Introduction:

1) We are an agency that provides British Sign language Interpreters to various clients, some of whom use Access to Work to fund their interpreting provision.

2) Sign Language Interpreters are a highly trained profession, with all having a university degree qualification or the equivalent. They have trained for many years and their rates and salaries quite rightly reflects this level of training and professionalism.

3) The interpreters that we use are all registered with the NRCPD and we try to whenever possible use the fully qualified interpreters, rather than the trainee interpreters.

4) Our response will outline our own concerns, observations and difficulties we and our clients have had with AtW.

5) ATW is a lifeline to Deaf people in employment or looking for work and can work very well, as long as the person has been assessed appropriately, adequate support is awarded, invoices are paid on time, advisors are accessible and contactable when needed, awards are honoured, awards of hourly rates are realistic and ATW own guidance is followed consistently and fairly.

Access to Work application and Assessment procedure

6) Clients of ours have been incredibly frustrated by the application process and it has been pure luck that they have been employed within an organisation that is very Deaf aware and knowledgeable of the AtW system and how slow it works. If they had not been employed in such an organisation they would have lost their job, as it can take several months (in one case over a year) to get a satisfactory and appropriate ATW award sorted.

7) They have often been left without an AtW award for several months into the start of their employment. This has often left them unable to do their job fully.

8) The assessment procedure does not take into account the individual needs of the AtW client within their work environment. Often our clients are left with an award totally different and inadequate to what they have requested within their assessment.

The adequacy of ongoing support

9) For Deaf people in employment, an interpreter requirement is an ongoing need. This leaves them in a unique position in comparison to many of the other AtW clients who require one off adaptations or equipment purchases.

10) Ongoing support is a continual battle and stress for our Deaf clients as often, especially recently, when their award is reviewed and renewed it has changed – even though their work and interpreter requirement has not changed. Examples are of hourly rates being reduced/slashed and even awarded hours of support being reduced, often both of these happen at the same time.

11) It would seem that AtW is wholly inadequate to understand the specific needs of the deaf community in terms of their requirements of ongoing support from AtW.

The effectiveness of AtW in supporting people
12) In theory it should be straightforward and simple for people to be supported by ATW. Unfortunately in reality this is not the case.

13) Deaf people who are in employment require continual interpreter support. The amount of support required changes from individual to individual. Some only need a few hours per month, while others need 8 hours a day.

14) ATW seems wholly inadequate when the need for support is ongoing.

15) We have had clients request that ATW provide funding for 2 interpreters when a full days internal training was being attended. This was approved, but after the event ATW refuse to pay the costs for 2 interpreters. We are still trying to chase payment for these occurrences a few years down the line. The Deaf person has now left their employment and the employer is not interested in assisting us in trying to get the invoices paid.

16) ATW is increasingly adding to peoples stress at work, instead of helping to alleviate it. The cuts in awards and the subsequent time, effort and stress that is involved with appealing the award is sending people into sickness and time off work for stress.

17) This situation has only been made worse with the recent change to call centres, rather than individual case workers.

The AtW effectiveness in terms of helping Deaf people to:

Secure a job

18) The change in policy that an award will not be approved until the interview date and time has been confirmed causes problems. Often the interview needs to be arranged around the interpreters’ availability, but that cannot be sought until the funding is agreed. It has created a chicken and egg situation that to get over you usually have to either book an interpreter hoping that funding will be approved, but stressing that it could be refused OR the Deaf person has to agree to an interview date to get the funding and then either change the interview date if an interpreter cannot be sought or risk losing out on the interview if it not moveable.

19) Once a job has been gained, the ATW process can take so long the deaf person risks being dismissed before they have even started their employment. This is because they may not be able to start work without interpreter support and they cannot get interpreter support without ATW being approved.

Stay in Employment

20) If the ATW award is sufficient and realistic, it can be the crucial element of someone staying in their employment. But if the award is not realistic, or adequate it can cause catastrophic issues.

Develop their careers

21) We know of one deaf professional who needed ATW to provide them with ongoing interpreting support, when they had their award reduced in a recent review (even though their work and needs had not changed) they were told by their ATW advisor to change their job or take a demotion.

22) All the time that ATW is trying to make unreasonable cuts to peoples budgets it is forcing them to avoid progression in their careers.

23) Deaf people are scared to make any unnecessary communication with ATW in case it triggers a review of their provision.

24) When a course comes up the Deaf person wants to attend they have to apply for specific ATW funding for it. This application process usually takes so long they only get the decision after the course has finished.

The steps taken so far of AtW to extend the scheme
25) In our view ATW is doing the exact opposite of extending the scheme. They are imposing unreasonable budgets on Deaf People which means they cannot commission support and therefore cannot do their job. Either the hours that they have been awarded have been cut, or the hourly rate has been slashed to an unrealistic amount.

26) The new rates that ATW have suddenly imposed upon Deaf People for interpreter support are mostly unrealistic. The agency fee of £45ph inclusive within London is just about possible, but the £35ph agency rate for outside of London is unrealistic. Interpreters charge more than that, especially for short bookings, so we are left with the difficult decision of refusing to provide interpreting support. This decision is made with a very heavy heart as we know that will then leave the person without interpreter support and unable to do their job.

Other issues

27) We have clients that have been restricted by the 30hr rule. They have been permitted to spend the yearly budget as long as they do not go over the yearly budget, but without warning this was changed and invoices have been rejected. They have now been told their hourly budget is £19ph. When interpreter fees are about £35ph plus travel, it leaves them in an impossible position.

28) Those clients with the 30hr imposed upon them contacted ATW as soon as it was announced it would be suspended for 3 months while the review took place. They requested that the 30hr rule be lifted from their award while the review took place – this was following DWP advice. They have still not had an answer and are being told their allocation is ‘under review’. This is not acceptable! The Minister announced the immediate suspension of the ruling, but his own department are refusing to follow that. We feel that they are being told that their case is under review and will continue to be told that for 3 months while the ATW review takes place.

29) Clients that are under the 30hr ruling are being put in an impossible and unworkable situation. As they have an unrealistic hourly budget of £19 it leaves them unable to get any freelance interpreting support. They need a variety of interpreters for the varying demands and linguistic needs of their work and employing one interpreter will not meet those needs.

30) As an agency we are left with tens of thousands of pounds of debt that is owed to us by ATW. They are refusing to pay invoices that have been approved for payment. They are rejecting invoices, but not telling anyone they are rejected. ATW will not speak to us as the agency about our own invoices that are outstanding and they are quoting data protection.

31) Note taker support is being refused to Deaf people who are attending training courses, and are telling the deaf person they can have either interpreter or note taker support. To ‘listen’ to sign language you must look at the person that is signing, this does not allow you to then look to write notes. It leaves deaf people at a significant disadvantage not being able to make notes on courses.

32) VAT must be included within the hourly inclusive rate. As a VAT registered company this has created an uneven business ‘playing field’ when other companies such as charities do not have to charge VAT on their interpreting services. We believe that the rate should be excluding VAT.

33) Deaf people are at a significant disadvantage when accessing ATW as they often need to support of an interpreter when either making phone calls or writing/reading emails. So when ATW immediately stops their ATW allowance, the Deaf person is left unable to make contact ATW to appeal the decision. They have to reply on goodwill from interpreters or family members. This situation is unacceptable.

34) We have send numerous letters to ATW regarding unpaid invoices, what they require us to include on our invoices to them (to prevent them being rejected), to date we have not had a single acknowledgement let alone a sufficient reply.

35) We have continued to supply interpreters to our regular clients so that they are able to continue to do their jobs effectively and equally, even though their ATW situation is unresolved. We do not want to put them in a position of no interpreting support as this will not only affect their own working lives, but the lives of the clients they support would be put at risk as they work within a domestic abuse service and another of our clients is a child protection social worker.

36) There is a complete disregard of how unreasonable and unrealistic decisions are impacting on deaf peoples and their client’s lives.
37) We have continued to pay the interpreters that we book, even though we are not receiving payment ourselves.

38) The goodwill from agencies and interpreters that is propping up the deaf ATW customers will run out, as we cannot continue to support people while ATW sorts itself out and takes months to make decisions on awards.

39) In summary, the previous system had its flaws which were generally workable, but since the drastic cuts in both hourly awards and inclusive rates, the inflexibility and lack of meaningful assessments of awards and introduction of the 30hr rule the situation has become dire for deaf people in receipt of ATW. It is causing unnecessary stress and upset, is affecting peoples ability to carry out their work as they cannot get the interpreting support they need. It is causing financial hardship to both freelance interpreters and agencies because ATW are withholding payments for months unnecessarily. Whilst ATW main and primary aim is to remove the barriers to employment for and of disabled people, ATW itself is creating more barriers for the people who rely on their awards to enable them equal employment opportunities.

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