Executive Summary

My evidence will cover points that are relevant to the:

- adequacy of ongoing support and the
- effectiveness of helping disabled people (specifically Deaf people) to secure a job, stay in employment and develop their careers.

I will highlight some of the key areas in which Access to Work (AtW) has become hugely problematic and concerning from the perspective of British Sign Language (BSL) Interpreters ie;

- The 30 hour rule,
- Co-workers,
- Terms and Conditions,
- Use of Communication Support Workers, and
- Working within a Shared Budget.

I will summarise my points and conclude with recommendations.

Introduction

AtW has been, for many years, a wonderful resource for deaf (and disabled) people. Without this enabling fund, most deaf people would not have been able to secure fulfilling and challenging employment, thereby contributing fully to society rather than being a drain on Government services. AtW to work has not only simply allowed for employment but also for deaf people to develop impressive and influential careers, becoming role-models and achieving prominent and responsible positions in the workplace and their communities.

BSL interpreters are one of the key ways to enable effective communication between Deaf and hearing people in the workplace, and it is the AtW grant which allows Deaf people to fund the interpreting service they require in order to undertake employment. It is important to recognise the complexity of the interpreting process, and that in order to do this work effectively registered BSL interpreters study to post-graduate level as a minimum. This indicates the highly professional nature of the role and the fact that it is not comparable to other types of "support" work.

As a qualified BSL interpreter, often interpreting for Deaf and hearing people in the workplace, I am hereby submitting a response to the AtW inquiry to highlight my observations, experiences, and concerns.

The following points address both:

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
And

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

1. **The implications of the ‘salaried interpreter’/ 30 hour rule:**

The ongoing support in terms of BSL interpreter provision for Deaf people has been severely compromised by the implementation of the 30 hour rule. Deaf people have their own reasons as to why this ruling does not work for them, however in my evidence I am detailing the reasons why working as a salaried member of staff is extremely problematic for interpreters.

In a recent survey conducted by my professional body ASLI (the Association of Sign Language Interpreters), 86% of respondents (122 interpreters) stated that they would not consider a PAYE position. The reasons as to why working as salaried member of staff is problematic for interpreters are as follows:

- Working regularly within the same setting with the same Deaf and hearing clients would be detrimental to our skills, and the ability to adapt to language styles of a wide and varied client group would diminish rapidly. The potential for lacking motivation and complacency is glaring, especially with minimal opportunities for any skill development, professional development and career progression.
- There would inevitably be a damaging impact on boundaries and on professional affiliations. Both Deaf and hearing employees could have unrealistic expectations of our role as interpreter’s, and it is likely that we would be asked to undertake work and duties outside of their interpreting role.
- Impartiality is integral to the interpreter’s code of conduct, and if I were working in a salaried position I would be concerned about being able to maintain my impartiality. I would also doubt whether other parties would be confident that I was remaining truly impartial.
- Undertaking a salaried post would entitle interpreters to take part in team meetings, briefing, training, etc, as is the right of any member of staff. In order to attend and contribute as an employees, we would not be able to interpret at the same time, and this would mean that an external interpreter would need to be funded for such occasions. This additional expense does not seem to be have been considered.
- It is extremely unreasonable to expect interpreters to take annual leave at the same time as the deaf employee. Funding would be needed to provide cover when an interpreter is on annual leave. Equally, there needs to be consideration as to what duties the interpreter would be expected to undertake when the Deaf employee is on leave, (or on long term sick leave). Additional funding would be required if the interpreter is off sick or on maternity leave.
- To be line-managed and supervised effectively a manager will need to have an in-depth understanding of a BSL interpreter’s role. In addition to a full understanding of the complexities of linguistic issues and the skill associated with processing between two languages and two cultures, they would also
need to appreciate the environmental, interpersonal and intrapersonal pressures that can affect our decisions and actions daily. This can only be fully achieved if being managed and supervised by another more experienced interpreter.

- The shift to a salaried interpreter role raises concerns as to the likely lacking provision of co-workers when necessary, and thereby the potential to suffer burnout and overwork.

2. **Co-working**

The following difficulties are being experienced by myself and many fellow interpreter colleagues.

- AtW refusing to fund a co-worker, even though the AtW guidance v.24 clearly recognises the need for this when it states on Pg 48 point 412 that
  - *Interpreters cannot be expected to work for more than two hours without a break, if an event will require continuous interpretation for more than two hours two interpreters will be required.*

Interpreting can be a demanding and exhausting process, both mentally and physically. Interpreters have fought hard to achieve working conditions which allow two interpreters to be booked for assignments which are likely to last beyond 90 minutes (e.g. training, team meetings etc.). This is referred to as co-working. The benefits of co-working not only protect the health of the interpreter, but also contribute to a better quality service to consumers.

3. **Terms and Conditions**

- A lack of clarity as to whom the interpreter’s terms and conditions are contracted with.
- AtW refusing to pay travel and car park charges.
- AtW refusing to pay cancellation charges (in many instances).
- Late payment charges not being met (e.g. when an invoice is not paid on time).
- The AtW grant works on an hourly rate which can result in refusal to pay interpreters’ invoices in full (a large number of interpreters charge a half or a full day fee).
- AtW refusing to pay interpreter’s hourly rate. The average hourly rates would equate to around £35-£45. This reflects the professional nature of the role along with the length of time and expense involved in training to become qualified. In addition a commitment to continued professional development to maintain skills and remain registered involving ongoing time and cost.
4. Use of Communication Support Workers

Despite AtW’s own guidance recommending the use of registered, qualified interpreters, Deaf employees are being told to use a ‘Communication Support Worker’ (CSW) as a cheap alternative. I find this deeply concerning because CSWs are often only qualified to level 2 British Sign Language (something akin to a ‘conversational’ level of ability). Most CSWs will not have undertaken any interpreter training and only a limited number hold an interpreting qualification. CSWs are usually not registered with the NRCPD (National Register of Communication Professionals working with Deaf and Deafblind people), and therefore they are not subject to a complaints or disciplinary procedure. It is also unlikely that they will be covered by Indemnity Insurance. Due to their substandard skill level and their lack of interpreter training, the use of CSWs in an AtW context is highly inappropriate.

Deaf employees who are awarded a ‘CSW budget/rate’ struggle to employ qualified interpreters. Without access to a well-trained and skilled Language professional in the workplace, misunderstanding and miscommunications are more likely to occur. From experience, poor communication can often have a long-lasting detrimental effect on working relationships, opportunities for promotion and development, and in some cases the communication breakdown can be so great as to escalate to disciplinary proceedings.

AtW guidance lists different types of support workers (AtW define an interpreter as such) and includes a BSL interpreter. The term Communication Support Worker (CSW) does not appear on this list. In Pg 47, points 402-411 (AtW guidance v24) the qualifications of BSL interpreters and their suitability for specific assignments is listed. From this document, it would appear that AtW advocate the use of registered interpreters only. (Please note that the term Junior Trainee Interpreter as used in the guidance is out of date and no longer valid within the BSL interpreting profession)

5. Working within a shared budget

In organisations where there are a number of Deaf employees, individual Access to Work budgets are sometimes pooled together to cover interpreter bookings. This means that an interpreter (or sometimes more than one), can be booked to work with a variety of Deaf individuals within the same organisation. The advantages and disadvantages are as follows:

Advantages

- Being part of a team, and gaining a deeper understanding of context, background information, collegial relationships, workplace language and jargon etc.
- More variety in the working day and an exposure to different challenges. This aids professional development and allows for a continued interest in the assignment.
- Flexibility in service provision and cover for ad-hoc/emergency situations.
Disadvantages

- Difficult to ensure that the needs of all Deaf clients are met (varying communication needs of deaf employees and different workloads).
- One interpreter may not be sufficient for the number of deaf clients in the organisation.
- Competing demands for the interpreter’s services, with Deaf employees being reluctant to ‘share’.
- Potential for overwork, due to insufficient breaks between jobs with different clients.
- Conflict from divided loyalties/priorities.

Summary

- The 30 hour policy undermines an interpreter’s ability to maintain the required standards of our profession (i.e. NRCPD Code of Conduct and the National Occupational Standards). Becoming salaried interpreters could lead to conflict with our professional Code of Conduct, it could result in feeling obliged to take on inappropriate additional, non-interpreting tasks and is likely to present a serious challenge to our impartiality. The salaried interpreter role could potentially have a serious harmful impact on our skills, health and career. There are very few interpreters who would accept a salaried post, as evidenced by the recent ASLI survey.
- The AtW policies, procedures and guidance are not being applied in a consistent manner, leading to confusion for all those who have to engage with the scheme.
- The lack of provision of two interpreters for specific assignments can impact on the quality of the interpretation and puts the health and safety of the interpreter at risk.
- The use of CSWs within the AtW setting is inappropriate and presents risks in terms of both Deaf and hearing employees’ access to quality communication support.

Recommendations

In line with ASLI’s recommendations, I would like to add my voice to the following:

- To conduct a full consultation with service users and service providers as to the practicalities and realities of applying the salaried interpreter policy. The issues of CPD, line management, and annual leave, sick leave etc. to be fully considered when looking at a salaried interpreter post. Any shift to a salaried interpreter status must be preceded by proper consideration of the interpreter’s status as an employee and the appropriate funding factored in so that they can fully participate as a member of the workforce.
• AtW to recognise that the professional, qualified status of interpreters differentiates them from ‘support workers’, and that this professional status is reflected in the quality of the service provided and the costs incurred.

• Interpreter awareness training to be made available for all employees and for AtW advisors.

• AtW advisors to understand and appreciate the need for two interpreters for specific assignments and this provision to be adequately funded.

• The ‘CSW budget’ to be withdrawn. The need for qualified, registered interpreters should be recognised and the AtW budget should reflect this.

• AtW policies, procedures and guidance to be simplified, transparently available, and to be applied in a consistent manner.

• Utilisation of video interpreting services. Whilst this is not an answer to all interpreting scenarios that can occur in the AtW domain, there is undoubtedly scope for some interpreting to be provided through this medium.

• AtW to consult with the interpreting profession regarding standard industry practice with regards to fees and terms and conditions.

• Better use of specialist interpreting agencies. (Spoken language agencies who tag on BSL as an addition are usually unaware of the nature of BSL interpreting and ignorant of the specific skills and training necessary to provide a service to an appropriate standard) The provision of interpreters through an agency can be an efficient way of supporting Deaf employees, particularly when the workplace employs more than one Deaf person. If the agency has its own staff team, they can offer the client a choice of interpreters to meet their specific needs, can match supply to demand, and can also provide flexibility e.g. covering holidays, illness etc. Obviously the issue of overheads and additional costs has to be taken into account, but this method of provision can mean that the Deaf employee is relieved of the burden of sourcing interpreters and some of the administrative work is also reduced.

• Alternatives to agencies to be considered, e.g. online booking systems such as BSL Beam, which can help to manage costs.

Further Information


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