Written evidence submitted by Marije Davidson (ATW0161)

Introduction

1. I am a deaf woman and I live and work in the North of England. In 2000, I started using Access to Work to cover the costs of BSL/English interpreting, speech-to-text reporting and technology, and it has also covered the cost of deaf awareness training for colleagues in new workplaces.

2. Access to Work has enabled me to pursue a successful career through the voluntary and public sector. Without it, I would be without a job, unable to maintain my family and participate actively in the local community. Having a job in which I can flourish and I can make a positive contribution to society is important for my self-esteem, health and well-being.

3. However, in recent years Access to Work has become a hugely stressful experience and I’m finding the process demeaning, with little respect for my autonomy and my capacity to decide what works for me and my employer, and without regard to cost-effectiveness and efficiency.

4. This is particularly distressing because:
   - the UK Government has ratified the UN Convention to the Rights of People with Disabilities but the changes over the past year have been regressive as they have undermined the Government’s obligations to support my human rights in work and employment (Article 27 UNCRPD), and
   - The Disability Equality Duty/public sector Equality Duty (Disability Discrimination Act 2005/Equality Act 2010) should have prevented the UK Government from taking steps that would reduce employment opportunities for me and other disabled people.

5. My English literacy is good but as a deaf person communication support is essential to do my job well. Throughout my career my employers have made reasonable adjustments for me, including meeting costs of smaller adjustments, but there are no cheap ways to access good quality, effective communication support and that would be a huge disadvantage to my employment chances. However Access to Work creates a level playing field so that I am not a burden on employers, small or large and I can get a job and have a career like other people.

Recommendations

The Access to Work scheme needs to change because currently it is dysfunctional and the process is a waste of resources – money that could be spent directly on support for disabled people. In particular I would like to see:

- Disabled people at the heart of the support planning, we are the experts in our situation but we may need advice about solutions
- Skilled and knowledgeable AtW advisers that understand disability and modern employment practices and who engage with innovative approaches to support
- Fully accessible system for applications procedures, including publication of criteria for decision-making and realistic timescales

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1 See also, Article 4, General obligations, in particular (d), (e), (h) and (i); Article 9(e);
- Clear and transparent complaints and appeals system
- Effective (online) claims processing and accounting systems to minimise time and paperwork
- Effective communication about Access to Work in general, and throughout the process.

**Lack of skilled advisers**

6. Who is my AtW adviser can make all the difference to the experience of AtW application and review. I have met some really good ones, people who took me seriously and who discussed with me what support was available. But many have demonstrated a lack of deaf awareness and an unwillingness to engage with modern employment practices and innovative support (like remote sign language interpreting and captioning). Particularly in recent years I’ve had to fight to get recognition for the need to employ qualified sign language interpreters (in some situations two), to use freelance support instead of going through agencies because that offers me the flexibility I need and is often cheaper; to use different types of support in different situations (i.e. palantypist/speech-to-text reporter or sign language interpreter), and I’ve had to justify their costs.

7. Access to Work advisers are out of touch with employment practices. When I called Access to Work to request a review, I checked that they would cover the backdated costs given that the delay was through no fault of my own and the support is essential to carry out my job effectively. I was told to cancel all my support as there would be no guarantee that Access to Work would continue my support, even though I have been receiving it for the past 14 years. Obviously, cancelling support would have meant cancelling my work commitments, and therefore was an unrealistic expectation. My employer is now faced with the possibility of having to cover the cost of my support and I am confronted with a real possibility that I will lose my job if Access to Work reduces my support as the cost is unlikely to be considered a reasonable adjustment for my employer to make.

**Bureaucracy**

8. Each time I apply for a review of my package, either because of a new job or because it is due for review, I have to go through the whole application process from scratch, explaining my disability, the job I do, its requirements, the barriers I face, the support I need, its level and cost. This is despite the fact that they should have this information on file. It is worse now that the review is every 6 months, I face two or three different advisers, and I have no insight in what is happening to my application, and how long it will take for them to reach a decision.

**Poor administration**

9. Access to Work seems to be able to terminate my support without notice, and rather than informing customers that their support package is up for renewal, customers have to contact Access to Work to continue their support. This is abominable administration practice. This year I did not get paperwork about approval of my package so that I did not have a firm end-date. When I contacted Access to Work, they told me that

“Under the new process if you require a review or any additional funding you now need to get in touch with our contact centre on 0845 2688 489 they will then create a stencil which will be allocated to an advisor who will then get in touch with you to discuss your needs.”

This change of process was never communicated to me.
10. Twice Access to Work stopped paying my claims because they erroneously believed that my support had terminated. The first time they returned the claim forms to me with a note saying ‘ ‘Sorry’ to return your claims as your support seems to have run out.’

11. The second time I contacted them as interpreters reported not being paid, and they told me that they were withholding payment until my Access to Work adviser approved them – which he did after I contacted him – by that time already 10 weeks had passed. At no point did they contact me to say that they had stopped paying the invoices.

12. Access to Work changed their address for sending claims without informing me. I only found out because my claims were returned to me with a label saying ‘addressee gone away’. I had to contact them to get the new address. By that time 5 weeks had passed.

13. The claiming process is highly paper-intensive with each expenditure having to be accounted for separately, and signed by both myself and my line-manager. Given that I may use up to 10 different interpreters during a single month this uses a lot of my time and my line-manager, time that takes us away from carrying out our job duties.

Uncertainty about continuity of support

14. There is very little certainty as Access to Work packages are now granted for a short time only (6 months), when in the past I got an approved budget for three years with a light-touch review every year to check if my circumstances had changed and whether the support was still meeting my needs.

15. The problem is made worse by the lack of information: I am not being given contact details, or I’m given wrong contact details, my application is not acknowledged by email or post and I am not informed about timescales.

16. For example, at the end of May this year I found out that Access to Work had terminated my support a few weeks earlier, upon which I contacted Access to Work for a review; beginning of June they sent me forms and I submitted my application. Three weeks later I still haven’t received any news. I have been chasing but am being sent from pillar to post. In the meantime I’m continuing to use support and I have to rely on the goodwill of the providers and hope that their invoices will eventually be paid, either by Access to Work or by the University. This is an untenable situation.

Conclusion

17. An Access to Work adviser wrote to me that “we are using the public purse for funding so we must ensure we achieve value for money and identify an exact need” but the whole process is incredibly bureaucratic and a waste of public resources.

18. I very much hope that the Work and Pensions Select Committee’s Inquiry will lead to improvements to Access to Work, because there is no doubt in my mind that, when it works well, it provides disabled people with employment and career opportunities and enables employers to recruit and retain talented people from all walks of life.

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