Written evidence submitted by Nicola Evans (ATW0262)

This submission is being made as an individual. I am a British Sign Language (BSL) interpreter with 12 years’ experience working in this field.

This submission is being written to express my concerns over the changes that have been made to the Access to Work (AtW) scheme and the experiences I have witnessed as an interpreter.

The points raised relate to items 1. Application and assessment process, 2. & 4.

AtW is not accessible
Application and assessment process not reflective of deaf people’s needs
Abusive behaviour by AtW
Lack of consistency
Inadequate provision
Stress on deaf staff
Lack of transparency
Reconsideration process
Legalities of service
Non responsiveness of service
Changes to the working practices of the scheme, that do not fulfil its original intention
Review of AtW - suspension of rule
Jobs placed at risk, lost, and demotions occurring
Services being placed a risk
Employers of deaf people business’ being placed at risk
Job redesign
Contractual obligations
Marketing

1. AtW is not accessible

AtW is not accessible to deaf people, who it is there to support. There is no facility for deaf people to access the service in BSL (their first and preferred language). This impacts the numbers of people using the service. All communication is based on spoken (via the AtW call centre) or written English (via email). Deaf people are being made reliant on others to request an application and support them through the assessment process - despite the discretionary grant being made to them as the individual.

2. Application and assessment process not reflective of deaf people’s needs

Deaf people are being asked questions relating to their English ability, whether they can speak or lipread. Person A was told by their manager that the advisor from AtW had gone to the manager to ask about their ability to speak and lipread after the assessment. This shows a lack if trust in the information being given. Profoundly Deaf BSL users are being forced to justify the use of their first language. This smacks of discrimination, and deaf people are being made to feel like a burden on society. AtW is meant to be there to support people, not intimidate them.

3. Abusive behaviour by AtW

As an interpreter, I have made numerous calls to AtW whilst working for deaf clients. Person B was calling AtW in relation to changes to their support package that was making it impossible for them to carry out their normal duties at work. The advisor became increasingly aggressive and was questioning the person’s needs and why they couldn’t accept less support. The call was extremely distressing and I had to step in and refuse to continue the call as the deaf person was in tears in front of me. This is not acceptable to either myself as a professional interpreter, or the deaf person as AtWs customer.
4. Lack of consistency

In one workplace I am aware of 5 deaf members of staff who have each experienced different responses from AtW. Three people in the same position have different packages (despite their needs being exactly the same), and one member of staff who has a more senior role is on a reduced package, receiving less than the lesser qualified colleague. This creates a great deal of tension within the staff group and affect the service being provided.

5. Inadequate provision

Deaf person C works in a high risk setting. This involves contact with courts, police, mental health services, child protection, alcohol and substance misuse, and health liaison. This person was offered a communication support worker (an individual with basic conversational BSL). This places the clients at risk but also the member of staff who holds the duty of care. AtW made their decision purely on monetary grounds and were not considering the implications - despite these being made clear by the individual. Person C is having their job placed at risk as they are unable to carry out their role with under qualified support. In attending high risk cases with a CSW they are placing clients at risk, in not attending (due to concerns over their support), they are placing the client at risk. This is unfair on highly trained professionals who have invested time and commitment in their chosen career and creates a huge amount of stress.

6. Stress on deaf staff

Person D has handed their notice in and will be moving out of the area they currently live in as a result of the stress and associations that the location now holds. This gives some indication of the level of emotional distress AtW has. People feel powerless and a burden on both their employer and society.

7. Lack of transparency

No explanation is given to the deaf person regarding how AtW believe the support package they are offering meets the Deaf person’s needs, when the deaf person is stating that it is unworkable. AtW have lied about consulting with the Association of Sign Language Interpreters (ASLI) and cannot provide any evidence to show how they decided on the £30k figure they have fixed as an interpreters salary. AtW are now stating that £1.48 accepted by government in 2011 is no longer correct, and are instead stating £1.18 as the new figure. No information is being made available on how this calculation was arrived at. Should £1.18 be correct, then this can only mean that AtW has been severely mismanaged as it is now supporting 500 less people than when the Sayce report was published, despite having £15 million pounds additional funding.

8. Lack of deaf awareness

The whole scheme lacks deaf awareness. Every stage is reliant on spoken or written English. There seems no understanding around the difference between a communication support worker and a qualified interpreter, or the need for co-workers.

9. Reconsideration process

The reconsideration process appears to serve no other function other than to dissuade people from complaining about the service. For deaf people whose first language is not BSL, it is extremely difficult to access this process. Letters from AtW are not written in plain English, and as an interpreter I am constantly being sent copies of letters from deaf friends asking me to explain them.

No one that I know of has ever had any changes made to their support package due to the reconsideration process. It causes unnecessary delays and stress for people wishing to complain.

10. Non responsiveness of service
AtW do not respond to customers in a timely fashion and are extremely difficult to contact. For deaf people who are reliant on interpreter support, this adds to the pressure they are already under in managing their interpreters, many of whom have been unpaid for work undertaken in good faith.

11. Legalities of AtW

Deaf people and interpreters alike are being left in a vulnerable position due to the lack of clarity around the legal position of the AtW award. Deaf people aren’t being told explicitly by AtW that they are personally liable for paying their interpreters. Interpreters are working in good faith assuming that agreements are in place. The recent issues have damaged this relationship. Interpreters where before, would take it on trust that a deaf person has the funding available to pay for services received, are now in the position where they question this and want to see the agreement.

The arrangement isn’t practical. Both parties are placed at risk.

12. Changes to the working practices of the scheme, that do not fulfil it’s original intention

The original aim of Access to work was to get deaf and disabled people into work. The recent changes, in particular the 30 hour rule, is preventing this. It is forcing people out of work. It is not fulfilling the original intention of the publicly funded scheme.

The 30 hour rule is placing all services for deaf people at risk. Interpreters are retraining and leaving the profession. This has huge consequences in other areas (health, police, court), theses wider consequences, whilst not the remit of this committee, do need to be considered.

13. Review of AtW - suspension of rule

The announcement of the suspension of the 30 hour rule, has not had the expected benefit. People’s budgets/packages are not being reverted to the levels they were at previously. People are being told that they should start a new application adding further delays and more stress.

14. Jobs placed at risk, lost, and demotions occurring

I have seen several cases whereby deaf people’s jobs are placed at risk, or they are being demoted. Deaf people face enormous barriers in gaining employment, now to have these jobs placed at risk due to something beyond their control, us extremely demoralising and unfair. Deaf people are being indirectly discriminated against by government as the group who have the highest support needs - and are therefore the group being disproportionally affected.

14. Services being placed a risk

Services which are run entirely by Deaf people are being placed at risk. Deaf people need interpreters to communicate with outside agencies etc. One service in particular works with high risk clients in crisis. The whole service is being jeopardised. The knock on effect of this is they are unable to meet their funding objectives the service becomes sustainable. The specialist support they offer will then disappear and deaf people in crisis will have to go back to mainstream services where there is no provision for interpreting. Vulnerable clients in crisis won’t be able to access the intervention and support they need. Specialist services were set up because it was recognised access is the main reason help isn't sought.

15. Employers of deaf people business' being placed at risk
Deaf people who run their own business and employ others are being disadvantaged. By suddenly being expected to fund interpreters and other support, their businesses are no longer competitive as these costs need to be passed on to the customer. AtW is preventing disabled businesses.

16. Job redesign

AtW is awarded to the individual, who is legally responsible for ensuring they have a support package in place (disciplinary procedures can be taken against staff who haven't arranged this). Yet AtW are now excluding the deaf person and attempting to have conversations with their employee to look at "job redesign". This is not only unethical - as it means that the disabled person has to match the support rather than support being there to meet their need. It is discriminatory.

17. Contractual obligations

Deaf people are not able to meet their contractual obligations with their employers and are therefore no longer a useful asset to their employers. Rather than being valued, these changes are dramatically changing the perception of deaf and disabled workers as a burden. Damage like this takes years to undo. It affects people not only in work, but in every other area of their life.

18. Marketing

AtW don't appear to market themselves at all. The Disability Confident marketing by the DWP however is insulting. The road shows have been attended by disabled people who are told they aren't allowed to speak or contribute. It is falsely claiming that disabled people are able to gain work and maintain this because of government support. It is tokenistic and given the issues people are facing with AtW, is insulting, both to myself as a professional and to disabled people.

AtW and how they record their statistics is misleading. Work experience and apprenticeships should not be counted as these people are not in work and skew the figures. People provided with equipment are counted for two subsequent years on receiving this equipment, this again falsifies the situation faced by deaf and disabled people.

Recommendations:

- AtW is made accessible to deaf users. There are plug ins available that would allow deaf people to connect directly to AtW via the governments website and a video relay interpreter (www.signvideo.co.uk)
- The 30 hour rule is scrapped with immediate effect.
- AtW needs more understanding about the needs of deaf people. They need experts in the field of deafness to assess and support deaf people’s applications (not people who have invested interests as has happened in the past - eg service providers assessing and then pressuring deaf people to use their provision.
- Deaf people need appropriately qualified interpreting support that is flexible and meet needs.
- AtW needs to fulfil its original intention and allow full and equal participation for deaf and disabled people in the workplace.
- The concept of job redesign is immediately stopped.
- Deaf people and interpreters are fully consulted in any policy/guidance that affects their work or working practices.
- Marketing budgets are redirected into service provision where public money is more usefully spent.
- Work placements and apprenticeships are recorded separately and are not included in AtW figures. Equipment provided should only be counted once.
- AtW agreements need to be clearer for deaf people and interpreters.

20 June 2014