Written evidence submitted by Rachael Hayes

Executive Summary:

- Access to the Access to work scheme needs improving
- Understanding of the advisors needs to be heightened by training and collaborating with deaf people
- Employ Deaf/disabled advisors
- Capping the rate for qualified interpreters at £25 per hour is not in accordance with the current interpreting market
- The arbitrary rule of 30 hours is not feasible in all areas of employment, different settings require different skills of interpreters
- The need to consult more with AtW consumers
- AtW keeps me in employment, and an interpreter = two taxpayers

Introduction

1. I write from an individual consumer perspective in response to the inquiry regarding the Department for Work and Pensions’ (DWP) Access to Work (AtW). I hope you find the account of my experience with the AtW scheme useful in your considerations for its review. I am a Deaf British Sign Language (BSL) user, I work for the National Health Service, and hold a senior position within National Deaf CAMHS.

The AtW application and assessment process

2. When I applied for a post within the NHS I was informed that there would be an interpreter provided and paid for by the NHS for the interview so I did not need to apply for funding for an interpreter via AtW for my interview. This was one less thing to worry about, preparing for this interview was my priority, as it was with the hearing candidates that also applied for this post.

3. When I started employment, in order to make an application I was required to contact AtW via the telephone. As you are aware, the telephone was invented for hearing people therefore it was inaccessible for me as a deaf person. In order to access their assessment procedure, I had to book an interpreter to make the telephone call, however I did not have any AtW support agreed at this time so there was a query regarding who would pay for this initial support.

4. There are no alternative methods of contacting AtW such as email or filling in an online application, therefore the initial contact system is not accessible for deaf people. The telephone call took 5 minutes after taking basic details, and they said they would call me within 48 hours to 7 days. I found this difficult to comprehend as I did not have interpreter support agreed at this stage, so I was puzzled as to how they expected me to take the call. It seems this system forces us to rely on hearing colleagues, and I remember feeling no sense of autonomy or access during this time. The call back system meant that there were missed calls therefore more delays in the application process. I then had to email them to agree a date and time when we could discuss the application over the telephone giving me an opportunity to book an interpreter.

5. When we eventually managed to speak to one another via an interpreter, the assessment took place over the telephone. Again this could be made more accessible, however the main issue with this was that the advisor was asking really inappropriate questions, rather surprisingly for someone I would expect to be knowledgeable about deaf people and their needs. They also did not know how interpreters worked on the telephone which prolonged the process.

6. I felt to achieve the outcome of the call, I had to provide brief deaf awareness training over the telephone about how deaf people operate and how interpreters work, which really is not my responsibility, it should be covered in their induction training. I felt to this end, they still have not fully

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comprehended what deaf people need. I found it rather impossible to understand how they are able to assess what deaf people need if they do not even know how interpreters work or have the appropriate knowledge. The advisor SHOULD have expertise in the field of working with deaf people, interpreters, other communication support workers and the differing needs, in order to make the appropriate assessment.

7. An example of this is when I explained I worked for a national service, with occasional visits to London, I was asked why some interpreters would need to be remunerated with London weighting. I was also asked why an 8 hour meeting would require two interpreters, when it is understood the processing and the translation process means that interpreters will suffer from fatigue if they are working alone. The advisor was not aware of these issues. I was invited to Madrid to present at a conference, which meant I needed to make an additional application to take two interpreters to Madrid. The advisor advised me to book interpreters in Madrid to save on travel funding. I had to explain that sign language used in Madrid was Spanish Sign Language, a language that I am not familiar with. I also had to provide an example of how the hearing advisor would struggle should they attend a conference in Spanish with no English translation. The advisor clearly assumed that sign language was universal, which is not at all the case and if they had any knowledge about sign language this would not have been an issue. This is a great concern, considering these advisors make decisions about what deaf people need to function at work appropriately, which could have a major impact on their mental health and life if these decisions are wrong.

8. AtW were not aware of the qualifications that interpreters would require in order to work with me in a specialist area such as mental health and deaf children. The allocation of my case was given to an advisor because of where I live, not to an advisor with expertise in the area of working with deaf people or mental health. This should be taken in to consideration when the assessment is allocated. I then had to resort to sending them information about my job, my role and my needs to help them to understand.

Adequacy of ongoing support, both in terms of the aids, adaptations and support workers provided through AtW, and the help and advice offered by DWP:

9. AtW did not provide any support with adaptations, and my employer funded this such as; a minicom, pager, mobile phone, flashing doorbell and fire alarm. My employer is supportive with this and contributed to the support package that I need in order to do my job effectively, however this is not the case for all employers I am aware.

10. Without AtW I would struggle to stay in employment and would not be able to fulfill the requirements of my job description. Without an interpreter, it would be difficult for me as I can not communicate in spoken English; the majority of my colleagues are hearing whose’s first language is English.

Current AtW support for Deaf and disabled people being good enough, and meeting my needs.

11. Following the recent proposed changes, AtW are refusing to pay some interpreter’s invoices. I was seconded to a role and due to difficulties with HR and DBS, I am still seconded to this role therefore no changes to my role. AtW have argued, that as it was a planned one year seconded post, I should have informed them this period had been extended, and me failing to do so has meant they are refusing to pay for the support I received after this period. Since then we have been in discussions, (after they were emailing me at the wrong email address and said they sent me a letter however I did not receive) and they have agreed to reinstate my support until September 2014, however have refused to pay for support from the end of the secondment to the time they eventually emailed me at the correct email address. I am now aware they have changed their terms and conditions and now have made it the responsibility of the deaf person to contact AtW when the period of support had come to an end, whereas for the previous 15 years that I had received AtW support, it was always AtW who initiated the review not the consumer. I also fail to understand, if my role had not changed, my support had not changed, and since the support has been reinstated, why would they refuse to pay for one particular period. If I was aware of this period of not being funded, I would not have been able to fulfill my role, and this is direct discrimination. My ignorance in this matter however has meant that interpreters are still waiting to be paid for their work. I feel again, this is another example of how AtW do not understand the market of interpreters.
12. As there is a national shortage of interpreters, and even less that are qualified to work in mental health, I have to regularly book interpreters up to 12 months in advance to make sure I can book who I need. I feel that AtW’s systems of working, e.g. using the telephone for the assessment do not coincide with the market of interpreters and booking arrangements.

**AtW’s effectiveness in terms of helping disabled people to: secure a job, stay in employment, and develop their careers:**

13. I feel that prior to the proposed changes, AtW has helped me secure a job and stay in employment. It is a well thought-out process that deaf people can have an interpreter for a job interview by filling in a form, rather than calling AtW, and this is usually agreed quickly. When I first applied for AtW 15 years ago, AtW outsourced advisors to come and do the assessments, all advisors were all BSL users and I did not have to justify what my requirements were to someone who were not in the know. I do feel that I have remained in employment for the last 15 years through AtW provision. The provision has meant that I have been able to progress alongside my hearing counter parts, thought working with interpreters to be able to access things from training to lunch time chit chat and on the spot discussions.

**The steps taken so far by DWP to extend AtW, including its marketing and funding of the scheme:**

14. I felt that during the assessment period, and for any additional support required, I am always offered less support than what I requested and even the advisor told me to ask for more as less is always offered. I was fortunate to know what AtW are able to provide through having deaf friends and colleagues, as I feel they have never marketed their service. Previously, I have been in touch with the Disability Employment Advisor, (DEA) from the job centre, and they have never mentioned the AtW scheme to me, I would question whether they know about it.

**My Recommendations:**

15. I am aware AtW are considering an arbitrary rule of 30 hours, meaning they will suggest I employ an interpreter if I need over 30 hours of support a week, however I believe in my case it is 23 hours so there is no consistency. My month can vary so much which means I would need a different interpreter for such settings; in month I may be involved with interviewing a child, in meetings, cognitive assessments, play based assessments, working in a clinic, visiting a family in their home, and attending school meetings. The skill sets are very different and complex meaning one interpreter would not be appropriate for each setting, family or location as I cover the whole of the North of England. I also feel that as interpreters are self employed, if they are off sick or on holiday, I am able to book someone else without having to pay for other interpreter, (however the planned salaried interpreters would not allow this and would mean paying twice) I feel that flexibility and choice means I am able to work with different interpreters depending on the needs of the appointment/family/location. It also means that I am not forced to create dependency on one person, and should they be off sick, I am still able to do my job as I would be able to book another interpreter. I am worried if I were to leave or go on maternity leave, or long term sick, the employed interpreter would not be able to re-deployed and would still require a salary.

16. I feel that the current agreed rate of £50 per hour means I am able to work with appropriately qualified/trained interpreters, experienced in the field of mental health and deaf children. I am also aware that AtW are suggesting a capped fee for booking interpreters, which in my case is 50% below the market hourly rate for a sign language interpreter. If this is imposed, I would not be able to continue to working with qualified interpreters, and potentially lose my job as it would have an immense impact on my position here within the NHS. Guidelines on working with qualified interpreters within the NHS are laid out in ‘Doubly Disabled: Equality for Disabled people in the new NHS Access to Services’, NHS Executive 1999, therefore if the rate of pay was halved, I would be in jeopardy of breaching these guidelines.

17. I feel there needs to be an increased understanding of the market value of interpreters, and an in-depth understanding of how dependant on skill, qualification, and location, this value will change.
18. I feel the issues with AtW and the lack of understanding of BSL and deaf people's needs are largely down to no legal recognition of BSL as a minority language which is a basic human right issue. If there were legal recognition, then all government organisations would be aware of what we need. I feel, regardless of legal recognition, AtW should have a basic understanding of what Deaf and disabled people should need.

19. There has been a recent report entitled ‘sick of it’ http://www.signhealth.org.uk/health-information/sick-of-it-report/sick-of-it-in-english/ highlight the effects of no access to communication to deaf people's lives. An understanding of the findings will make sure the issues of interpreting provision in the health arena will not be transferred to the area of employment.

20. I feel there are some good points of the former system, for example the ability to use external agencies to source, and book interpreters for me (although this is one of the planned cuts.) If this cut is agreed due to the review in September 2014, it would add hours, stress to my current work load. Items such as finding interpreters, booking them, providing preparation materials, job details, invoicing, paper work and AtW forms, and chasing late payments would add on an awful lot to my role.

21. I feel a long term cost effective measure would be for AtW to employing remote deaf advisors. This way, they are deaf themselves and would know what deaf people need which would reduce the assessment and consideration. Deaf advisors would mean the ignorance is reduced, and frustration faced by consumers reduced if not diminished. This would have an immediate benefit to deaf people that they are said to work for. Similar, someone who was a wheelchair user, would be most equipped to know what it is like to be a wheelchair user, and knowledge of which area they need support in. They would be able to work from home and do face to face visits to deaf people's workplaces making their assessment more person centered and meaningful to each individual client. They would also be able to communicate directly with deaf people which would mean AtW or the client would not need to pay for an interpreter to discuss items with their clients. Deaf advisors would have more knowledge about interpreters work, BSL and the current interpreting market.

22. I feel AtW's terms and conditions and formal documentation needs to be provided in an accessible format, provided online in BSL, meaning no need to book and pay for an interpreter to translate the information in order to access their service. To date, I have never received a copy of their terms and conditions, and when I asked my advisor for a copy, she told me her printer was not big enough to print it, and she would not be able to post it due to the weight of it.

23. Training around 'working with interpreters', 'deaf awareness' etc needs to be compulsory as a bare minimum to be able to do their job. I also feel deaf consumers should only need to be reviewed only if any circumstances change, however in the current set up it is either annually or every 3 years which is an additional drain on financial economics if nothing has changed, and my time as an NHS employee.

24. If the future ATW changes are imposed on me, I would be unable to continue to do my job. I would then have to go on benefits which will have implications long term on the government and my mental health, which will be an additional on-cost to the NHS. There is evidence that having AtW support for deaf people is helping the economic climate by being in employment as well as for interpreters being in employment too meaning two additional tax payers into society.

I urge you to consider how these changes will impact deaf people, and this can only be done by working with deaf people on this consultation. I am more than happy to be called for a meeting to make sure my views and points are fully understood.

16 June 2014