How Access to Work (AtW) has supported me in pursuing my career

1. I have been in receipt of AtW support since the late 1990s. For most of this time I have been – and remain - self-employed. I have also, from time to time, worked on contracts for universities, the NHS and other organisations. The bulk of my work is in teaching, training, interpreting, translating and presenting videos.

2. The nature of AtW support has sometimes included the provision of equipment needed to enable me, as a Deaf person who uses British Sign Language (BSL) to carry out my work on a par with hearing people. However, the bulk of the support has been to enable me to book the BSL/English interpreter and other language and communication support I need in order to communicate by telephone, face to face, at meetings and other business events, and in writing.

3. This has meant that I have been able to remain continuously in work as a self-employed person, between contracts, since the late 1990s.

4. In 2011, I also set up, with a co-Director, a small business, Signworld (www.signworldlearn.com), which provides online materials to support people learning and teaching BSL. Signworld continues to grow as a small business, providing work for other Deaf as well as hearing people. While I remain self-employed, Signworld takes up an increasing amount of my work.

5. Without AtW support, I would have struggled badly and been completely unable to build and maintain my career.

The AtW application and assessment processes

Application

6. The application and assessment process for AtW has never been straightforward and easy, but luckily, with good advice from friends and colleagues, I learned early on how to explain my needs and achieve excellent support from AtW. I know that many of my Deaf acquaintances have not been so lucky, and have struggled to understand how AtW works, explain what support they need, and receive the appropriate kind of support at the level they require.

7. A major education and information programme is required to explain to Deaf BSL users – *in BSL* – what AtW is, how it works, what kind of appropriate support is needed for Deaf people in work – at all levels – and how to put across their case for AtW. It is ironic that, although Deaf people in the workplace need BSL/English interpreter support and English/BSL language support, hardly any effort seems to have been made to provide the information they need in order to understand AtW in BSL in the first place. It’s a Catch-22 situation.

8. Simultaneously, a major education programme is required for all those involved in administering, providing and assessing AtW for Deaf people, to ensure that they understand the nature of the requirements for Deaf people and can provide these services with understanding, patience and empathy.
Assessment

9. In the past, the assessment and review processes have been time-consuming, repetitive and laborious. It is hardly creating a level playing field, where Deaf people can compete and work on a par with hearing people, if they themselves have to jump through so many hoops before they can even get on to the field! This means that by the time they arrive on the ‘level playing field’, they are already at a disadvantage because of the time and energy it has taken to get there and the amount of frustration usually involved.

10. This process of time-and-energy-wasting and frustration recurs every time the AtW agreement is up for review, and is a built-in brake on progress for Deaf people in the workplace.

11. Although I have usually been fortunate in eventually receiving the AtW support I need, I have often been frustrated by the phenomenon reported in 2004 in a report by the Disability Employment Coalition:

   “Currently, implementation of AtW appears to be open to a significant amount of interpretation. Decisions made regarding eligibility for, or funding of, specific elements of support can widely differ across the country. Decision-making needs to be transparent.”


12. Decision-making has rarely been transparent, and I have spent much time discussing with Deaf colleagues and acquaintances across the country why so much time is taken up trying to understand a system that is so obviously non-transparent and inconsistent – incoherent even – across the country. However, in the past, once this process had been gone through, it meant that for a year or two at least I (and that minority of others fortunate enough to get the AtW support they needed) could relax and get on with being productive, successful contributors in the workplace.

13. Recently, this process seems to have become much more difficult, and is causing me real problems in maintaining my career, work and sustaining my small business. What seems to have happened is that, whilst receiving AtW support, between one review and the next, the ground rules have been changed – the goalposts moved – without anyone taking the trouble to ensure that the next time I, and others, came to apply for a renewal/continuation of our AtW support, we would understand how the rules had changed. This seems a basic responsibility of the service, which has not been met.

14. One example that I have found in the short time I had available to look into it is this, from AtW’s own published Guidance for Advisers:

   “The DiSC3 eligibility screen asks if customer will ‘earn a living’. This is no longer a test of AtW eligibility. If the customer is in or about to start paid employment then you should confirm that they will be paid at least the National Minimum Wage. The answer to the question ‘paid NMW?’ should be recorded as the answer to the ‘earns a living question’ The DiSC3 system will be corrected as soon as possible.”

15. As this is ‘Version 24’ of this guidance, and the same paragraph seems to have appeared in every version since at least Version 19 (date unknown), there has obviously been no hurry for ‘The DiSC3 system (to) be corrected as soon as possible.’ So it can be understood why this new test has come as a shock to me and many other Deaf people renewing their application for AtW in recent months.

16. This new interpretation of ‘earning a living’ seems unfair in at least two ways. First, the fact that it seems to have been sprung on Deaf people and others quite unexpectedly and without their previously being informed or prepared.

17. The second unfairness, with more long-term implications, is the fact that this condition cannot possibly cover the case of someone moving into self-employment for the first time, or re-entering self-employment, or trying to set up a small business as a self-employed person. To be competitive and efficient as a self-employed person, especially in the early days, or as someone setting up and trying to build a new small business, you need to be sharp, competitive and enjoy a level playing field from Day 1. That means a Deaf or disabled person needs all the AtW support required to compete properly. But if they have to prove first that they “will be paid at least the National Minimum Wage”, which cannot possibly be guaranteed, since they are completely dependent on their own ability to compete in order to put themselves in a position where they can earn/pay themselves “at least the National Minimum Wage”, this is another Catch-22 situation, which can only be frustrating and demoralising for the Deaf person setting out on the road to self-employment, or setting up and trying to build a new business. There must surely be some flexibility in this kind of situation.

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

18. Until my most recent review, the ongoing support provided through AtW was quite adequate to enable me to carry on and build my career and start a small business. However, both I and my Deaf business partner and other Deaf people I know have found recent changes extremely difficult to understand, distressing, stressful and a complete handicap in our ability to get on with our work. One example is the so-called ‘30-hour rule’, which has been broached with us and with others.

19. The ‘30-hour rule’ was reported by the Deaf news website The Limping Chicken as meaning:

“The rule said that someone needing more than 30 hours communication support a week could only claim at an hourly rate equivalent to a £30,000 salary. That is significantly below the market hourly rate for a sign language interpreter.

It means deaf people have been struggling to find communication support and therefore do their jobs. In some cases employers have been unable to keep their deaf employees.”

(Deaf News: Access to Work 30 Hour rule suspended by government pending review; The Limping Chicken; Posted on May 14, 2014: http://limpingchicken.com/2014/05/14/deaf-news-access-to-work-30-hour-
20. I understand that this has also meant that some Deaf people in full-time employment have been told that they should engage just one BSL/English interpreter or communication support worker on a full-time basis, at a rate for which hardly any highly qualified, registered BSL/English interpreter could be expected to work. There is still such a shortage of BSL/English interpreters, that the much better paid freelance work is bound to prevent them from accepting something much less.

21. I do not have time or space to go into great detail, but the idea that just one BSL/English interpreter of any description could meet my daily needs, or those of many other professional Deaf people, is preposterous. In the course of just one week, a professional Deaf person might be operating in a number of different environments and work situations, where the communication needs vary widely. S/he may be meeting existing or potential clients, customers or other associates from a wide range of backgrounds. Some of these meetings may require a BSL/English interpreter with an in-depth knowledge of the academic world, of engineering, of the arts, or of many other fields. These meetings may take place in different locations, sometimes in different parts of the country or even overseas, meaning that the BSL/English interpreter who will best meet the need is one who is familiar with that part of the country, as well as having a degree of knowledge required to cope with the requirements of the specific meeting/discussion in question. To expect just one BSL/English interpreter to be able to cope and adjust with all the possible requirements of many different working situations is completely unrealistic. And even if such a rare animal could be found, it would be doubly unrealistic to expect someone with that wide range of skills and interests to either want to be tied to working for just one person all the time; or even less to accept a level of remuneration so much below what s/he is capable of earning.

22. Another aspect that highlights the unwisdom of expecting just one BSL/English interpreter to meet the needs of a Deaf professional who travels widely in her/his job is the knock-on costs of that person travelling and sometimes staying overnight away from home. These costs could easily outweigh the supposed cost benefits of paying them less than the going rate for their work.

23. A big problem for me – and probably much bigger for some others – is that in order to receive the advice and support I need from AtW at a time when I am not receiving AtW support because it is under review or suspended for any reason, the only ways I can communicate with them – as they are hundreds of miles away – is by email or telephone. If I am at that point without AtW support, how am I supposed to communicate with them effectively, with full comprehension between us, in either written or spoken English? I am completely dependent on the goodwill of family and friends to be able to put my case. Furthermore, as the quickest way to contact AtW advisers is by phone, and very often there is no one there – sometimes not even an answerphone – it is impossible to organise quick, efficient communication. Even if the person calling on my behalf can leave a message, the AtW adviser cannot simply call me back at any time, as I am completely dependent on having a hearing person with me! I have experienced many delays because of this. Catch 22 again!
The effectiveness of AtW in supporting people with mental health conditions and learning disabilities

24. My points above about the need for an educational and information programme to ensure that potential clients with mental health conditions and/or learning disabilities understand the AtW system, and that their needs are understood by AtW staff, are particularly important for Deaf people who may also have these conditions.

AtW’s effectiveness in terms of helping disabled people to secure a job; stay in employment; and develop their careers

25. As explained above, throughout most of my experience, AtW has been effective in supporting me to secure work, stay in employment and develop my career. However, I know many Deaf people who have not been so lucky, and their needs must be addressed.

26. I would emphasise that the efficiency of the system in assessing my needs and meeting them has not been very good, as I have depended mostly on my own knowledge, experience and advice from friends and colleagues to explain and achieve the support I needed.

27. My more recent experience suggests there have been some drastic changes in the guidance governing AtW support for Deaf people, which is causing me and many others severe difficulties; causing endless frustration and distress; and making us far less effective contributors in the workplace and to the economy as a whole. See my testimony above.

The steps taken so far by DWP to extend AtW, including its marketing and funding of the scheme.

28. It seems clear from the ignorance, confusion and lack of information on the part of most of those Deaf and disabled people who should benefit from AtW, that greatly improved marketing, outreach, education and information is needed (see above). To quote again from the above report of 2004 by the Disability Employment Coalition:

“\text{AtW has been described by the British Chamber of Commerce as “one of the best kept secrets in Government.”\textquoteadded{Report © RNIB, August 2004, page 10: http://www.cwu.org/assets/_files/documents/aug_09/cwu__1249384903_Access_to_Work_Scheme.pdf}}\textquoteadded{\textquotequote{http://www.cwu.org/assets/_files/documents/aug_09/cwu__1249384903_Access_to_Work_Scheme.pdf}}\

29. It is invidious and unfair that if, for any reason, AtW is suspended or ‘out of time’, AtW advisers are so difficult to contact, and Deaf people are totally dependent on the goodwill of friends and supporters, and have to make complicated arrangements for them to be around to conduct telephone communications with AtW, or to clarify any written English that needs to be clarified.
30. My experience of the funding of my own support until recently was that it was quite satisfactory and highly successful in supporting me in my work. However, my recent experience has made me feel that, far from “…steps... to extend AtW, including... funding of the scheme”, the opposite seems to be taking place, with greater restrictions on funding and, quite simply, far more hoops to jump through.

Note on my testimony

31. The above views and accounts of experiences are entirely my own, but I could not have framed them in written English in a way which, I believe, would match the requirements of the Work and Pensions Committee’s enquiry without the (unpaid) support of a highly proficient language support worker.

20 June 2014