Written evidence submitted by Martin Willis (ATW0059)

1 Executive Summary:

The following points cover my experience with the current AtW process:

- The Access to Work provision, for me, has been excellent to date (ignoring the current process being followed for reassessment) and this has been extremely invaluable in helping me stay in my current job and develop my career.
- The current reassessment process has unleashed a new culture of bullying, adversarial Access to Work advisors who are disinterested in the client’s actual needs. This needs to be addressed and rectified.
- The rule for enforcing Deaf people to employ an salaried interpreter needs to be scrapped (a separate inquiry for this has been announced by Mike Penning MP, the minister for Disabled people) as well as attempts to bend the rules to bring more deaf people into the scope of salaried interpreters.
- Access to Work advisors need to be retrained to assess needs in a more civilised manner, following the guidelines (rather than ignoring/breaching them) and to advise clients of other options they can pursue if expected outcomes are not achieved.

2 Introduction:

2.1 My name is Martin Willis and I work for Prudential plc. As I am profoundly deaf and a BSL (British Sign Language) user, my disability and reliance on sign language to communicate means that communication is a real barrier to being able to do my job. Hence I have a need for BSL Interpreters to enable me to do my job.

2.2 I have been supported by Access to Work and, before this much needed and invaluable body came into being, by the old PACT body since the late 1980’s. Support was provided, initially though provision of equipment and since 2001 with BSL interpreters.

2.3 BSL Interpreters are highly qualified professionals who have to achieve an NVQ Level 6 Interpreting qualification; to achieve this is the equivalent of a 4 year degree course. Hence this is not an occupation that just anyone can fulfil, or train up whilst in work. The numbers of BSL Interpreters, in relation to the number of deaf people in employment, are quite low, and therefore demand can be greater than supply. The support rates paid for BSL Interpreters need to reflect this.

2.4 The reason I am sending evidence is that the recent changes in the Access to Work approach to reviewing support for Deaf people who are reliant on BSL interpreters has been horrific and insensitive; this has left me fearing for my future employment prospects. My fears are from both the aspect of career progression as well as retaining my job, as my performance will be impacted due to the inability to communicate with both customers and colleagues should the very real threat of reduced support materialise.
2.5 This is something that this select committee need to be aware of because if this is not addressed, we will see an increasing number of Deaf people being forced out of work which will result in an increase in the number of Deaf people being unemployed.

3 View of AtW and past experience:

3.1 Access to Work has been a fundamental support resource in enabling me to carry out my job role. As my role is 100% communication based, without the BSL support I get through this programme, I would not be able to do my role and therefore would not have a job. This support has also helped my career development, otherwise I would either have been stuck in a monotonous, unchallenging lower paid role or amongst the ranks of the unemployed.

3.2 There is clearly a need to keep the Access to Work programme and ensure that any changes or initiatives do not result in making it difficult for disabled people to gain, and stay in, employment. There is a need to avoid making it more difficult and unsettling for any group of disabled/deaf people to stay in employment and develop their careers. Any potential savings forecast or made would be overwhelmed by the extra financial burden on the state due to the number of disabled/deaf people becoming unemployed.

4 Evidence:

The following subsections outline the evidence I will be presenting; this follows the published Terms of Reference for this specific inquiry.

4.1 Application and Assessment Processes

This section covers the AtW application and assessment processes, from the perspectives of employees and employers;

4.1.1 Since 2001 when I was assessed for, and it was agreed that I needed BSL interpreters in order to enable me to be able to do my job, I have had reviews every 3 years (in 2004, 2007, 2010 and 2013). The last assessment in Nov/Dec 2013) was horrific, to the extent that I have had to raise a specific complaint with the Senior Operations Manager for Access to Work about the tactics and attitude adopted by the AtW Advisor assigned to my case. I am happy to send a copy of this complaint if the select committee would like this.

4.1.2 The main points of concern during my last review, which was markedly different from my previous AtW reviews as well as deviating from the AtW Guidelines were;

a) my current needs were not assessed at all.

b) The very first contact I had from AtW was an short email from an AtW advisor to say I would have to employ a salaried interpreter.

c) The AtW advisor was adversarial, bullying and disinterested in my actual needs as the client.
d) The information regarding my actual support hours as given by the AtW advisor was often wrong and when I corrected him he would often argue or dismiss it and would not apologise.

e) The AtW guidelines clearly state that a salaried interpreter is to be considered if support is full-time, the figure of 30 hours being a guideline regarding what was considered as full time support. When I explained I only used an interpreter 4 days a week, hence this was not full time support and also this was less than 28 hours, the AtW advisor was dismissive and stated it was “only a guideline”.

f) The ATW advisor stated that there was “no right of appeal and I would have to accept what was offered”. He was not interested in the concerns I raised about this decision and how it affected my future. He did not explain that there was an reconsideration process open to me.

4.1.3 Fortunately, with support from my company and union, I was able to find out more about the reconsideration process and was able to go down this route. This resulted in the original decision being overturned and enabled me to retain my current support arrangements (although with a reduced budget) and not to have to go down the salaried interpreter route. However the revised decision did not revert back to my original arrangement. The main issues I now have with the revised decision are: -

a) This only covers approximately 80% of the money I need to continue my current support; this makes assumptions that the Prudential would continue to pay a 20% voluntary contribution and no reassurances or suggestions was given as to what would happen if the Prudential decided to stop their voluntary contribution.

b) This revised amount offered is £2,264 short of the amount I would need for the full 80% costs

c) My interpreters have not had a pay rise, nor asked for one since December 2009, which is over 4 years. Therefore I would expect them to request one sooner than later. Again, no reassurances or suggestions was given as to how this would be addressed.

4.1.4 Although the reconsideration process restored (albeit with a much reduced budget) the level of support I was previously getting, an email as part of the discussion process gave me further cause for concern. This email was in response to my request to continue to get funding at the same level I was on before (as per previous paragraph). The specific statement that caused concern was “Salaried support is imposed for all cases above 25 hours per week. The funding you are requesting will not be approved.” This means they were now further ignoring their guidelines about full time interpreter support and changing the 30 hour guideline rule to 25 hours!! I felt this was an unpleasant and bullying way to get me to go along with the reduced amount they were offering me.

4.1.5 I would be more than happy to provide a copy of the documents that I have mentioned previously as follows:
a) My reconsideration request in which the original decision was overturned. This is a 13 page document which outlines the numerous occasions that various AtW Guidelines had been ignored or breached when reassessing my support needs.

b) My complaint against the AtW advisor initially assigned to my reassessment.

### 4.2 Ongoing Support
This section covers the 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;

4.2.1 The support in terms of both aids and support workers (in my case BSL interpreters) has been excellent in the 13 years I have had BSL Interpreter support. This has helped me retain my job and perform to the required level in a more challenging work environment where job cuts have happened several times and continuous higher performance is required in order to simply retain an middle of the road “meets expected standard” marking at the annual performance review.

4.2.2 The advice from the Access to Work Advisor originally assigned to the review of my case was non-existent. As mentioned before he tried to present the decision he had made as “fait accompli”. He stated that there was “no right of appeal and I would have to accept what was offered”. He was not interested in the concerns I raised about this decision and how it affected my future. He did not explain that there was an reconsideration process open to me.

### 4.3 Effectiveness of ATW Support for mental health & learning disabilities
This section covers the effectiveness of AtW in supporting people with mental health conditions and learning disabilities;

4.3.1 I don’t really have any input to give for this specific section as I do not suffer from mental health problems. Neither do I have a learning disability, but I do have a disability which leads to problems in learning if the correct communication support is not in place.

### 4.4 Effectiveness of ATW Support to secure job, stay in the job and develop career
This section covers AtW’s effectiveness in terms of helping disabled people to: a) secure a job, b) stay in employment; and c) develop their careers;

4.4.1 My experience of AtW, apart from the recent reassessment process which I have covered in detail in previous sections, has been very positive. The support I have received has been fundamental to my ability to stay in my current role and to develop my career; without this support, I would not have the job I am in and possibly be in a lower paid less challenging job or be unemployed.

4.4.2 The evidence in previous sections show that the current AtW process is reducing the level of BSL Interpreter support for Deaf people, to the extent that the ability to stay in a role and develop career is rapidly diminishing with the reduction of support. I am only able to retain my current BSL Interpreter support due to the generosity of my employer. Without this, the reduction in my AtW funding means I would be in serious danger of losing my job due to the reduced hours of support
that was decided without assessing my needs and understanding the issue around employing a BSL interpreter. This particular issue is not limited to my specific case, it is widespread and is now the subject of a separate inquiry that has been announced by Mike Penning MP, the Minister for Disabled people.

4.4.3 The fact that I am only able to retain my current level of BSL support due to the generosity of my employer means I am very vulnerable should a cost cutting exercise come in, or if there is a change of management in my department and the new management look for ways to cut the costs of my department. I now have a feeling of vulnerability that I previously did not have, and this is not a nice feeling to have. This rears its head from time to time, especially when organisational changes are announced in my company; this was not a feeling I had before.

4.5 Extension of ATW Support
This section covers the steps taken so far by DWP to extend AtW, including its marketing and funding of the scheme.

4.5.1 I’m sorry but this statement is an absolute joke. All I have heard from my AtW advisor is that “funding is tight”, “DWP have to make cuts and we all have to share the pain”, “the ATW budget was £x million and a % cut is needed”. I know the official line is that DWP have increased the budget and want to expand the use of AtW, but the opposite would seem to be the case from my experience and from other deaf people’s experience.

4.5.2 I have not seen any evidence regarding DWP doing more to help Deaf and disabled people use AtW, and as the above paragraph states, the opposite seems to be prevalent; deaf people that I know everywhere are reporting that their funding has been cut and their support hours have gone down and they are fearful of keeping their jobs.

4.5.3 As per 4.5.1 above the impression I am given by AtW advisors is that AtW funding has been overspent and there need to be funding cuts.

5 My Recommendations:

5.1 Retraining of AtW advisors to follow the Guidelines in full. This means an empathic approach and working with the client to understand/assess their needs. Then when needs have been agreed, only then does the question of funding comes into play.

5.2 Retraining of AtW advisors to not discuss/argue with, or pressurise, vulnerable clients regarding funding cuts or monetary amounts. Also train AtW advisors to assist client to be fully aware of the complaints and reconsideration process and help them go down this if they feel their needs are not recognised, or funding that is required to meet this need is not given.

5.3 The 30 hour rule (or the “new” 25 hour rule if what I have been told is true) needs to be scrapped for Deaf people using BSL Interpreters. Funding should cater for the possibility an employer might stop their voluntary contribution and
also for any possible increase in interpreter rates, of course with the necessary controls in place to ensure any increases are not unreasonable.

18 June 2014