

Office of the Disability Appeals Officer Oifig an Oifigigh Achomhairc um Míchumas

Office of the Disability Appeals Officer
Block 1,
Miesian Plaza,
50-58 Lower Baggot Street,
Dublin 2,
D02 XW14.

Oifig an Oifigigh Achomhairc um Míchumas
Bloc 1,
Plaza Míseach,
50-58 Sráid Bhagóid Íochtarach,
Baile Átha Cliath 2,
D02 XW14.

Determination of an Appeal on Behalf of: [REDACTED] **Ref: AP0525**

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 5th February 2019 from [REDACTED]. This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.

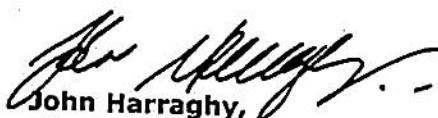
Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 18th December 2018 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 18th December 2018 recommended that [REDACTED] Assessment is completed no later than 22nd January 2019 and that the Final Assessment Report is issued to the Case Manager for preparation of his Service Statement no later than 29th January 2019. [REDACTED] Service Statement should be issued in conjunction with [REDACTED] final assessment report no later than 28th February 2019.

Information furnished to my office by the HSE Disability Services in Cork Kerry Community Healthcare on 8th March 2019 confirms that [REDACTED] ASD assessment remains outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted [REDACTED] parents should be contacted by the private assessors to offer an appointment within 10 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaints Officer for the issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.


John Harraghy,
Disability Appeals Officer,
2 April 2019

Lo Call: 1850 211 583
Email: appeal@odao.ie

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Office of the Disability Appeals Officer
Block 1,
Miesian Plaza,
50-58 Lower Baggot Street,
Dublin 2,
D02 XW14.

Oifig an Oifigigh Achomhairc um Míchumas
Bloc 1,
Plaza Míseach,
50-58 Sráid Bhagóid Iochtarach,
Baile Átha Cliath 2,
D02 XW14.

Determination of an Appeal on Behalf of: **Ref: AP0526**

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 1st February 2019 from [REDACTED] in respect of her son [REDACTED]. This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.

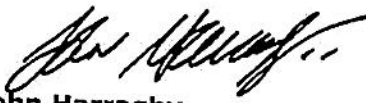
Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 5th October 2018 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 5th October 2018 recommended that [REDACTED] ASD Assessment is completed no later than 9th November 2018 and that the Final Assessment Report is issued to the Case Manager for preparation of his Service Statement no later than 16th November 2018. [REDACTED] Service Statement should be issued in conjunction with his final assessment report no later than 16th December 2018.

Information furnished to my office by the HSE Disability Services in Cork Kerry Community Healthcare on 28th February 2019 confirms that [REDACTED] ASD assessment remain outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted his parents should be contacted by the private assessors to offer an appointment within 8 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaints Officer for the issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.


John Harraghy,
Disability Appeals Officer,
5th March 2019.

Lo Call: 1850 211 583
Email: appeal@odao.ie

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Block 1,
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D02 XW14.

Oifig an Oifigigh Achomhairc um Míchumas
Bloc 1,
Plaza Míseach,
50-58 Sráid Bhagóid Íochtarach,
Baile Átha Cliath 2,
D02 XW14.

Determination of an Appeal on Behalf of:

Ref: APO527, D.O.B. [REDACTED]

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 1st February 2019, in respect [REDACTED]

[REDACTED] This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.

Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 11th December 2018 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 11th December 2018 recommended that [REDACTED] ASD Assessment is completed no later than 15th January 2019 and that the Final Assessment Report is issued to the Case Manager for preparation of the Service Statement no later than 22nd January 2019. [REDACTED] Service Statement should be issued in conjunction with the final assessment report no later than 22nd February 2019.

Information furnished to my office by the HSE Disability Services in Cork Kerry Community Healthcare on 9th May 2019 confirms that [REDACTED] ASD assessment remains outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist Initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted for assessment the private assessors will be in contact with his parents to offer an appointment within 10 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaint's Officer for the issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.


John Harraghy,
Disability Appeals Officer,
15 May 2019

Lo Call: 1850 211 583
Email: appeal@odao.ie

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Block 1,
Miesian Plaza,
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Dublin 2,
D02 XW14.

Oifig an Oifigigh Achomhairc um Míchumas
Bloc 1,
Plaza Míseach,
50-58 Sráid Bhagóid Íochtarach,
Baile Átha Cliath 2,
D02 XW14.

Determination of an Appeal on Behalf of: [REDACTED] Ref: AP0528

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 5th February 2019 from [REDACTED]. This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.


Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 11th December 2018 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 11th December 2018 recommended that [REDACTED] Assessment is completed no later than 20th January 2019 and that the Final Assessment Report is issued to the Case Manager for preparation of [REDACTED] Service Statement no later than 27th January 2019. [REDACTED] Service Statement should be issued in conjunction with [REDACTED] final assessment report no later than 27th February 2019.

Information furnished to my office by the HSE Disability Services in Cork Kerry Community Healthcare on 27th March 2019 confirms that [REDACTED] ASD assessment remains outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted [REDACTED] parents should be contacted by the private assessors to offer an appointment within 10 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaints Officer for the issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.


John Harraghy,
Disability Appeals Officer,
2 April 2019

Lo Call: 1850 211 583
Email: appeal@odao.ie

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50-58 Sráid Bhagóid Íochtarach,
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D02 XW14.

Determination of an Appeal on Behalf of: [REDACTED] **Ref: AP0529**

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 5th February 2019 from [REDACTED]. In respect of [REDACTED] [REDACTED]. This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.


Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 10th January 2019 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 10th January 2019 recommended that [REDACTED] Assessment is completed no later than 18th February 2019 and that the Final Assessment Report is issued to the Case Manager for preparation of [REDACTED] Service Statement no later than 25th February 2019. [REDACTED] Service Statement should be issued in conjunction with [REDACTED] final assessment report no later than 25th March 2019.

Information furnished to my office by the HSE Disability Services in Cork Kerry Community Healthcare on 27th March 2019 confirms that [REDACTED] assessment remains outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted [REDACTED] parents should be contacted by the private assessors to offer an appointment within 10 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaints Officer for the issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.


John Harraghy,
Disability Appeals Officer,
2 April 2019

Lo Call: 1850 211 583
Email: appeal@odao.ie

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50-58 Sráid Bhagóid Íochtarach,
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D02 XW14.

Determination of an Appeal on Behalf of: **Ref: AP0530**

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 4th February 2019 from [REDACTED] in respect of her son [REDACTED]. This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.


Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 28th November 2018 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 28th November 2018 recommended that [REDACTED] ASD Assessment is completed no later than 2nd January 2019 and that the Final Assessment Report is issued to the Case Manager for preparation of his Service Statement no later than 9th January 2019. [REDACTED] Service Statement should be issued in conjunction with his final assessment report no later than 9th February 2019.

Information furnished to my office by the HSE Disability Services in Cork Kerry Community Healthcare on 28th February 2019 confirms that [REDACTED] ASD assessment remain outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted his parents should be contacted by the private assessors to offer an appointment within 8 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaints Officer for the issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.


John Harraghy,
Disability Appeals Officer,
5th March 2019.

Lo Call: 1850 211 583
Email: appeal@odao.ie

Office of the Disability Appeals Officer Oifig an Oifigigh Achomhairc um Míchumas

Office of the Disability Appeals Officer
Block 1,
Miesian Plaza,
50-58 Lower Baggot Street,
Dublin 2,
D02 XW14.

Oifig an Oifigigh Achomhairc um Míchumas
Bloc 1,
Plaza Miseach,
50-58 Sráid Bhagóid Íochtarach,
Baile Átha Cliath 2,
D02 XW14.

Determination of an Appeal on Behalf of: **Ref: AP0532**

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 8th February 2019 from [REDACTED], in respect of Jamie Daly. This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.

Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 21st December 2018 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 21st December 2018 recommended that [REDACTED] ASD Assessment is completed no later than 5th February 2019 and that the Final Assessment Report is Issued to the Case Manager for preparation of his Service Statement no later than 12th February 2019. [REDACTED] Service Statement should be issued in conjunction with his final assessment report no later than 12th March 2019.

Information furnished to my office by the HSE Disability Services in Cork Kerry Community Healthcare on 8th March 2019 confirms that [REDACTED] ASD assessment remain outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted his Social Worker should be contacted by the private assessors to offer an appointment within 8 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaint's Officer for the issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.



John Harraghy,
Disability Appeals Officer,
12th March 2019.

Lo Call: 1850 211 583
Email: appeal@odao.ie

Office of the Disability Appeals Officer *Oifig an Oifigigh Achomhairc um Míchumas*

Office of the Disability Appeals Officer
Block 1,
Miesian Plaza,
50-58 Lower Baggot Street,
Dublin 2,
D02 XW14.

Oifig an Oifigigh Achomhairc um Míchumas
Bloc 1,
Plaza Míseach,
50-58 Sráid Bhagóid Íochtarach,
Baile Átha Cliath 2,
D02 XW14.

Determination of an Appeal on Behalf of: **[REDACTED] Ref: AP0533**

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 8th February 2019 from [REDACTED] in respect of her son [REDACTED]. This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.

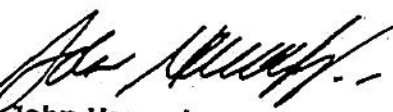
Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 14th January 2019 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 14th January 2019 recommended that [REDACTED] ASD Assessment is completed no later than 18th February 2018 and that the Final Assessment Report is issued to the Case Manager for preparation of his Service Statement no later than 25th February 2019. [REDACTED] Service Statement should be issued in conjunction with his final assessment report no later than 25th March 2019.

Information furnished to my office by the HSE Disability Services in Cork Kerry Community Healthcare on 28th February 2019 confirms that [REDACTED] ASD assessment remain outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted his parents should be contacted by the private assessors to offer an appointment within 8 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaints Officer for the issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.


John Harraghy,
Disability Appeals Officer,
5th March 2019.

Lo Call: 1850 211 583
Email: appeal@odao.ie

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Dublin 2,
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Oifig an Oifigigh Achomhairc um Míchumas
Bloc 1,
Plaza Míseach,
50-58 Sráid Bhagóid Íochtarach,
Baile Átha Cliath 2,
D02 XW14.

Determination of an Appeal on Behalf of: **Ref: AP0534**

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 8th February 2019 from [REDACTED], in respect of her daughter [REDACTED]. This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.

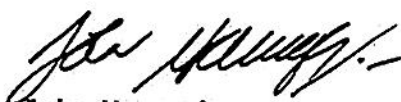
Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 12th December 2018 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 12th December 2018 recommended that [REDACTED] ASD Assessment is completed no later than 20th January 2019 and that the Final Assessment Report is Issued to the Case Manager for preparation of her Service Statement no later than 27th January 2019. [REDACTED] Service Statement should be Issued in conjunction with her final assessment report no later than 27th February 2019.

Information furnished to my office by the HSE Disability Services in Cork Kerry Community Healthcare on 4th March 2019 confirms that [REDACTED] ASD assessment remain outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted her parents should be contacted by the private assessors to offer an appointment within 8 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaint's Officer for the Issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.


John Harraghy,
Disability Appeals Officer,
8th March 2019.

Lo Call: 1850 211 583
Email: appeal@odao.ie

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Oifig an Oifigigh Achomhairc um Míchumas
Bloc 1,
Plaza Míseach,
50-58 Sráid Bhagóid Íochtarach,
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D02 XW14.

Determination of an Appeal on Behalf of:

Ref: AP0535

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 8th February 2019 from [REDACTED], in respect of his son [REDACTED]. This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.

Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 17th January 2019 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 17th January 2019 recommended that [REDACTED] ASD Assessment is completed no later than 24th February 2019 and that the Final Assessment Report is issued to the Case Manager for preparation of his Service Statement no later than 3rd March 2019. [REDACTED] Service Statement should be issued in conjunction with his final assessment report no later than 3rd April 2019.

Information furnished to my office by the HSE Disability Services in Cork Kerry Community Healthcare on 6th March 2019 confirms that [REDACTED] ASD assessment remain outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted his parents should be contacted by the private assessors to offer an appointment within 8 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaints Officer for the issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.


John Harraghy,
Disability Appeals Officer,
8th March 2019.

Lo Call: 1850 211 583
Email: appeal@odao.ie

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50-58 Sráid Bhagóid Íochtarach,
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Determination of an Appeal on Behalf of: **Ref: AP0536**

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 8th February 2019 from [REDACTED] in respect of his son [REDACTED]. This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.

Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 28th November 2018 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 28th November 2018 recommended that [REDACTED] ASD Assessment is completed no later than 2nd January 2019 and that the Final Assessment Report is issued to the Case Manager for preparation of his Service Statement no later than 9th January 2019. [REDACTED] Service Statement should be issued in conjunction with his final assessment report no later than 9th February 2019.

Information furnished to my office by the HSE Disability Services in Cork Kerry Community Healthcare on 28th February 2019 confirms that [REDACTED] ASD assessment remain outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted his parents should be contacted by the private assessors to offer an appointment within 8 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaint's Officer for the issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.

John Harraghy,
Disability Appeals Officer,
5th March 2019.

Lo Call: 1850 211 583
Email: appeal@odao.ie

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D02 XW14.

Determination of an Appeal on Behalf of:

Ref: APO537. D.O.B. [REDACTED]

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 8th February 2019, in respect of [REDACTED]. This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.

Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 25th January 2019 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 25th January 2019 recommended that the Assessment Officer dealing with [REDACTED] case takes the matter up formally with the Community Healthcare Organisation for immediate attention. [REDACTED] Final Assessment Report should be issued to the Case Manager for preparation of his Service Statement no later than 15th February 2019. If [REDACTED] is entitled to a service statement this should be issued in conjunction with his final assessment report no later than 15th March 2019.

Information furnished to my office by the HSE Disability Services in Cork Kerry Community Healthcare on 9th May 2019 confirms that [REDACTED] assessment remains outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted for assessment the private assessors should be in contact with the parents to offer an appointment within 10 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaints Officer for the issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.



John Harraghy,
Disability Appeals Officer,
17 May 2019

Lo Call: 1850 211 583
Email: appeal@odao.ie

Office of the Disability Appeals Officer *Oifig an Oifigigh Achomhairc um Míchumas*

Office of the Disability Appeals Officer
Block 1,
Miesian Plaza,
50-58 Lower Baggot Street,
Dublin 2,
D02 XW14.

Oifig an Oifigigh Achomhairc um Míchumas
Bloc 1,
Plaza Míseach,
50-58 Sráid Bhagóid Íochtarach,
Baile Átha Cliath 2,
D02 XW14.

Determination of an Appeal on Behalf of: **Ref: AP0538**

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 11th February 2019 from [REDACTED] In respect of her daughter [REDACTED] This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.

Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 17th January 2019 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 17th January 2019 recommended that [REDACTED] ASD Assessment is completed no later than 24th February 2019 and that the Final Assessment Report is issued to the Case Manager for preparation of her Service Statement no later than 3rd March 2019. [REDACTED] Service Statement should be issued in conjunction with her final assessment report no later than 3rd April 2019.

Information furnished to my office by the HSE Disability Services In Cork Kerry Community Healthcare on 8th March 2019 confirms that [REDACTED] ASD assessment remain outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted her parents should be contacted by the private assessors to offer an appointment within 8 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaint's Officer for the issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.



John Harraghy,
Disability Appeals Officer,
12th March 2019.

Lo Call: 1850 211 583
Email: appeal@odao.ie

Office of the Disability Appeals Officer *Oifig an Oifigigh Achomhairc um Míchumas*

Office of the Disability Appeals Officer
Block 1,
Miesian Plaza,
50-58 Lower Baggot Street,
Dublin 2,
D02 XW14.

Oifig an Oifigigh Achomhairc um Míchumas
Bloc 1,
Plaza Míseach,
50-58 Sráid Bhagóid Íochtarach,
Baile Átha Cliath 2,
D02 XW14.

Determination of an Appeal on Behalf of:

Ref: APO539. D.O.B. [REDACTED]

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 12th February 2019, in respect [REDACTED]

[REDACTED] This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.

Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 16th November 2018 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 16th November 2018 recommended that [REDACTED] ASD Assessment is completed and her CAMHS report supplied to the Assessment Officer no later than 14th December 2018. The Final Assessment Report should be issued to the Case Manager for preparation of the Service Statement no later than 21st December 2018. [REDACTED] Service Statement should be issued in conjunction with the final assessment report no later than 21st January 2019.

Information furnished to my office by the HSE Disability Services in Cork Kerry Community Healthcare on 8th May 2019 confirms that [REDACTED] ASD assessment was commenced on 30th April 2019 with Marian House.

While this update is welcome the timeline is significantly in breach of those set by the complaints officers in the report dated 16th November 2018. Accordingly, I uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.



John Harraghy,
Disability Appeals Officer,
15 May 2019

Office of the Disability Appeals Officer Oifig an Oifigigh Achomhairc um Míchumas

Office of the Disability Appeals Officer
Block 1,
Miesian Plaza,
50-58 Lower Baggot Street,
Dublin 2,
D02 XW14.

Oifig an Oifigigh Achomhairc um Míchumas
Bloc 1,
Plaza Miseach,
50-58 Sráid Bhagóid Iochtarach,
Baile Átha Cliath 2,
D02 XW14.

Determination of an Appeal on Behalf of: [REDACTED] **Ref: AP0540**

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 12th February 2019 from [REDACTED], in respect of [REDACTED]. This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.

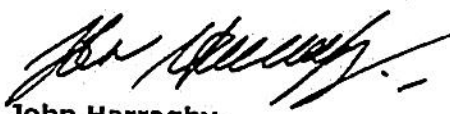
Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 31st January 2019 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 31st January 2019 recommended that [REDACTED] is completed no later than 7th March 2019 and that the Final Assessment Report is issued to the Case Manager for preparation of [REDACTED] Service Statement no later than 14th March 2019. [REDACTED] Service Statement should be issued in conjunction with [REDACTED] final assessment report no later than 14th April 2019.

Information furnished to my office by the HSE Disability Services in Cork Kerry Community Healthcare on 8th March 2019 confirms that [REDACTED] assessment remains outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted [REDACTED] parents should be contacted by the private assessors to offer an appointment within 10 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaints Officer for the issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.



John Harraghy,
Disability Appeals Officer,
2 April 2019

Lo Call: 1850 211 583
Email: appeal@odao.ie

Office of the Disability Appeals Officer Oifig an Oifigigh Achomhairc um Míchumas

Office of the Disability Appeals Officer
Block 1,
Miesian Plaza,
50-58 Lower Baggot Street,
Dublin 2,
D02 XW14.

Oifig an Oifigigh Achomhairc um Míchumas
Bloc 1,
Plaza Míseach,
50-58 Sráid Bhagóid Íochtarach,
Baile Átha Cliath 2,
D02 XW14.

Determination of an Appeal on Behalf of:

Ref: AP0541

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 12th February 2019 from [REDACTED], in respect of her daughter [REDACTED]. This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.

Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 31st January 2019 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 31st January 2019 recommended that [REDACTED] ASD Assessment is completed no later than 7th March 2019 and that the Final Assessment Report is issued to the Case Manager for preparation of her Service Statement no later than 14th March 2019. [REDACTED] Service Statement should be issued in conjunction with her final assessment report no later than 14th April 2019.

Information furnished to my office by the HSE Disability Services In Cork Kerry Community Healthcare on 27th March 2019 confirms that [REDACTED] ASD assessment remains outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted her parents should be contacted by the private assessors to offer an appointment within 10 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaints Officer for the issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.


John Harraghy,
Disability Appeals Officer,
2 April 2019

Lo Call: 1850 211 583
Email: appeal@odao.ie

Office of the Disability Appeals Officer *Oifig an Oifigigh Achomhairc um Míchumas*

Office of the Disability Appeals Officer
Block 1,
Miesian Plaza,
50-58 Lower Baggot Street,
Dublin 2,
D02 XW14.

Oifig an Oifigigh Achomhairc um Míchumas
Bloc 1,
Plaza Míseach,
50-58 Sráid Bhagóid Íochtarach,
Baile Átha Cliath 2,
D02 XW14.

Determination of an Appeal on Behalf of: **Ref: AP0542**

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 13th February 2019 from [REDACTED] in respect of her daughter [REDACTED]. This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.

Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 16th January 2019 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 16th January 2019 recommended that [REDACTED] ASD Assessment is completed no later than 20th February 2019 and that the Final Assessment Report is issued to the Case Manager for preparation of her Service Statement no later than 27th February 2019. [REDACTED] Service Statement should be issued in conjunction with her final assessment report no later than 27th March 2019.

Information furnished to my office by the HSE Disability Services in Cork Kerry Community Healthcare on 8th March 2019 confirms that [REDACTED] ASD assessment remain outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted her parents should be contacted by the private assessors to offer an appointment within 8 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaints Officer for the issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.


John Harraghy,
Disability Appeals Officer,
12th March 2019.

Lo Call: 1850 211 583
Email: appeal@odao.ie

Office of the Disability Appeals Officer *Oifig an Oifigigh Achomhairc um Míchumas*

Office of the Disability Appeals Officer
Block 1,
Miesian Plaza,
50-58 Lower Baggot Street,
Dublin 2,
D02 XW14.

Oifig an Oifigigh Achomhairc um Míchumas
Bloc 1,
Plaza Míseach,
50-58 Sráid Bhagóid Íochtarach,
Baile Átha Cliath 2,
D02 XW14.

Determination of an Appeal on Behalf of: **Ref: AP0543**

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 13th February 2019 from [REDACTED] in respect of her son [REDACTED]. This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.

Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 5th February 2019 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 5th February 2019 recommended that [REDACTED] ASD Assessment is completed no later than 13th March 2019 and that the Final Assessment Report is issued to the Case Manager for preparation of his Service Statement no later than 20th March 2019. [REDACTED] Service Statement should be issued in conjunction with his final assessment report no later than 20th April 2019.

Information furnished to my office by the HSE Disability Services in Cork Kerry Community Healthcare on 8th March 2019 confirms that [REDACTED] ASD assessment remains outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted his parents should be contacted by the private assessors to offer an appointment within 10 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaints Officer for the issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.


John Harraghy,
Disability Appeals Officer,
10 April 2019

Lo Call: 1850 211 583
Email: appeal@odao.ie

Office of the Disability Appeals Officer Oifig an Oifigigh Achomhairc um Míchumas

Office of the Disability Appeals Officer
Block 1,
Miesian Plaza,
50-58 Lower Baggot Street,
Dublin 2,
D02 XW14.

Oifig an Oifigigh Achomhairc um Míchumas
Bloc 1,
Plaza Miseach,
50-58 Sráid Bhagóid Íochtarach,
Baile Átha Cliath 2,
D02 XW14.

Determination of an Appeal on Behalf of: [REDACTED] Ref: AP0544

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 13th February 2019 from [REDACTED], in respect of her son [REDACTED]. This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.

Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 15th October 2018 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 15th October 2018 recommended that [REDACTED] ASD Assessment is completed no later than 19th November 2018 and that the Final Assessment Report is issued to the Case Manager for preparation of his Service Statement no later than 26th November 2018. [REDACTED] Service Statement should be issued in conjunction with his final assessment report no later than 26th December 2018.

Information furnished to my office by the HSE Disability Services in Cork Kerry Community Healthcare on 28th February 2019 confirms that [REDACTED] ASD assessment remain outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted his parents should be contacted by the private assessors to offer an appointment within 8 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaints Officer for the issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.


John Harraghy,
Disability Appeals Officer,
5th March 2019.

Lo Call: 1850 211 583
Email: appeal@odao.ie

Office of the Disability Appeals Officer *Oifig an Oifigigh Achomhairc um Míchumas*

Office of the Disability Appeals Officer
Block 1,
Miesian Plaza,
50-58 Lower Baggot Street,
Dublin 2,
D02 XW14.

Oifig an Oifigigh Achomhairc um Míchumas
Bloc 1,
Plaza Míseach,
50-58 Sráid Bhagóid Íochtarach,
Baile Átha Cliath 2,
D02 XW14.

Determination of an Appeal on Behalf of:

Ref: AP0545. D.O.B. [REDACTED]

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 14th February 2019 from [REDACTED]. In respect of her daughter [REDACTED]. This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.

Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 28th January 2019 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 28th January 2019 recommended that [REDACTED] ASD Assessment is completed no later than 8th March 2019 and that the Final Assessment Report is issued to the Case Manager for preparation of her Service Statement no later than 15th March 2019. [REDACTED] Service Statement should be issued in conjunction with her final assessment report no later than 15th April 2019.

Information furnished to my office by the HSE Disability Services in Cork Kerry Community Healthcare on 2nd May 2019 confirms that [REDACTED] ASD assessment remains outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted her parents should be contacted by the private assessors to offer an appointment within 10 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaints Officer for the issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.


John Harraghy,
Disability Appeals Officer,
8 May 2019

Lo Call: 1850 211 583
Email: appeal@odao.ie

Office of the Disability Appeals Officer *Oifig an Oifigigh Achomhairc um Míchumas*

Office of the Disability Appeals Officer
Block 1,
Miesian Plaza,
50-58 Lower Baggot Street,
Dublin 2,
D02 XW14.

Oifig an Oifigigh Achomhairc um Míchumas
Bloc 1,
Plaza Míseach,
50-58 Sráid Bhagóid Íochtarach,
Baile Átha Cliath 2,
D02 XW14.

Determination of an Appeal on Behalf of:

Ref: AP0548

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 18th February 2019 from [REDACTED] in respect of her son [REDACTED]. This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.

Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 11th January 2019 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 11th January 2019 recommended that [REDACTED] ASD Assessment is completed no later than 15th February 2019 and that the Final Assessment Report is issued to the Case Manager for preparation of his Service Statement no later than 22nd February 2019. [REDACTED] Service Statement should be issued in conjunction with his final assessment report no later than 22nd March 2019.

Information furnished to my office by the HSE Disability Services in Cork Kerry Community Healthcare on 28th February 2019 confirms that [REDACTED] ASD assessment remain outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted his parents should be contacted by the private assessors to offer an appointment within 8 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaints Officer for the issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.


John Harraghy,
Disability Appeals Officer,
5th March 2019.

Lo Call: 1850 211 583
Email: appeal@odao.ie

Office of the Disability Appeals Officer *Oifig an Oifigigh Achomhairc um Míchumas*

Office of the Disability Appeals Officer
Block 1,
Miesian Plaza,
50-58 Lower Baggot Street,
Dublin 2,
D02 XW14.

Oifig an Oifigigh Achomhairc um Míchumas
Bloc 1,
Plaza Miseach,
50-58 Sráid Bhagóid Íochtarach,
Baile Átha Cliath 2,
D02 XW14.

Determination of an Appeal on Behalf of: **Ref: AP0549**

This appeal, pursuant to Section 18 (1) of the Disability Act 2005, was received on 18th February 2019 from [REDACTED] in respect of her son [REDACTED]. This appeal was against the non-implementation by the HSE of a recommendation of a Complaints Officer within the specified timeframe.


Section 18 (3) of the Disability Act requires an appeal to be submitted within six weeks of the date of the finding of the HSE's Disability Complaints Officer. In this case the Complaints Officer's Report was dated 17th January 2019 and was deemed to be a valid appeal.

The Complaints Officer's Report dated 17th January 2019 recommended that [REDACTED] ASD Assessment is completed no later than 21st February 2019 and that the Final Assessment Report is issued to the Case Manager for preparation of his Service Statement no later than 28th February 2019. [REDACTED] Service Statement should be issued in conjunction with his final assessment report no later than 28th March 2019.

Information furnished to my office by the HSE Disability Services in Cork Kerry Community Healthcare on 8th March 2019 confirms that [REDACTED] ASD assessment remain outstanding. The HSE Disability Services have also confirmed that a decision was made to prioritise Appeals waiting for ASD assessment and to offer a HSE funded private assessment via the waitlist initiative. The HSE Disability Services have confirmed that they anticipate that if [REDACTED] is accepted his parents should be contacted by the private assessors to offer an appointment within 8 weeks of receipt of this Appeals determination.

While the update from the HSE is welcome, this timeline is now in breach of the timeline set by the Complaints Officer for the issue of the ASD Assessment and I, accordingly, uphold this appeal.

The HSE has a statutory obligation under the Disability Act 2005 to ensure that the Assessment of Need process, including the provision of a Service Statement, is completed within the specified timelines. It is the HSE's responsibility to make the necessary arrangements to comply with this. If the HSE Disability Services, Cork, does not have the capacity to complete the assessment, then alternative arrangements must be made in a more timely manner to ensure that their statutory obligations are met.


John Harraghy,
Disability Appeals Officer,
12th March 2019.

Lo Call: 1850 211 583
Email: appeal@odao.ie