This document is written by me (Kathy Turner) on behalf of our organisation. As a Director who oversees the day-to-day running of the business we are in a position to see the type of jobs that are being booked and when they are being booked. As an agency, we are often booked last minute because Deaf clients who need to attend last minute meetings or appointments do not have the time to spend away from their job trying to organise an interpreter. Over the past 6 months we have seen a big change in what is happening to the Deaf professionals and how they are being treated by Access to Work (AtW) and the resultant effect on their employment. My concern is that these forced cuts will lead to a return to inequality of Deaf people who can no longer compete for jobs on an equal basis and the resultant social cost.

It is impossible to give exact examples without breaking confidentiality (as is the same for interpreters) but I intend to give an overview of what is happening without citing specific examples. I intend to give a brief history of where the Deaf community has come from, reasons why they should have the support they do, what I am seeing happen now and what my concerns are for the future of the Deaf community.

1. **History**

1.1 In the past the Deaf community were at a disadvantage relying on friends, colleagues and helpers who were untrained and unqualified to interpret to assist them in doing their jobs. The Deaf community were often beholden to the good will of others who, while they might have meant well, were not trained to accurately interpret what was being said. Worse still, they could be exploited, patronised and risked having their private business gossiped about.

2. **Support**

2.1 The UN convention on the Right of Persons with Disabilities (which is supported by the UK Government) states ‘The right to work on an equal basis with others in a labour market and work environment that is open, inclusive and accessible.’

2.2 Currently we have highly qualified Deaf people working and contributing to the economy and society. This has been through the provision of AtW and the development of a profession of BSL interpreters who are qualified, trained and registered. These interpreters are not just people who are fluent in BSL, they are trained in the complex processes of interpreting and abide by a strict code of conduct. In addition, they must demonstrate professional development every year in order to maintain their professional registration. The qualifications are awarded
by the NRCPD, a national awarding body. Before this development, the ‘Helper’ model was used, where Deaf people were often beholden to unqualified people to assist in communication. The rise of the BSL interpreter has meant that the Deaf person is now confident that they can perform their job independently and will be professionally represented.

2.3 BSL users often have their own preferred interpreters who know their work well and possess the contextual knowledge to interpret the client effectively. The relationship between client and interpreter is important and the Deaf person has to be able to trust that the interpreter is portraying them in their ways and manners. For example, a Deaf professional at a high level meeting would expect to be represented appropriately.

2.4 BSL users have English as their second language and BSL does not substitute each English word with a sign. It has a completely different and complex structure of its own. Therefore many Deaf professionals find that they need support with their written English because of the vast difference between the two languages.

2.5 Many Deaf people therefore procure their own interpreters for their day to day work. This can be very time consuming which they either have to do outside of their office hours or they have to squeeze into their working day thus reducing their effective working time and putting them at risk of criticism. However, when they have last minute meetings, appointments, conferences away or the support worker is sick they often turn to an agency due to the time restraints and the need to carry on doing their job.

2.6 The use of agencies reduces the stress on the Deaf client allowing them to continue with their work for which they are paid. Agencies have to charge more than freelance interpreters due to overheads. They are also mostly VAT registered due to their turnover. It is the time, skill, expertise and customer service for which the mark up is charged.

3. Current situation

3.1 Despite Mr Cameron’s verbal promise to me (at a public meeting), rates of access to work are being cut all over. Not only are the hours per individual being cut radically, the hourly rates are being cut to unsustainable levels for the Deaf clients, the interpreters and the agencies.

3.2 For example, a client who regularly was allocated 20 hours per week had it cut to 4 hours per week. This is not a unique case. The individuals consequently have to
spend valuable working time appealing against these arbitrary decisions which have been made without consultation.

3.3 If a person needed x amount of support and their job does not change then there is no logical explanation as to why the hours are decreased. This is happening across the board.

3.4 In addition to this problem the Deaf clients are having to fight against the cuts on an hourly rate for interpreters and agencies. Interpreters on average take 7 years to qualify to RSLI status. They are a registered body and are remunerated to recognise the level of training and expertise that they possess.

3.5 Rates are being cut from £35 plus expenses per hour for freelance interpreters and £45 plus expenses and VAT for agencies to £25 per hour all inclusive and £35 per hour all inclusive respectively.

3.6 This represents a pay cut of @ 17% for interpreters and 35% for agencies. The latter will lead to the demise of agencies which provide a valuable service to the Deaf clients who rely on them for short notice bookings or sickness so that they can get on with their job.

3.7 In addition, the Government imposes VAT on companies but is failing to take this into account when reducing the AtW rates.

3.8 We have several examples of Deaf clients having their budget cut without warning or notification. When they contact AtW to ask why this is they have all been told the same ‘renewal letters were sent out but you did not apply’. The individuals simply never received the letter. It is too much of a coincidence that so many Deaf people have not received this letter.

3.9 There must be an acute failing in the system. This is directly leading to budget cuts across the board without consultation.

3.10 Of the cases that we have heard about every single one whom this has happened to has had to appeal wasting valuable working time and money and every single one has had to compromise on a lesser amount of hours support and/or hourly rates.

3.11 The Deaf individuals are often too exhausted with the process (which has to be done with the aid of an interpreter on their newly reduced hours) and always reaches a compromise of reduced hours which inevitably means they cannot perform their job as well as they did before, putting them at risk of failing at work.

3.12 It is now not uncommon to hear cases of Deaf people having all their invoices returned to them unpaid. The resultant non-payment of invoices not only leaves
support workers and clients embarrassed it is leaving the Deaf client worried about booking interpreters if the invoices will not be paid. In turn, interpreters and agencies will not agree to work with a client if there is a risk of not being paid. Further reducing an already small pool of support workers.

3.13 We know of one client who has had their support for note takers cut. This means that while they are in a meeting watching the interpreters interpret what is being said, they will have no record of the proceedings as they are unable to take notes. AtW advisors cannot seem to grasp that Deaf people are physically incapable of watching interpreters and taking notes at the same time. The choice is to watch the interpreters or to miss a lot of information while they write notes on what they have just seen.

3.14 Previously individuals had their own advisor who knew their situations well and was able to apply decisions with due diligence. The clients are now finding that they are dealing with several individuals who do not understand the complexities of their requirements and random judgements are made without explanation.

3.15 Clients who need to travel to remote areas struggle to find interpreters if they cannot charge half day or full day rates (due to the time take to get to the job which can take them out of circulation for at least half a day. In London, the time taken to get to jobs means that as a body, they need to charge half day and full day fees.

3.16 Clients who have previously had access to interpreters are being told they must use Communication support workers. CSWs do not have interpreter training and work at a less detailed level.

3.17 Within the Deaf community, individuals are so exhausted with the process that they are now accepting lower hours and hourly rates which is putting them at risk at work.

3.18 The Sayce report states that a BSL user ‘cannot work in many roles without access to an interpreter: and for some employers, particularly small employers, the cost of communications support (or support workers, or travel) would go beyond their duty to offer reasonable adjustments.

3.19 Most private sector workers if they are employed in small or medium-sized enterprises and encouraging more small business start-ups is a core part of the coalition Government’s economic recovery strategy. If disabled people are to have a fair chance of retaining their jobs and securing new jobs as they come on stream, including in SMEs, then Access to Work will need to be available to more than 37,300 people a year. Efficiencies must be created in the system to allow more
people to benefit from this vital support.’ So it recognises that efficiencies must be made in the AtW system not in the benefits.

3.20 Disabled people are twice as likely to live in poverty as non-disabled people (Sayce report). It also finds that the Government spends over 20 times more on disability out-of-work benefits than on disability employment support (£7 billion compared with £330 million).

3.21 The Sayce report says that there is a net return to the Treasury of £1.48 every £1 spent on AtW. This is calculated on the basis of taxes paid and benefits no longer received.

3.22 As an agency we are saddened to see our clients are making appointments with Union representatives because they are now under criticism at work, many feel they are being set up to fail by the withdrawal of hours and budget and that they cannot compete with hearing colleagues.

3.23 For the first time we are being asked to provide interpreters for appointments with employment advisors in unprecedented numbers.

4. The future

4.1 These cuts are leading to Deaf people not being able to perform their jobs on an equal basis with their hearing counterparts. If this process is not reversed it means that they will be unable to be promoted, are at risk of being demoted and under-employed or at worst, made redundant.

4.2 We are already noticing a significant number of Deaf people who are unemployed and are seeing employment advisors. They are not going to access employment if they will not receive adequate support via the AtW system.

4.3 The Sayce report recognises that SMEs are unable to bear the additional cost of employing disabled people and in order for disabled people to have a fair chance at retaining their jobs and being recruited to new jobs, then AtW will need to be made available to these people. Withdrawing or reducing this benefit will lead to unemployment and therefore a significant rise in the social security budget.

4.4 In short, reducing the AtW budget will lead to a significant increase in the social security budget.

4.5 All the information I have documented is from cases I know of in the South West and is an overview without naming names of what is happening in our Deaf community.
4.6 Furthermore, the investment in AtW will reduce the burden on the Social Security benefit budget and enable Deaf people to be gainfully employed (not under employed) and be a contributing part of society.

4.7 Cuts in hours and hourly rates are condoning discrimination of Deaf people.

5. **Recommendations**

5.1 In order for Deaf people to be able to compete on an equal basis with their hearing counterparts, they must have access to a realistic budget with realistic hours which provides them with the means to focus on the job for which they are paid.

5.2 Allowance for and better use of interpreter led interpreting agencies.

5.3 AtW to consult with interpreter led agencies for rates and terms and conditions.

5.4 AtW to allow for minimum call out fees, half day/full day rates and assignment rates.

5.5 Specialist AtW advisors to deal with Deaf clients.

5.6 Deaf Awareness training to be undertaken by all AtW advisors.

5.7 An immediate reversal of the cuts to budget and hourly rates.

20 June 2014