Written evidence submitted by Josef Baines, a Deaf AtW user

Introduction

Access to Work (AtW) is one of the British Government’s greatest 21st Century ground-breaking social initiatives. The initiative has the potential to encourage wide-ranging politico-social ramifications if it is implemented and coordinated correctly and effectively as a unit. However, the level of service has dramatically declined since the new delivery model was implemented in year 2013 and measures are required to help take AtW to another level.

I am Training and Education Officer for Interactive. Interactive is the lead strategic development agency for sport and physical activity for disabled people in London working in partnership with the Mayor of London, Tottenham Hotspur Foundation, Sport England, London Sport, English Federation of Disability Sport and Public Health England.

The AtW application and assessment process, from the perspective of employees and employers

Inaccessibility of the Access to Work service

1. Since I started using AtW in year 2005, I had no issues with the assessment and application process until recently. On a personal level, I thought the whole service was carried out efficiently. Further, the dialogue between me and the AtW advisors had been smooth because of the reasonably robust knowledge they possessed about challenges deaf and disabled people face at work.

2. However, since April 2014, the recent implementation of the Department for Work and Pension’s (DWP) new delivery model has rendered the process wholly inaccessible.

3. For example, there is now no discussion or agreement between me and the AtW Adviser over a supplier’s or registered sign language interpreters’ quotes/fees, which has resulted in me having an inappropriate level of support for my work. Prior to year 2014, the AtW Adviser would initially request three or more quotes from distinct suppliers/products before determining the appropriate level of budget to meet a deaf person’s work requirements.

4. Another example of inaccessibility from the new delivery model would be the usage of a telephone. How would a deaf person get in touch with an AtW Adviser via telephone if s/he has no support provision in the first instance? Deaf people will have to resort to asking hearing employers to speak to the AtW Adviser on their behalf, which takes away a deaf person’s independence. The removal of independence goes against the very concept of the social model of disability, the underlying principle of the Equality Act 2010. In other words, this would
imply a possible breach of the legislation by rendering the AtW service inaccessible to deaf people.

5. I fully support telephone interviews providing that registered sign language interpreters are booked to work with deaf clients.

6. However, using the telephone as the sole medium of communication will more than likely increase ambiguity, misunderstanding and miscommunication between AtW Advisers and deaf clients, which could affect a deaf person’s correct level of support for their employment.

Working with Access to Work Advisers

7. Since year 2005, I have liaised with various AtW Advisers and there has been some evidence of a lack of consistency, uniformity and transparency of the application process.

8. Although I have mentioned earlier that the service level has been excellent, the change of AtW Advisers for each new AtW application has been problematic for me since 2005. There has been no smooth transition from the previous Adviser to the new Adviser to ensure that the right level of knowledge is transferred and maintained, which has resulted in me re-applying numerous times and having to re-educate the Adviser, due to their lack of knowledge of deaf people’s workplace issues.

9. In addition, the budget per hour for sign language interpreters has been inconsistent. Most deaf people have commented that their registered sign language interpreter budget per hour has significantly dropped from £55 to £25 per hour in most cases within London, a city where the cost of living is significantly higher than most regions in the United Kingdom. Most London-based registered sign language interpreters charge their deaf clients similar fees, so there is no rationale for AtW determining lower or higher budget levels for each deaf client. Inconsistency of budget levels can affect career retention and progression for deaf people, as they may be unable to access appropriate quality interpreters for their work requirements.

Registered sign language interpreters

10. During the submission of this evidence, I am currently without a registered sign language interpreter and this has been going on for at least two weeks now. Would a non-deaf person need to go through this similar process when they are in employment? In year 2011, I was without a registered sign language interpreter for around two and a half months. Sign language interpreters require booking in advance and the demand for them is so high that it can take up to a maximum of one month (or more) before securing an interpreter.
11. My meetings and training courses are quite demanding for registered sign language interpreters. Having only one interpreter for many meetings a day would be too demanding for the interpreter. Delivering a training course to the public could increase the risk of ‘repetitive strain injury’ thus affecting their careers and their relationship with the deaf client. Having only one interpreter would mean that they would have to take frequent breaks (approximately every 20 minutes) during a training course which would mean a reduction in the audience’s ability to concentrate and a reduction in the quality of the training.

The impact of AtW on one’s life in general

12. In relation to dealing with AtW, the amount of time I spend in sorting out paperwork, the delays in getting support and the correspondence I have with AtW Advisers adds up to approximately two months per annum, on top of my current work. This translates to two months’ worth of loss of business per annum for the organisation that I work for. Since 2005, this would add up to circa of 18 months of loss of business.

13. On a personal level, since year 2005 I have found the progressive levels of stress, uncertainty and hope a bit too much to handle lately. The fear of not having enough support from AtW, the fear of being put in a difficult position where the employer cannot afford to support me and where Access to Work would not provide support, and the fear of not doing one’s job properly because of the reduced level of AtW support can be quite unbearable. Further, this fear could affect one’s career prospects.

14. Fighting to gain equality, let alone fighting for a job is challenging enough for deaf people, but to secure employment, one must go through two hoops instead of the one that a non-deaf person would normally have to go through. It is tiring and we are reduced to humiliation in order to try to progress in our lives. Is this similar to how a non-disabled person would normally be treated?

15. Our careers, our fates and our lives are all determined by one AtW Adviser’s decision. Deaf people’s single greatest achievement would be to secure AtW support first from the AtW Adviser, not the job itself which would be celebrated much, much later. Once the correct level of AtW support is secured, life will be alright.
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

The adequacy and inadequacy of ongoing support

16. Up to April 2014, the level of ongoing support from AtW for my previous roles has been exceptional and I have not had any complaints with their processes to date. The smooth process was due to effective relationship-building with the AtW Adviser, the open dialogue between us and the transparency of the process such as collecting quotes/fees from suppliers to determine the correct level of budget. However, as abovementioned in paragraph 13, the fear of uncertainty over whether my career will remain intact has been quite difficult to handle lately.

17. From April 2014 onwards, the reduced level of my AtW support (and the possible long-term regressive level of financial support from AtW) could cause insurmountable issues at work. For example, this general reduction in support could cause employers to slowly chip away a deaf person’s independence by taking away parts of the job description that involve communication, to a role that we could become overqualified to do. Further, this will put the deaf person first on the firing line and make them last to be hired irrespective of how effective the Equality Act 2010 is.

Registered sign language interpreters and communication professionals

18. Registered sign language interpreters and communication professionals need to be liaised with by the government to ensure that the level of fee is appropriate for both parties, in order to maintain the high quality of communication services for deaf people. If the sign language interpreters’ profession is affected, it will have a long-term disastrous impact on their career prospects, which will in turn affect deaf people’s careers and lives to a great extent.

Inflexible movement of career prospects

19. A significant number of deaf and disabled people work within the deaf and disability sector because this is the sector that best understands deaf and disabled people’s issues and needs. Reducing the level of AtW support provides less career progression for deaf and disabled people outside of the deaf and disability sector.

20. Furthermore, deaf and disabled people will be more inclined to stay within the same organisation instead of having the freedom to take control of their careers by moving to different employers for better career, work conditions and pay prospects, because of the fear of uncertainty over whether support will actually be provided in a different organisation.
21. This disability sector ‘pigeon-holing’ has hindered career and social progression and is something that goes against what non-disabled people would normally do in their general working lives.

\textbf{AtW’s effectiveness in terms of helping disabled people to: secure a job, stay in employment, and develop their careers}

\textit{Thankful}

22. I am extremely thankful for the support provided to me by AtW. This may sound a cliché, but without AtW, I do not think I would have made it this far in my career. The scheme has helped me to secure and stay in employment, and provide me with the opportunity to develop my career. With AtW in place, the future is bright and I feel fully part of society.

\textit{If it ain’t broken, leave it or improve it}

23. Why should we fix something that is not broken? AtW is a fantastic and evolving scheme that requires augmenting in order to help influence society to make changes to include deaf and disabled people.

24. Further, AtW support is often deaf people’s only link to the non-deaf world and to reduce the level of support, such as registered sign language interpreter provision, would mean informal team working, sharing knowledge, gaining knowledge, and our social interaction within the office environment, team bonding and jokes will be utterly eliminated. As every hearing person knows, through their lifetime of social interaction, the little things through office interaction can significantly improve and have an impact on one’s career prospects such as extemporaneous chats during coffee breaks.

\textit{An open and transparent public engagement and consultation}

25. Since year 2013, AtW and key government ministers appear to have been working closely with a few organisations, such as the British Deaf Association, where views of the deaf and sign language interpreting community can be biased, myopic and not wholly representative of the short- and long-term key issues that deaf people are actually facing.

26. There needs to be greater diversity in the type of organisations and individuals the government liaises with to get a true picture of the issues deaf people currently face. The submission of deaf people’s evidence to the Work and Pensions Select Committee has clearly demonstrated the diversity and breadth of deaf people’s issues which will help the government make socially acceptable decisions.
Interactive’s work

27. As part of Interactive’s work for the Mayor of London *inter alia*, we are mandated to influence organisations to encourage and recruit deaf and disabled people to take up employment. However, this will currently prove challenging and the targets of achieving the number of deaf and disabled people in work will become unattainable because of the inaccessibility and reduced level of support from AtW. This will in turn affect the government’s post-London 2012 Games Legacy targets.

A socially progressive scheme always outweighs costs

28. Deaf people are fully aware that we cost one-third of the AtW budget, oft-repeated by DWP. Further, deaf people are fully aware that our type of AtW support is not cheap, but the negative use of factual language and prominent comments in some DWP reports and from AtW Advisers are not particularly helpful or socially progressive. It tends to devalue deaf people as a whole and makes us feel like second-class citizens. In the bigger picture, if deaf people became unemployed, we would rely on benefits to make a living and this would cost the government significantly more in comparison to being employed. The Sayce report states that for every £1 spent on deaf and disabled people’s support requirements, the British economy gets £1.48 back. Therefore, investing more into deaf and disabled people’s support needs is both a socially and economically logical step forward.

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

29. Although a brilliant social scheme, AtW is still the most secretive form of social support and the level of knowledge from organisations about AtW remains minimal. Further, through my discussions with deaf and hard of hearing people, AtW is still a relatively unknown social scheme. This signifies that the government still has much work to do to make AtW the most inclusive and socially progressive 21st Century employment scheme for deaf and disabled people.

30. The measures taken by DWP to widen potential employers’ minds and changing perceptions about employing deaf and disabled people has been the correct decision to date.

31. However, as society is always changing, the AtW scheme needs to always be at the forefront of most employers’ minds, otherwise real and effective cultural change will not take place.

32. Further, robust and coercive measures need to be in place to influence organisations to change the way they operate because the Equality Act 2010 and AtW alone cannot make strong changes.
Recommendations

Recommendation 1.

Reverse the decision to reduce the AtW support budget for each deaf person, and conduct collaborative and realistic assessment based on individual work access needs.

Recommendation 2.

Create a more centralised, skilled, up-to-date and knowledgeable team of Access to Work Advisers who specialise in deaf workplace accessibility issues in order to maximise the best use of public funds and support requirements.

Recommendation 3.

Transfer deaf AtW customers' cases effectively between AtW Advisers to ensure smooth transition and continuation of service. If systems do not currently support this core function, develop them so they can.

Recommendation 4.

Work with the Association of Sign Language Interpreters (ASLI), the National Union of British Sign Language Interpreters (NUBSLI) and National Register of Communication Professionals working with Deaf and Deafblind People (NRCPD) to ensure that the level of fee and high interpreting standards are maintained.

Recommendation 5.

Fully support registered British Sign Language interpreters with their career development and pathways to ensure that the high quality of service is maintained for deaf clients.

Recommendation 6.

Ensure that all AtW Advisers are conducting their work as transparently as possible by following the Access to Work Operational Guidelines closely to reduce fear of uncertainty amongst deaf people.

Recommendation 7.

Incorporate a structured, transparent, clear and up-to-date complaints policy within the publicly available Access to Work Operational Guidance and put on the www.gov.uk website. Further, publish a well-thought and robust guidance of how a reasonable adjustment is judged in any given circumstances.
Recommendation 8.

A detailed and independent investigation by the Parliamentary Ombudsman into the government’s and AtW’s hostility towards deaf people and the AtW’s capricious ‘rules’ recently implemented to justify budget cuts.

Recommendation 9.

Greater scrutiny from DWP into AtW’s operations is required and will require reporting to the Permanent Secretary on complaints and feedback.

Recommendation 10.

More robust measures are required to make effective cultural changes. From a more coercive angle, influence employers through marketing and direct engagement to increase employment opportunities and career progression for deaf and disabled people.

Recommendation 11.

Access to Work should not put deaf people in a vulnerable and compromising position when both AtW and employer refuse to pay for the support a deaf person would require for their role. Further, ensure that AtW support is guaranteed for deaf people wishing to work in various sectors instead of the deaf and disability sector.

Recommendation 12.

There should be two registered sign language interpreters for meetings and training courses that last for more than one hour, and this should be covered by AtW.

Recommendation 13.

Access to Work needs to work with a mixture of smaller deaf organisations and individuals instead of larger, national organisations such as the British Deaf Association to get a more holistic, transparent and unbiased view of the deaf community.

Recommendation 14.

Reinstate the transparent process of requesting three or more quotes from a deaf person for each of their support need to help make AtW budget decisions more transparent and fair.

Recommendation 15.

Ensure that communication with AtW Advisers are accessible and involves a combination of face-to-face meetings, telephone and e-mail correspondence to avoid ambiguity and miscommunication.
Recommendation 16.

Complete the process of providing AtW support one month before a deaf person’s employment commences.

Recommendation 17.

Ensure that a balanced and objective decision is made by AtW Adviser over a deaf person’s access needs, followed by robust justification of the decision made.

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