therapy	35	0.03
Home Educator	16	0.01
Physiotherapy	35	0.03
Psychology	3	0.01
Social Worker	12	0.01
Laois / Offaly	Hrs pa	WTE
Speech & Language Therapy	50	0.04
Physiotherapy	36	0.03
Longford / West Meath	Hrs pa	WTE
		0.00
Wicklow	Hrs pa	WTE
Speech & Language Therapy	28	0.02
Occupational Therapy	8	0.01

Table 10: WTE Requirement by Service Area and LHO Area – Dublin North East

Cavan / Monaghan	Hrs pa	WTE
Home Support	300	0.22
Pre-School Support	270	0.20
Dublin North Centre	Hrs pa	WTE
		0.00
Dublin North West	Hrs pa	WTE
		0.00
Louth	Hrs pa	WTE
Occupational Therapy	24	0.02
Speech & Language Therapy	25	0.02
Meath	Hrs pa	WTE
		0.00
Dublin North	Hrs pa	WTE
		0.00

Table 11: WTE Requirement by Service Area and LHO Area - South

Carlow / Kilkenny	Hrs pa	WTE
Occupational Therapy	48	0.04
Speech & Language Therapy	33	0.02
Pre-School Support	540	0.40
Cork North	Hrs pa	WTE
Physiotherapy	30	0.02
Occupational Therapy	16	0.01
Speech & Language Therapy	45	0.03
Cork North Lee	Hrs pa	WTE
		0.00
Cork South Lee	Hrs pa	WTE
Pre-School Support	450	0.33
Cork West	Hrs pa	WTE
Occupational Therapy	12	0.01
Kerry	Hrs pa	WTE
Speech & Language Therapy	41	0.03
Occupational Therapy	16	0.01
Tipperary-SR	Hrs pa	WTE
Physiotherapy	12	0.01
Waterford	Hrs pa	WTE
Occupational Therapy	12	0.01
Wexford	Hrs pa	WTE
		0.00

Table 12: WTE Requirement by Service Area and LHO Area - West

Clare	Hrs pa	WTE
Speech & Language Therapy	12	0.01
Occupational Therapy	50	0.04
Physiotherapy	12	0.01
Psychology	10	0.01
Donegal	Hrs pa	WTE
		0.00
Galway	Hrs pa	WTE
		0.00
Limerick	Hrs pa	WTE
		0.00
Mayo	Hrs pa	WTE
Community Resource Worker for the Blind	50	0.04
Physiotherapy	50	0.04
Roscommon	Hrs pa	WTE
		0.00
Sligo/Leitrim	Hrs pa	WTE
Physiotherapy	15	0.01
Tipperary-NR.	Hrs pa	WTE
Speech & Language Therapy	100	0.07
Occupational Therapy	25	0.02