Written evidence submitted by Dr Dai O’Brien (ATW0296)

Executive summary.

- Access to Work (AtW) needs to be much better publicised so that Deaf and disabled people know that it is available, how to apply for it, and what they are entitled to.
- There needs to be more and better advice and support from AtW and the DWP on the application process and how to manage your claims.
- The application process needs to be better managed and continuity must be offered to applicants in terms of advisors and which AtW centre to apply to.
- Capping of hours per week and how much to pay BSL/English interpreters per hour is inflexible, impractical, unhelpful and damaging to career prospects.
- There is a lack of transparency and accountability to the review process.

1. My name is Dr Dai O’Brien and I work in York St John University, York (henceforth YSJ). I started work here in January of this year (2014) after completing my PhD in Social Work in the University of Bristol in 2012. I took a year out to travel the world with my wife during 2013 to have a break from academia (having gained a BSc, MSc, MRes and PhD in quick succession) before settling down to what I hope will be a long and successful career as an academic. I am profoundly deaf, culturally Deaf, and use British Sign Language as my first and preferred language.

2. My contact with Access to Work began several years ago when I worked for a year in a hospital as a Medical Laboratory Assistant in between finishing my MSc and beginning my MRes. It was an abysmal failure. I could not find any advice or support for completing the forms or application process anywhere. Neither my line manager nor any of my colleagues could sign and so the communication between us was very poor. None of us had any experience of applying for AtW and none of us could find any guidance on the application process from AtW or the DWP. If there was any guidance on the process available, it was very well hidden and unpublicised. I had called in a favour from a friend who was a BSL/English interpreter to get me through the interview, as the hospital were not able to provide an interpreter for me and I did not know about AtW. The hospital did not offer any advice about the availability of AtW to pay for interpreters for the interview. Due to the lack of guidance and support available from AtW, I felt unable to apply for it and ended up leaving my job, incredibly stressed and frustrated at the lack of communication access, and returned to university to study for my MRes and PhD.

3. During my four university degrees, I received support from DSA and from the ESRC, who funded my PhD and provided a budget equivalent to that of postgraduate DSA. This worked very well, because both of these schemes provided a yearly budget with a lot of freedom and flexibility over how to spend the money. There was no capped number of hours for interpreting per week (perfect for academic life, as there could be several weeks of intense teaching and training followed by months of writing in isolation, with no need for interpreters) so I was free to manage my budget how I wanted, so long as I did not over-spend.

4. Coming into my current role, again, AtW played no part in supplying interpreters for my job interview. Luckily for me, YSJ had already arranged interpreters for the interview process, so it went smoothly and I was offered the position. As mentioned, I was travelling the world at the time (I conducted my interview via Skype), and we arranged my employment to start a week after
returned to the UK. I immediately got in touch with AtW to begin the application process so that AtW would be in place from the beginning of my period of employment, but was told that I could not apply until I had returned to the UK. This was despite my being able to 1) provide full details of the job, the offer letter and my letter of acceptance, 2) proof of my UK citizenship, 3) all personal information needed for the application process, for example, my needs, duties in work and so on. I was able to begin the application process once I had reported that I had returned to the UK via email (less than one week before I took up employment at YSJ). It seemed a waste of time, and meant that my AtW was not in place until several weeks after I had actually started work.

5. The actual application process for AtW was anything but straightforward. After the initial complications described above (see paragraph 4), I was passed around several different advisors during the first few weeks after I asked to begin the application process, before I finally ended up with an advisor who said he would see me through the process. I submitted my application promptly, but it was a week or more before I had a reply. I was asked for more information about my role, which I again submitted promptly, but again, there were several weeks before I had a reply. I understand assessment of applications can be a long process (especially after cuts to the AtW service itself, resulting in far too few staff to process the applications correctly), but having to chase up your advisor simply for an email to confirm that they have received your application is simply bad practice.

6. Eventually, my AtW application was processed and approved. I was sent a sheaf of forms in the post with an incomprehensible leaflet purporting to be ‘guidance’ on how to fill in the forms. Luckily, there was another Deaf person working in my office who was able to help me fill in the forms and organise my claims submissions. Without her help, I would not have any idea of what I was supposed to do with the forms. There is a lack of helpful, understandable advice provided by DWP on how to submit AtW claims. I am lucky that I had support from a more experienced person in organising my AtW claims in my current role. Again, most of my colleagues and line manager are hearing, so communication is difficult without BSL interpreters. Without the advice of my Deaf colleague, I would be in the same situation as I was in the hospital (see paragraph 2), not knowing how to deal with AtW, but not knowing where to turn for help.

7. Upon receiving my AtW offer, I was surprised to see that my BSL support is capped in terms of how much per hour I can pay my interpreters, not being able to offer interpreters separate travel expenses, and how many hours I am able to book them for per week. This is inappropriate on several counts.

8. Firstly, my position in YSJ, as a highly qualified academic working in academic circles with academic responsibilities and roles, means that I need to employ fully qualified BSL interpreters who are registered with the NRCPD. These are highly qualified professionals with a specialised skill set. York does not have many people who meet these standards, so I often have to bring in interpreters from further afield. This means that they have to charge travel expenses. Being highly qualified professionals, these interpreters also charge more for their services. AtW has capped the hourly rate I am able to claim at the very bottom range of their prices. This means that I am very limited in the choice of interpreters I can offer work to. The best interpreters are often either based too far away and so charge too much in travel for me to be able to cover their costs, or they charge too much per hour for me to cover their costs. It is simply not a viable option for me to employ less
qualified or experienced interpreters or CSWs. This would have far too much of a deleterious consequence on my work, the experience of my students, and my ability to engage with my colleagues at an appropriate academic level. While this sort of capped payment may work in places like London, where there are a large number of interpreters and travel is relatively cheap and convenient, in more rural, dispersed areas like the North East (or, in fact, anywhere outside London), it is simply unworkable.

9. Secondly, the capped hours per week. As I write this, in June, there are no students around the University, as term time is finished. This part of the year has minimal teaching commitments, which means on a day-to-day basis, my need for interpreters is very low. However, one thing that does happen in this period is that there are conferences to attend. These are very intensive events in terms of interpreter needs. Each day in a conference can be 8+ hours. These events need a minimum of 2 interpreters to be booked so that they can provide complete coverage of the day. 2 interpreters for 8 hours a day is 16 hours. My weekly hours are capped at 20. However, most important conferences last 3 days. Not being able to attend the full conference places me at a huge disadvantage in relation to my hearing peers. If my weekly hours were not capped, and I was simply provided an annual budget for my AtW, this would be easily managed. I could simply use the money I have not spend during these last few quiet weeks to pay for the interpreters needed for 3 day long intensive conferences.

10. In a similar vein, during term-time, when I am teaching, meeting students for tutorials, attending training, CPD, research meetings and so on, I can have very intensive weeks during which my need for interpreters goes over the 20 hours I am limited to. My work goes from one extreme to another, from very quiet to extremely busy. Having a weekly cap on the number of hours I can book an interpreter for is an inflexible, unworkable, arbitrary limit that plays absolutely no useful role in providing me equal, or even reasonable, access to the support I need to do my job.

11. I recently found out that I must undergo a review of my AtW provision, barely 4 months after the original decision was made to provide me with AtW. I was only made aware of this after a colleague found out that her AtW was up for review, but the DWP did not inform her of this. I then contacted the DWP to enquire about the status of my own AtW provision, at which point I found out about the review. I have since spent several weeks and several phone calls and emails to different people trying to get a straight answer about what is involved in the review process, what I can expect from it, on what criteria my review application will be assessed, and how long it will take to complete. I still have not received a clear answer to any of those questions. I have completed the forms I have been told to and sent them off, but again have not received any confirmation of receipt. I have chased this up with no reply.

12. There is a serious, serious lack of transparency and accountability to the assessment process of AtW. We are not told on what criteria our applications are judged, approved or denied. We are not told why our applications are up for review (in my case barely 4 months after the initial decision), or indeed, when our applications are up for review. We are not told who makes the decisions on these applications.

13. As can be imagined, the uncertainty of the status of my AtW funding has been causing a lot of distress. I do not know how many hours of interpreting I will be entitled to after the review process. I do not know if the hours provided will be sufficient for me to perform my job and be able to stay in
employment. I do not know if the hours provided will be sufficient for me to begin thinking about taking on extra responsibilities in work to develop my career. As a young, ambitious academic with hopes of starting a family with my wife, this obviously plays on my mind and causes some stress as I do not have the equivalent job security and assured career path that my hearing peers do, due to the undetermined long-term status of my AtW support.

14. In terms of the marketing of the scheme, there does not seem to be any. There is still a lack of understanding of the scheme, its availability and how it works. It seems almost as if it is deliberately hidden so that Deaf and disabled people do not apply for it. It still seems to be very much the ‘best kept secret’, and a very long way from being an adequate ‘passport to successful employment’.

15. Recommendations.

1. The capping fees on interpreters and travel costs should be stopped.
2. The cap on the number of hours of interpreting allowed should be removed.
3. The above should be replaced with an annual, flexible interpreting budget to be managed by the Deaf person at their own discretion.
4. The criteria on which applications for AtW are decided should be made public and widely publicised.
5. Reasons for the instigation of reviews should be provided.
6. It should be made clear who makes decisions on AtW applications, their roles and qualifications for the post.
7. The above will make AtW more transparent and accountable for their decisions.
8. An appeals process must be put in place.

30 June 2014