

**Human Resource,
Health Service Executive
Block D, Parkgate Business Centre
Parkgate Street
Dublin D08 YFF1
Tel: 01-6352652
Email: deborah.smullen@hse.ie**

**Ms Chris Cully / Ms Catherine Keogh,
Fórsa Trade Union,
Nerney's Court,
Rotunda,
Dublin,
D01 R2C5**

[Issued by email 13.01.2020]

13th January 2020

Dear Chris / Catherine,

I refer to the meeting held today 10th January 2020 between Fórsa and HSE regarding the implementation of the Assessment of Need, Standard Operating Procedure. I have outlined below a draft of the agreed actions going forward.

HIQA

Please find attached correspondence received from HIQA on 3rd January 2020 (Appendix 1). HIQA have stated that the current Assessment of Need Standards are the extant standards, however, they have no plans to monitor services against same. You will note that HIQA are engaging with the Department of Health regarding the potential to replace these standards. The HSE acknowledges the concerns of your members with regard to this correspondence from HIQA. The HSE require that clinicians comply with their own professional standards at all times. However, in complying with the requirements of the Disability Act 2005, the HSE can confirm to Fórsa that where clinicians implement the terms of the Standard Operating Procedure for Assessment of Need, any liability with respect to complaints or challenges associated with same will rest with the HSE.

Assessment Officer

The HSE have established a National Coordination Group for the Disability Act (Age 0 – 18 years). This group comprises Assessment Officers and Liaison Officers from each CHO area. Any issues that arise in relation to the administration of Assessment of Need for children can be raised in this forum. This group does not replace the requirement for operational issues to be raised via the normal local line management structures.

Assessment of Need, Standard Operating Procedure – Review

The following has been agreed between the parties:

Independent Chair:	Mr Robbie Ryan will be asked to undertake this role
Membership:	Three Fórsa and three HSE representatives will be identified by January 2020
Timeframe:	This review will take place over a twelve month period
Report:	To be provided to the relevant parties. Interim report at 6 months and final report at 12 months
Meeting Schedule:	To be agreed with the group membership by the Chair

Joint Fórsa – HSE Review Group – Terms of Reference

Standard Operating Procedure for Assessment of Need (Age 0 – 18 years)

Context

Part 2 of the Disability Act (2005) establishes a system of Assessment of Need for people suspected of having a disability. The Act was implemented on 1st June 2007 for children born on or after 1st June 2002. The Act requires the HSE to provide a standardised system of assessment that is delivered within specified time frames.



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In an effort to address challenges achieving compliance with the Disability Act (2005) the HSE developed a Standard Operating Procedure for Assessment of Need for children and young people aged less than 18 years. This Standard Operating Procedure will be implemented for all new applications for Assessment of Need on 15th January 2020.

Terms of Reference

The group will examine the following issues over a 12-month period following implementation of the Standard Operating Procedure and will provide an Interim report after 6 months.

1. Staff resources, both clinical and administrative, associated with the Implementation of the SOP.

This will be considered in the context of the Public Service Sustainability Agreement and within this process Fórsa will not make cost increasing demands that will adversely impact on the delivery of AON for children. . It should also be noted that HSE will continue to lobby for additional resources for children with disabilities and to work with central government in this regard.

2. Infrastructural resources associated with the Implementation of the SOP

The processes for this assessment will be agreed by the review group.

3. Impact of the new SOP

This will include examination of Assessment of Need activity data with a particular focus on the numbers of assessments completed and compliance with the statutory timeframes.

The work of the review group will not preclude either party from raising concerns associated with the AON SOP should they arise. These can and should be dealt with through the normal operational and/or industrial relations channels as appropriate.

I would appreciate if you can confirm by return that these are the agreed actions going forward. I will write to Mr Robbie Ryan on foot of your reply to this correspondence seeking his assistance in this matter.

I look forward to hearing from you.

Yours sincerely,



Deborah Smullen
National HR Lead for Social Care (Disability and Older Person Services)

cc Dr Cathal Morgan, Head of Disability Operations.
Mr John Delamere, Assistant National Director, CERS.
Ms Angela O'Neill, Disability Specialist, National Disability Team.



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Dr Cathal Morgan
Head of Operations – Disability Services
Community Operations
Health Service Executive
Block D, Parkgate Business Centre
Parkgate St
Dublin 8



3 January 2020

Ref: PQ/EMcC/CM/20200103

Dear Cathal

I am writing further to your email to Mary Dunnion dated 17 December 2019 in which you seek a formal response outlining the status of the current National Standards for Assessment of need under the Disability Act 2005.

I note that Finbarr Colfer wrote to you previously outlining that these standards were approved by HIQA. This is correct, however, shortly after its formal commencement the HIQA Board did approve the standards and they were subsequently endorsed by the then Minister for Health and Children. As such, this makes the current AON standards the extant standards.

These standards were not developed under the rigorous quality controls that are now in place within HIQA, and have been subject of discussion between ourselves and the Department of Health. For that reason, the replacement of the AON standards is now being considered.

For the record, HIQA has no plans to monitor services against the existing standards.

I trust the above clarifies the position in respect of the standards, and HIQA's intention regarding any monitoring activity against those standards.

Yours sincerely

PHELEIM QUINN
Chief Executive Officer

cc. Mary Dunnion, Director of Regulation and Chief Inspector of Social Services
Rachel Flynn, Director of Health Information and Standards



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