Written evidence submitted by Bob Marsh (ATW0157)

Introduction
My name is Bob Marsh, I have been profoundly Deaf with speech since birth and wear a digital hearing aid that affords me very little benefit and limited ability to pick up or identify sounds. I am the National Employment and Skills Manager for a leading Deaf organisation supporting deaf and hard of hearing people into work. I welcome the Access to Work inquiry and wish to submit evidence based on my own personal experience as an Access to Work (AtW) user for the past 6 years spanning 3 separate employers in similar roles in the Welfare to Work industry.

Through my positions over the past 6/7 years within the various programmes of the Welfare to Work, that culminated in supporting and assisting over 300 Deaf and hard of hearing clients into sustainable employment and subsequently off benefits through frontline and service provision. This, I am proud to say, contributed to the Government’s agenda to welfare savings of millions of pounds. An achievement that may not have been possible on such a scale without the support that I received from Access to Work, that is up to a point.

History – AtW helped me to believe in myself
As a Cabinet Maker for almost 25 years, I was made redundant when my employer, a world renowned reproduction furniture manufacturer based in Norwich, went into Administration. With the rapid onset of my Osteoarthritic condition I sought a career change and, after a period of unemployment, became an Employment Advisor for Deaf people with a Deaf organisation based in Croydon, Surrey.

I applied for Access to Work support, going through the standard application process channels, contacting First Point of Contact who allocated a caseworker; who then subsequently became my single source of contact and support for the next 4/5 years.

I was contacted by the Access to Work caseworker within 48 hours who then arranged for an Assessor to conduct an assessment of my needs and requirements within the workplace in an office where I was delivering employment advice at Stevenage, Hertfordshire; one of many outreach centres I covered across the East of England region.

The Assessor provided Access to Work with a comprehensive report of my needs and requirements listing three main elements:
1. 25 hours Communication Support Worker per week
2. 10 hours Interpreter for high end meetings per week
3. 10 hours Driver support per week to enable me to get about and carry out my working duties effectively without suffering the effects of long drives to and from places of work.

The recommendations of the Assessor was subsequently approved by my Access to Work caseworker. It was well noted in the assessment report that I suffer from severe and progressive Osteoarthritis along with my Deafness and the difficulties I would face without the required support from Access to Work.

With the support put in place for the next 3 years and all three elements provided by a single support worker I was able to develop and flourish in a completely new environment of work. My ability to successfully place many Deaf and hard of hearing clients into sustainable employment, was rapidly recognised and I gained promotion firstly to Regional Manager and then onto National Operations Manager in the short space of 18 months.

My achievements up to that point would not have been possible without the support I received from Access to Work.

Sadly, my employer went into Administration in July 2010 and once again I found myself unemployed until I was offered a similar role some 3 months later as the National Operations Manager with an employer based in Cambridge.

I contacted my Access to Work caseworker directly who then reinstated my support on the same level, as the roles between my former and new employer were very similar in terms of responsibilities and my needs and requirements remained unchanged.

With the support provided by the same Support Worker who had supported me for the past 2 years this continued for the next 30 months, with no disruption to my Access to Work support, I was able to develop my skills and prospects further to elevate the organisation to the country’s leading employment provision for Deaf people.

Furthermore, due to the success of developing the provision on a national level this meant frequent long distance traveling it became impractical for my support worker to drive me up to 200 miles to an important function AND deliver interpreting support and then drive me back home. This
also contravened Health and Safety regulations and was recognised as such by my Access to Work caseworker.

I applied and was granted funding for the provision of co-working interpreters for the high end meetings that I frequently attended.

The use of additional interpreters for co-working alongside another was absolutely crucial to assist me to carry out my working duties effectively in the high end environment I became accustomed to as a delegate in the Welfare to Work industry for conferences, performance meetings, commissioning, networking and contract meetings (to name a few) for which it cannot be reasonably expected to stop a whole congregation (of anything up to 100 people) every 20 minutes for a lone interpreter to have a 10 minute break; which is industry standard for Health and Safety. Furthermore, the constant dialogue of technical jargon and terminologies used in some lines of work can be debilitating and exhausting to translate for any one person to the point there exists the risks of underperforming such translations and contents can be lost or misinterpreted through exhaustion and lethargy.

The above would not have been possible without the support I received from Access to Work.

After some 30 months of tolerating a gruelling daily journey with my driver support from my home in Colchester to the workplace in Cambridge and then returning home at the end of the day, entailing some 150 miles and 3 hours per day, this was beginning to have an effect on my health and wellbeing. I developed other conditions along with my worsening Osteoarthritis and was diagnosed with the highly debilitating Systemic Lupus Erythematosus. Due to this I had to seek an employer change to be closer to home that would greatly alleviate the travel aspect and applied for a similar position with my current employers.

I was offered a position as the National Employment and Skills Manager for Deaf people to develop and expand the employment services for Deaf people and once again made the requisite contact with my Access to Work caseworker to inform them of the change of employer. I again requested continuation of my support on the same level, as I did previously, as my responsibilities would be very similar and my needs and requirements remained unchanged. I was then told that there has been changes to Access to Work’s policies and that my case will be allocated to a different caseworker.

The turning point
It was then that I started to experience the harsh introduction of the aggressive policy changes from Access to Work and the allocation of a different and very unsympathetic caseworker.

I was bluntly told by the caseworker that the three support elements plus additional interpreter support totalled in excess of the new 30 hour rule and that my support in effect would have to be salaried via my new employer and capped at £30,000 in accordance with Access to Work’s policies.

My current Support Worker, who had supported me for the past 5+ years, was unable to continue offer her services on a salaried level due to many factors including her desire to remain as a freelancer. Further communications with the caseworker to highlight the potential loss of established support proved fruitless as responses were slow to almost nothing in my time consuming desperate efforts, often during my working hours, to reason with the caseworker, who remained adamant the decision had been made.

My Line Manager, in exasperation, intervened on my behalf and escalated the matter to the Senior Operations Manager who only served to rubber stamp the decision and would not even allow my case to be referred to the Reconsideration Team as the ‘decision was made at Operational level’

However, having been with my new employer for the first few weeks I was able to analyse and reassess my own support; taking into account that I was now employed by a Deaf organisation and the driver support for my travel needs may not be on such a high needs basis with the organisation being local and across a smaller geographical coverage.

Considering the above factors, I was able to personally assess that a weekly 28 hour combination of Communication Support Worker/Interpreter support with the driver element removed for the time being, would suffice. Although I still required the additional support for co-working interpreters as an essential practice to enable me to carry out my contractual responsibilities effectively.

I put my suggestion to the caseworker who in turn forwarded it to the Senior Operations Manager. I was then accused of attempting to circumvent around the 30 hour rule. This was not my intention at all and I felt that it was abhorrent of them to actually suggest such a dishonest act. Furthermore, it was insisted that even with the 28 hour support and the additional interpreter element still accumulated the overall support over 30 hours and so the 30 hour rule remained applicable as salaried support.

Despite a succession of three nationwide adverts in 4 weeks to recruit a salaried interpreter, just three potential candidates expressed interest to apply. This clearly demonstrated a total lack of future potential as demand will surely outweigh supply should the 30 hour rule continue.
During the third attempt to recruit a salaried support worker, just 2 days before the 2013 Christmas break, I was told by my Access to Work caseworker that from 2\textsuperscript{nd} January 2014 the hourly rate for my support would be reduced to the salaried rate of £14.50 per hour. Funding at that level does not reflect current market rates for freelance communication professionals. I was devastated and became stressed at the prospect of losing my prominent support worker after 5.5 years.

Desperate attempts to try and reason with the caseworker and subsequently the Reconsiderations Team proved fruitless as once again the decision had been made at ‘Operational level’ and there was no appeal process.

Furthermore, I was told by the caseworker that my employer, who are a charity, were expected to top up any funding shortfalls as part of their obligations under reasonable adjustments. I could not reasonably expect my employer on charitable income to use funds in this way and risk potentially damaging relations and indeed future prospects.

My Support Worker of the past 5.5 years quite rightly felt that it was not financially feasible for her to support me on £14.50 per hour when there was opportunities in abundance to earn up to three times that rate elsewhere and so we sadly parted ways.

**Three months with no support due to Access to Work**

I then struggled for the next three months with NO SUPPORT (Access to Work were aware) until my employer, after three successive recruitment drives, was able to source and recruit a salaried Support Worker funded by Access to Work under the 30 hour rule. During those three months, I felt vulnerable and stressed and was unable to commit to my working duties at the high level to which I had become accustomed. I was constantly anxious that my performance would be called to question but I was very lucky in that my employer is made up of many deaf colleagues; eternal credit to them for displaying extreme patience and understanding of the predicament that Access to Work had unfairly placed me in.

With my salaried support set up and confirmed to commence on 7\textsuperscript{th} April, after working her notice with her current employers and my Access to Work caseworker kept fully informed, my caseworker then informed me of a further policy introduction with regard additional interpreters for co-working support.

I was told that the additional support for co-working interpreters for my high end meetings, for the reasons stated previously, was being withdrawn and is no longer a support element offered by Access to Work. By coincidence, the policy was introduced on the date of my salaried interpreter’s commencement.
Quote verbatim email correspondence from caseworker:

“Regarding additional interpreter support hours for high end meetings. Access to Work considers that it is reasonable for your employer to meet the cost of additional interpreter costs on such occasions. Alternatively that the meetings are structured such that there are regular breaks for your regular interpreter to be able to cover the full meeting working alone.

I can confirm that Access to Work will no longer (w.e.f. 7/4/14) fund a second interpreter / CSW for the purposes you describe. It is expected that your employer will meet the cost of a second interpreter as a reasonable adjustment and / or that you will arrange your meetings etc such that your interpreter is able to take regular breaks throughout the meeting.”

The very nature of the reason for my enforced salaried support, as aforementioned, was for 28 hours PLUS additional interpreter support. The policy change now calls into question the whole aspect and validity of the 30 hour rule since in my case there is no 30 hour support in place, given the caseworker’s decision.

I then submitted an appeal for reconsideration to the Access to Work Reconsideration Team against their decision not to allow the additional interpreter support. Furthermore, in the light of the Minister for Disabled People’s order for the suspension of the 30 hour rule, I also requested reconsideration of the enforced salaried support that I receive at 28 hours per week following their decision not to allow the additional interpreter support.

The above was sent by email and post to the appropriate email and postal addresses clearly marked for their attention. Having received no acknowledgement or response for 3 weeks, I made enquiries as to its progress and was told by another caseworker that neither the email nor letter were received by the Reconsideration Team and requested that I resent by email.

Since my request for reconsideration was sent by email and post, I have yet to receive any form of communication from Access to Work either acknowledging my request or updating me of the progress.

Summary

The past 6 years has seen some rapid changes in many directions, in particular the past 12 months. Access to Work’s previous robust and highly commendable support helped meet my needs to overcome my own personal health challenges and disabilities and to enable me to remain in work.

With Access to Work’s support I was able to support and assist over 300 deaf and hard of hearing people into sustainable work.
**With Access to Work’s support**, we were able to make a difference to those people’s lives who then went on to touch the lives of thousands more with their friends and families benefitting from their success of achieving employment and their standing in society on a level playing field that was ultimately denied them without such support.

* The above support was reflected triple fold:

1. Access to Work’s support of my needs and requirements to carry out my duties effectively
2. With the effective support I was then able to provide support through frontline delivery and managing the specialist provision
3. With my clients supported into sustainable work they then went on to support their families and off benefits

The effects of the support from Access to Work was such that whatever my support cost, the £1 to £1.48 return and the 300+ clients assisted into work runs to £millions of savings for the Government's Treasury.

It is now a sad affliction that Access to Work no longer sees the bigger picture to invest in disabled people’s abilities to make a difference not only to themselves but thousands more besides.

**My recommendations for effective solutions**

The AtW scheme should be commended for the essential support it provides for thousands of people in employment. However, as previously identified recent changes have meant that on-going support is working against the employment needs of Deaf people. While the Government has highlighted the importance of personalised support in employment, feedback tells us that AtW is not currently delivering this for Deaf people.

My recommendations for effective solutions based on experience as a personal user of Access to Work and as a provider of employment support for Deaf people are as follows:

- Technological efficiencies should be explored and implemented at every level of the scheme (for example, a wider range of contact options, online form submission)
- Improved Deaf awareness training for AtW staff
- A revised and fair reconsideration procedure should be developed, which is promoted and accessible to all AtW users
- The scheme must provide an amount of support that is sufficient to enable Deaf employees to perform effectively in their job roles
• The ‘30 hour policy’ as it has been applied to communication professionals should be abolished
• 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).
• AtW guidance should be made much clearer and more transparent and should be publically available
• AtW should explore more creative and flexible methods of providing support, including improved uptake of options such as Video Relay Interpreting Services, where appropriate.
• The Government should take steps to increase the supply of communication professionals.
• Reinstate the provision of additional interpreters for effective translation in high end meetings in line with the industry’s health and safety policies
• Reinstate Assessors in complex high end users to ensure effective and appropriate support is in place
• Engage with relevant peer stakeholders for professional advice when considering clients’ complex support needs

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