Written evidence submitted by Action on Hearing Loss (ATW0133)

Summary

- We have become increasingly concerned that AtW is not providing adequate support for people with hearing loss in employment.

- Changes to AtW policy which have reduced flexibility and led to reductions in support will work against the employment of people with hearing loss, contradicting the aim of Government policy to ensure that disabled people are able to access mainstream employment and the principles set out in ‘Fulfilling Potential’.

- We have proposed a number of recommendations aimed at strengthening the scheme to meet the needs of people with hearing loss in employment.

1. Background and introduction

1.1 Our response will focus on issues relevant to people with hearing loss. Throughout this response we use the term ‘people with hearing loss’ to refer to people with all levels of hearing loss, including people who are profoundly deaf. We also include information about issues relevant to us as an employer of people with hearing loss and as a provider of Communication Services, where relevant.

1.2 Throughout 2014 we have become aware that people with hearing loss have experienced challenges in accessing adequate support through the Access to Work (AtW) scheme. We have been working with other deafness and hearing loss organisations and through the UK Council on Deafness to address these issues.

1.3 We welcome the Minister’s commitment to conduct a review into the scheme and will be engaging with this process.

1.4 We are a member of the UK Council on Deafness (UKCoD) and support the written evidence submitted by UKCoD to this inquiry.

1.5 Over one-third of people with hearing loss are of working age (16-64). People with hearing loss can face disadvantage in the labour market. Our research
has shown that 63% of deaf people are in employment, compared to 75% of the population as a whole. Analysis of the Labour Force Survey found that the employment rate for people who identify ‘difficulty in hearing’ as their main health issue is 64%. This compares with an employment rate of 77% for people with no long-term health issue or disability.

1.6 Hearing loss can have a significant impact on experiences of the labour market. Where an organisation is not able to effectively support an employee with hearing loss, it can have significant consequences, including leading people to exit employment early. In a recent survey, two-fifths of people (41%) who had retired early said that this was related to their hearing loss. Having the right support can be the difference between remaining in work and exiting employment: “I simply could not work without Access to work.”

1.7 The AtW scheme provides a vital role in supporting people with hearing loss in employment. However, throughout 2014 we have received reports of reduced flexibility, service inconsistencies and unhelpful staff, which have all had an impact on people with hearing loss accessing adequate support. Our submission highlights the range of issues that we have become aware of.

2. **AtW application and assessment processes**

2.1 Issues with the AtW application and assessment process include the current contact system, which is primarily telephone based. The requirement to phone for an initial assessment is problematic for people with hearing loss. A fully accessible service should provide a range of contact methods.

2.2 “I had to contact them by phone, which is pretty ridiculous when you can’t hear very well. [Scheme staff] should be accessible by face to face communication.”

2.3 We have received reports that Advisers involved in assessments are not always knowledgeable about hearing loss and dual sensory loss and the support and equipment that might benefit people. While some people report very positive experiences with Advisers, others have commented that staff can be unhelpful and are not always willing to engage with individuals about their needs and how they could be most effectively supported through the

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4. Research into employment experiences to be published later in 2014, Action on Hearing Loss. Findings are based on a survey of over 400 people with hearing loss.
5. Quote from employment survey respondent – findings to be published in summer 2014.
6. Quote from employment survey respondent – findings to be published in summer 2014.
scheme, as this quote illustrates: “I found that the person doing the assessment did not listen to what I said but seemed to feel that she knew better than I did about what help I needed.”

2.4 Recently, people have reported changes to their support package following re-assessment, even if they feel their support needs have not changed. In these instances, people have not been provided with a clear rationale for why they are no longer able to access a type of support that they may have used previously and still feel is valuable. Clear guidance should be made available so that scheme users are aware of the criteria that they will be assessed against. We also know of instances where individuals with similar support needs are provided with different support packages, suggesting a lack of consistency in how AtW guidance is being applied.

2.5 There is a lack of clarity regarding complaints procedures and the reconsideration process. Scheme users are often unsure about how to challenge the outcome of an assessment which results in an inadequate level of support or how to feedback on experiences of poor customer service.

2.6 Communication about AtW policy and procedures is inadequate and significant changes to scheme delivery have not been communicated effectively.

2.7 As an employer of people with hearing loss and as a provider of communication services, we were extremely concerned by the lack of due notice given about the decision to stop covering the administration costs incurred by communication support providers when sourcing communication support for internal staff. This change did not challenge the principle of a need to reimburse the administration costs of sourcing communication support, as this cost is still covered where our Communication Services team is sourcing Communication Professionals for clients who do not work for us. This is inconsistent, since the administration costs of booking freelance Communication Professionals (who are not Action on Hearing Loss employees) are the same regardless of whether the support will be received by a member of our staff or by an external client. Our deaf staff members are free to source their support from whichever provider they prefer, and are not restricted to the use of our service. The administrative burden to staff of sourcing, booking and confirming appropriate communication support is greatly reduced by their ability to do so through our central Communication Services team. If they were required to perform this role it would severely reduce their ability to complete the role that they have been employed for.

\[7\text{ Ibid.}\]
Furthermore, deaf staff would also be disadvantaged by not having access to the wide selection of Communication Professions that a dedicated Communication Services team has, which could lead to individuals using an inappropriate interpreter for a booking, either because they do not know their skills or experience, or have access to an interpreter with the required skill set. We would also like to highlight that there are potential additional costs that AtW risk incurring as a result of this decision. By sourcing Communication Professinals for our deaf employees we are able to spot potential double bookings where two or more deaf staff members have requested support for the same meeting, training course or event, meaning that we can take steps to co-ordinate this provision.

2.8 This is not the only significant change in AtW policy that has been implemented without sufficient notice and without consultation with people who will be directly affected (see paragraph 3.3).

2.9 This quote illustrates some of the issues discussed in previous paragraphs: “I have been using AtW for about 20 years. The system before was that an annual budget was agreed and my support package set to that amount. This was reviewed every 3 years. I had a very experienced AtW Adviser. She understood the flexible nature of my communication support needs - sometimes Palantype, sometimes Sign Language Interpreters or a mix of the two. She also understood that I could not always predict when I would need support. As Director of an arts organisation, my work is extremely varied so my communication support needs to be varied too. In October 2013 my AtW package came up for review and renewal. I was contacted by a new person in Manchester who told me all has changed. I now did not have a flexible budget, I had to list every meeting I am going to over the coming year, how many hours, and had to give precise details as to who I would use, how much they charge. I was told I could only have one Sign Language Interpreter, my employers would have to pay if I wanted two. I was told I had to use remote captioning for meetings, whereas I had been using two palantypists on site. I knew remote would be no good for my needs. The Adviser clearly had no notion of a Deaf Professional's needs.”

3. The adequacy of ongoing support and AtW effectiveness

3.1 In addressing questions about the adequacy of on-going support there is a key issue we would like to highlight regarding the availability of communication support. This issue has had a particular impact on deaf people who use British Sign Language (BSL) as their first or preferred language and

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8 Personal experience from AtW user reported to Action on Hearing Loss.
who engage Registered, Qualified Sign Language Interpreters (RSLI) through AtW to enable effective communication in the workplace.

3.2 During 2013, we became aware of a shift in AtW policy to require deaf people who need 30 hours or more of communication support per week to recruit a full-time, salaried, communication professional and by funding limitations put in place linked to this policy\(^9\) [i.e. maximum funding for communication support at this level for an individual being calculated on the basis of an annual salaried income of around £30k]. Prior to this, deaf people would use their AtW support to employ freelance communication professionals.

3.3 The implementation of this policy (‘the 30 hour policy’), which took place without consultation with AtW users and, as far as we are aware, without an impact assessment, has had a significant impact on the ability of deaf people to access adequate support in the workplace.

3.4 The overall AtW package is limited to the AtW determined level of the annual costs of a salaried communication professional. This was imposed as an overall budget cap and in some instances as a cap on the budget per hour. As this level of funding does not reflect current market rates for freelance communication professionals, deaf employees with an overall budget limit have been forced to reduce the number of hours through which they make use of RSLIs, or rely on a lower quality of support, such as a Communication Support Worker (CSWs). CSWs are not interpreters, not qualified to the same level as RSLIs and do not perform the same role. Where there has been an hourly budget cap, many deaf people have been unable to get communication support at all.

3.5 RSLIs are for many deaf people fundamental to effective communication in employment and the implementation of this policy has displayed a lack of understanding on the part of AtW about the role of communication professionals in the workplace. We are also aware of other restrictions to communication support, including reports where deaf people have been told they are no longer able to fund a second interpreter for meetings, despite AtW guidance to the contrary.

3.6 The impact of the implementation of this policy has been significant, causing deaf employees concern and anxiety and affecting job roles as people undertake their work with inadequate support or take time out of their roles to try and resolve the situation with AtW staff. In some instances, individuals

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\(^9\) AtW guidance version 20 (para 340): If a Support Worker is required full time, for example 30 hours or more a week, Access to Work will normally fund on the basis of an annual salary rather than an Agency worker employed on an hourly basis.
have had to cancel meetings which are a key part of their role as they do not have sufficient interpreter hours. Deaf people reported that Advisers were unwilling to engage in discussions about why the policy was unworkable, including where individuals did attempt to recruit a communication professional, without success.

3.7 As an employer of deaf staff, we have had to subsidise AtW funding to ensure our staff members were able to access an adequate level of support. While we were able to do this as an organisation committed to promoting equality for people with hearing loss, organisations in other sectors employing deaf staff may not be able to cover this additional expenses.

3.8 As the market rate for communication support is linked to the limited number of communication professionals available, one clear solution should be to address the underlying cause, through increasing the supply of communication professionals.

3.9 People with hearing loss who use other communication support services, such as lip speakers, speech to text transcription and notetakers, have also reported similar issues with accessing adequate support. This has included insufficient budget limits to cover adequate support, inflexibility over budget use and staff who do not understand individual needs and therefore offer inappropriate support.

3.10 The inflexibility of AtW in acknowledging the difficulties in securing notetaker support and the need to sometimes pay more is unhelpful. Whilst some claims appear expensive, the overall costs are below my allowance level". 10

3.11 Exploring and implementing the use of alternative support services should be a priority for AtW. Very few deaf people have access to Video Relay Services (VRS). These services may offer people more choice and increased flexibility of access to interpreters, for example if needed last minute or for a short period of time. Use of these services through a scheme such as AtW could help to promote this technology more widely amongst employers and potentially reduce costs. It is important that the introduction of new services such as this are considered in line with individual support needs. Genuine engagement and partnership working with scheme users may identify opportunities for provision that meets people needs, as well as reducing costs.

4. Steps taken by DWP to extend AtW

10 Personal experience from AtW user reported to Action on Hearing Loss.
4.1 The value of AtW is clear and we understand that increasing the scheme to more people is an important objective. We understand from our engagement with AtW representatives that financial constraints and ensuring efficient use of funds have been key drivers in recent changes to policy implementation, including the 30 hour policy.

4.2 While we recognise spending pressures and agree that funding should be used as efficiently as possible, it is a false economy to set funding limits that are not sufficient to enable people to access appropriate support. This will work against the employment of people with hearing loss and has the potential to put pressure on other areas of government spending as people are forced to claim out of work benefits. We are concerned that the objective to extend the scheme has impacted on current scheme users, with deaf people disproportionately affected.

4.3 Finally, we feel that AtW could improve their data capture. Limited information is currently collected about the use of support services and the specific needs of scheme users, including the diverse ways in which people with hearing loss make use of support.

5. Our recommendations

6.1 There are a number of recommendations that we propose:

- Technological changes to improve efficiency and access should be explored and implemented at every level of the scheme (e.g. a wider range of contact options, including VRS).
- Improved deaf awareness training for AtW staff should be implemented, ideally delivered by experienced deaf trainers.
- A revised reconsideration / complaints procedure should be developed, which is clear and accessible to all AtW users. This mechanism should be proactively offered to customers who are dissatisfied and have complaints about service delivery.
- Furthermore, AtW should consider implementing an informal ‘feedback’ mechanism, for scheme users to report issues with service delivery. This would be particularly beneficial to highlight issues in a timely manner, particularly following changes to policy or service delivery. Feedback should be considered regularly by senior management.
- The scheme must provide an amount of support that is sufficient to enable deaf employees to perform in their job roles.
- The ‘30 hour policy’ as it has been applied to communication professionals should be abolished.
- Collaboration and engagement should be at the centre of AtW working practices as a person centred service. Assessments should represent a
process of engagement between scheme users and AtW staff, to determine the most adequate support.

- The scheme should seek to implement personalised and flexible support. This could potentially be achieved by giving deaf people more control over the support they access (including asking individual's to consider the most cost effective solution).

- Where AtW users identify access needs and / or propose cost effective solutions, and Advisers do not agree, there should be a clear, written explanation of the reason for this, with signposting to the review / complaints process.

- Scheme users, AtW staff, employers and professionals / support workers should be actively involved in and consulted about service improvement processes. This would promote effective improvements and avoid instances where ineffective and unworkable policies are imposed on scheme users.

- AtW guidance should be made clearer and publically available.

- AtW should explore more creative and flexible methods of providing support, including improved uptake of options such as VRS, where appropriate.

- The Government should take steps to increase the supply of communication professionals.

- Improved data capture for scheme statistics.

- AtW should remove the rule that communication support providers cannot claim for administration costs when sourcing communication support for their own staff.

19 June 2014