



An Roinn Oideachais
Department of Education

Assessment of Need Process and the Role of the Education Sector

Frequently Asked Questions

01 February 2023



This living document is a joint publication of the Department of Education and the NCSE, which will be updated accordingly.

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What is the purpose of an Assessment of Need (AON)?

The Assessment of Need (AON) process is provided for under the Disability Act 2005 and is a process under the remit of the **Health Service Executive (HSE)**. The Assessment of Need is a process undertaken by the Health Service Executive (HSE) to identify the health and education needs of children and young people as set out in the Disability Act 2005.

If a parent/guardian makes an application to the HSE for an AON, this application is reviewed by an Assessment Officer, who decides whether the child or young person is likely to have a disability. If the Assessment Officer forms the opinion there may be a need for an education service to be provided to an applicant, they will request the NCSE to nominate a person with the appropriate expertise to **assist** in carrying out the assessment of education needs.

The Assessment Officer coordinates the assessment process and completes the assessment report.

How does this process start?

The AON process commences when the parent/guardian makes an application for their child to the HSE. The HSE is responsible for the identification of health needs. If the HSE Assessment Officer (AO) is of the opinion that a child or young person requires an education assessment, the AO will make a referral to the NCSE as required by the Disability Act (2005).

Why is education now part of a HSE process?

All children/young people born on or after 1st June 2002 are eligible to apply for an Assessment of Need under the Disability Act (2005).

Following a legal judgement in 2021, the NCSE now has the responsibility to nominate an appropriate person to carry out an assessment of education needs **on behalf of the HSE** under the AON process.

If the HSE Assessment Officer forms the opinion that there may be a need for an education service to be provided to an applicant, they will request the NCSE to nominate a person with the appropriate expertise to assist in carrying out the assessment of education needs. The educational component of the AON process refers only to assessment of education needs as identified in the school as part of their planning and support for their students. Assessment in education is an everyday practice in schools which results in the identification of a child's **education** need and the measures required to address these needs. If no additional educational need has been identified by the school this can be recorded on the form which should then be returned to the NCSE. No further action by the school is then necessary.

While schools are being asked to complete the education section, the Assessment of Need is a HSE process and HSE are responsible for the overall report issued to parents/guardians.

What is the purpose of the Report of Education Needs?

If referred by the HSE Assessment Officer, the Report of Education Needs is required to fulfil one part of the HSE AON process. The Report provides information to the HSE on how the child/young person is learning in school and where the school has identified additional educational needs.

This report provides the HSE with the following information:

- Approaches taken in the school to identify additional educational needs
- Additional educational needs that have been identified by the school
- The additional educational needs that the school has prioritised for intervention

What information is required to complete the Report of Education Needs for the purpose of Assessment of Need?

The Department of Education and NCSE have worked intensively to ensure the process put in place is one that is rooted in existing good practice in schools.

Schools record assessments in education in a 'Student Support File'. In line with best educational practice, the Student Support File details a student's additional educational needs as identified by the school, targets to be achieved by the student as well as measures designed to achieve the targets. The information contained in the Student Support File, therefore, is used in completing the educational component of the AON which is returned to the HSE via the NCSE.

Schools provide for the inclusion and participation of all students and provide an education which is appropriate to a student's abilities and needs. Identification of education need/s is central to the way schools support students using the Continuum of Support.

The Continuum of Support is a problem-solving model of assessment and intervention that enables all schools to gather and analyse data, as well as to plan and review the progress of individual students. Guidelines issued by the Department of Education to support schools in the implementation of the 2017 SET Model state that effective provision for students with additional educational needs is situated within an inclusive, whole-school Continuum of Support framework to assist schools in identifying and responding to student's needs.

Does this new process affect the Student Support File?

No, the overall Assessment of Need process remains a HSE process. Schools are providing existing information arising from ongoing assessment practices and recorded in the Student Support Plan to further inform the Assessment Officer in their process.

Will there be legal implications for schools?

Assessment of Need process is a HSE led process. The Disability Act 2005 outlines the legal responsibility for the AON process which lies with the HSE. Within the Disability Act the HSE may request the NCSE to nominate a person to assist an education assessment which feeds into the HSE process.

Who should complete the AON form in schools?

The Disability Act states that the NCSE must nominate an appropriate person to complete the process. The EPSEN Act, although not fully commenced and currently under review, identifies the principal of the school which the child is attending, or a teacher of that school nominated by the principal, as having the necessary expertise to complete the education element of the assessment of need process. This is very much in keeping with the agreed educational position that teachers, as professionals, are best placed to identify the needs of children through the approaches established through the continuum of support process and subsequently differentiate the curriculum to meet that child's needs.

The report, therefore should be completed by the school principal, deputy principal or a teacher nominated by the school principal who is familiar with the student.

Do schools have the appropriate expertise to identify education needs?

Identification of additional educational needs is central to the way schools support students using the Continuum of Support and assessment in education is an everyday practice in schools. Schools are not required to engage in additional assessment practices to complete the AON form. They take existing information from the Student Support File and transfer that into the AON form.

The Continuum of Support is a problem-solving model of assessment and intervention that enables all schools to gather and analyse data, as well as to plan and review the progress of individual students.

The individual who is completing the Report of Education Needs form should ensure the Student Support File is to hand.

How will the school system be supported in this process?

Recognising that this is a new process for schools, the Department of Education and the NCSE have put in place a suite of supports to assist in completing the educational component of the HSE's AON process. These include:

- Detailed guidance: [AON Guidance](#)
- Short video for use by schools setting how to comply with the process: [AON Guidance Video](#)
- Email support at aon@ncse.ie
- Phone support at 01 603 3456 to access administrative support or further access to specialist support

Based on the information available from the HSE, the expectation is that most schools will not receive many AON requests. However, in circumstances where schools are requested to complete a significant number of AON forms, or where the process is not clear to them, they may seek additional support from the NCSE using the contact details above. In these circumstances, the school may receive a support visit from an NCSE advisor.

What is the position with GDPR and consent for schools in this process?

The HSE obtains consent from parents/legal guardians prior to starting this process. This consent allows the data sharing between education service providers (school), HSE and NCSE.

Do schools have consent to share information with the NCSE as part of this process?

At the start of this process when a parent/guardian applies to the HSE for an Assessment of Need, parents provide consent to the HSE to allow the sharing of information between the HSE, NCSE and Schools. Also during the education component and when the NCSE nominate an appropriate person to complete the Report form, the NCSE contacts the parents to confirm that consent is in place.

Will training be provided to schools?

The Department of Education has worked with the NCSE to put in place a suite of supports to assist schools in completing the educational component of the HSE's AON process. These include:

- Detailed guidance: [AON Guidance](#)
- Short video for use by schools setting how to comply with the process: [AON Guidance Video](#)
- Email support at aon@ncse.ie
- Phone support at 01 603 3456 to access administrative support or further access to specialist support

However, if during the implementation phase and during ongoing monitoring of the process, it is deemed necessary to provide further supports this will be reviewed. The Department and NCSE are committed to developing supports as required by schools. In that regard, the Department and NCSE will continue to engage with the education stakeholders.

Will this impact applications/processes provided by the Department of Education or the NCSE?

No. This is an entirely separate process that is under the remit of the HSE.

With regards to resources and support provided by the Department of Education or the NCSE, the processes remain the same.

The NCSE has responsibility for planning and coordinating school supports for children with special educational needs including the allocation of SNAs, Special Education Teaching Allocation and reviews, this remains unchanged.

What additional supports will the child receive on foot of completing this report/form?

This is a HSE process provided for under the Disability Act. It should be noted that the Disability Act specifically precludes any provisions relating to education services where the subject of the statement is a child.

Schools are resourced through the Department of Education independent of the AON process.

The NCSE has responsibility for planning and coordinating school supports for children with special educational needs including the allocation of SNAs, Special Education Teaching Allocation and reviews.

Is there specific guidance for schools to assist them in completing the AON form?

Yes, this guidance has been prepared following extensive consultation with schools and stakeholders and is available here [AON Guidance](#)

Does this affect the NEPS allocation in schools?

No, the NEPS allocation to schools is not affected and the NEPS service delivery in a school continues to be based on the school's priority needs.

Were schools, teacher unions and/or management bodies consulted in developing the AON process?

The Department engaged with the unions, management bodies and a number of schools prior to the introduction of the trial AON process in schools. Engagement occurred in June 2022 to inform unions and management bodies of this process. Feedback was received from a number of schools involved in the initial trial of the AON process. The Department and the NCSE met stakeholders again in September 2022 and provided an update on the feedback received during the trialling process. A detailed presentation was also provided. The Department provided assurances to ongoing engagement on this process.

Throughout the process, stakeholders have been consulted and have provided ideas and raised issues that have been worked through in developing the process. This continues to be the case.

On foot of feedback received from the education stakeholders, further engagement was scheduled for 27 October 2022.

At that meeting, it was agreed that the trial would be extended, and the 63 current assessments at that time in the system would be supported by staff from the Department and the National Council for Special Education (NCSE), where requested by schools.

The Department will continue to monitor the process in schools and will review how schools manage the process in order to establish if further supports are required.

On average, how much time is expended in the completion of a Report of Education Needs?

The AON process has been trialled in 80 schools to date. The majority of these were primary schools. The feedback from primary schools involved in the extended trial suggests that, in most instances, the completion of the AON form takes approximately 30-40 minutes. In post-primary schools, the process takes somewhat longer (60 minutes on average) given the number of teachers that may be involved.

Reading the guidance document and/or watching the explanatory video, will provide for a clearer understanding when completing the Report for Education Needs form.

Has a time allocation been provided to schools to facilitate this work?

The Special Education Teaching hours (SET), which are provided to every school, already envisages within the allocation, that time will be required to co-ordinate supporting documentation in respect of the children with SEN. Schools are being advised to use coordination time provided as part of their SET allocation to complete the AON form in schools as required. On that basis it is not envisaged that any further time is required within the schools to complete this process. Furthermore as assisting the NCSE in supporting children with SEN is part of the ongoing work of schools it is not envisaged that there would be any need to consider additional payments to those who complete the AON form in schools.

If a school receives a large number of requests, can they get support from NCSE to assist in completion of same?

In circumstances where a school may experience a large number of referrals the NCSE has committed to providing on-site support if required.

Where can schools get support, once the principal/deputy principal has been nominated?

A detailed Guidance Note has been developed, which will assist school in the completion of the Report of Education Needs. The Guidance Note will issue from the NCSE to the school principal when a referral has been received by the HSE.

A video has also been developed to support schools in this process.

All resources are available on ncse.ie and gov.ie (Department of Education) websites.

Schools can contact the NCSE at aon@ncse.ie or 01 603 3456 where an AON administrative team is in place.

Will schools be involved in the appeals process?

It is not envisaged that schools will be involved in the appeals process.

The Act provides for a statutory complaints and appeals process. AON applicants can make complaints on the following grounds:

- a) a determination by the assessment officer concerned that he or she does not have a disability;
- b) the fact, if it be the case, that the assessment under section 9 was not commenced within the time specified in section 9(5) or was not completed without undue delay;
- c) the fact, if it be the case, that the assessment under section 9 was not conducted in a manner that conforms to the standards determined by a body referred to in section 10;
- d) the contents of the service statement provided to the applicant;
- e) the fact, if it be the case, that the Executive or the education service provider*, as the case may be, failed to provide or to fully provide a service specified in the service statement.

The above grounds relate to the health aspect of the process. Furthermore, education is not covered within the service statement as per the Disability Act Part 2 S.11.6

** NB – service statements for children must not refer to education*



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