**AtW and Communication Support Workers (CSWs):**

**Introduction:**

Deaf AtW customers who use BSL have for many years been granted packages of support that include interpreting. In AtW current Guidance, whilst ambiguous, there is some suggestion that such interpreters should be professionally registered with the NRCPD, with all that implies:

* Minimum level of BSL fluency adequate for the work environment. Level 4 for Registered Trainee Interpreters (RTIs) and Level 6 for Registered Sign Language Interpreters (RSLIs)
* English fluency.
* Trained and assessed in interpreting skills to a national standard.
* Signed up to a code of conduct, including impartiality, confidentiality, etc.
* Subject to a complaints procedure.
* Have professional indemnity insurance.
* Undergo CPD.

Over the last few years AtW have increasingly also provided BSL users with Communication Support Workers (CSWs). Initially this was done by agreement, but over the last 18 months AtW have been increasingly awarding packages of support that are either solely CSW provision, or a mixture of a number of hours of Interpreter and CSW elements. Deaf customers are not given a choice in this, and reconsideration requests have usually failed.

It is likely this change is cost driven, as the hourly rate for CSWs is less than that of interpreters.

**Development of the CSW role:**

Historically the CSW role developed in educational settings, supporting Deaf learners in mainstream environments. The idea was that these would support people with a range of skills supporting Deaf learners in a range of ways, including note taking, modifying written English, etc.

The reality was, and is, that CSWs in education spend most of their time trying to interpret, since that is what is required by the student to access the classes. However as a CSW, whatever other skills they might possess, they weren’t required to be fluent in BSL or English, trained or assessed in interpreting skills, etc.

By ‘not fluent’ I mean that they would normally be expected to have Level 1 BSL (equivalent to an old CSE qualification), Level 2 BSL (GCSE) or level 3 (A level). (These equivalents are indicative).

The term then CSW began to be used outside of education, mainly in work environments, with the explanation that they would be using a range of skills to support the Deaf person. What support they would be offering other than interpreting was poorly, if at all, specified.

More recently CSWs have increasingly been supplied by some agencies for all kinds of bookings, with their use being justified because the interpreter booking is ‘not too complex’.

**Why does this matter?**

I’ll illustrate with a recent example:

An interpreter was asked to interpret for a final disciplinary hearing at work. It was an AtW booking. An RSLI was booked as it was the final hearing, and employee was likely to be dismissed.

When the interpreter arrived it quickly became apparent that the Deaf employee didn’t know that this was a final disciplinary hearing, didn’t know that the previous two hearings had ben disciplinary meetings, and didn’t know that they had been accused of anything.

When this was clarified with the employer, the employer put the accusation to the employee again. The employee immediately explained, and was able to demonstrate, that on the date in question he was on holiday, and so the accusation was incorrect. The disciplinary process was immediately stopped.

When checking how this had happened, the interpreter was told that for the previous two hearings CSWs had been provided through an agency. The CSWs apparently had Level 2 BSL skills.

Perhaps more dangerous than the errors themselves, which could have lost him his job and opened the employer to litigation for wrongful dismissal, was that having the CSWs there created the illusion of interpreting and communication, hands were waved and words spoken, and so both hearing and Deaf participants thought they knew what was going on. They were wrong, and the CSWs apparently lacked sufficient skill or knowledge to know either.

So put simply, a CSW is not an interpreter. They are likely not to have sufficient fluency in BSL, nor be able to interpret.

Most Deaf BSL users feel that this is not sufficient access for them to be able to do their work with any credibility, and certainly not to be able to work on a par with their hearing colleagues.

In the same way that you wouldn't want to call your counterpart in France, and have your call ‘interpreted’ by someone with GCSE French.

An additional concern for them is that as they can’t hear what the CSW says, they can’t know if what they are saying in English is either accurate, or reflects them appropriately.

**AtW, use of CSWs, and AtW Guidance:**

The role, skills, etc. of a CSW are not defined anywhere in AtW Guidance v24, or any previous version that I’ve seen.

Following an FoI request to AtW, in their response they have said that they have no written training material or written documentation about CSWs to support AtW Advisers in understanding what a CSW is, what they can and can’t do, or how to decide what percentage of hours awarded should be funded for interpreting and CSW support.  Instead AtW say that experienced AtW Advisers verbally give other Advisers all the information they need.

They go on to say “Access to Work delivers a tailored package to each individual. Once agreed if the package does not meet customers’ needs it is the responsibility of the customer to inform Access to Work of this at which stage we would review the package of support and make adjustments if appropriate.”

The full request and response are attached to the email – or can be seen at this link:

<https://www.whatdotheyknow.com/request/guidance_for_atw_advisers_about#incoming-560647>)

In practice, AtW seems normally not to consider that adjustments related to the CSW element are needed at reconsideration.

From an earlier answer to the same FoI request, AtW explained the following, (although their later response says that this same information isn’t available to AtW Advisers in writing.)

CSWs skills and competencies are – “BSL Stage 2 or equivalent functioning, GCSE English and Maths at Grade C or above, or the BTEC/EDEXCEL qualification in Communication Support.

In explaining the criteria they use to decide if and whether a CSW is the appropriate element, they say “In determining a reasonable and proportionate grant award, advisers discuss in detail the customer’s job role and daily working practices, with input from employers and any other relevant parties. During that process, the exact nature and type of support required is identified and agreed. Advisers make funding recommendations on the basis of information received.“

Whilst not clear from this or in AtW’s explanations to customers, it appears that packages of support that are a mixture of a number of hours of Interpreter and CSW provision are predicated and calculated on the basis that some work functions are of the nature that the skills of a CSW are appropriate. Examples of these functions are not given in the FoI response, and are rarely given to AtW customers, but I’ve seen interpreting phone calls mentioned.

There are a number of issues with this, and what this indicates about AtW Advisers, managers, and the Reconsideration Boards’ knowledge and understanding. First, it’s interpreting, and CSWs aren’t interpreters. Second, phone interpreting is generally harder than face to face interpreting, as there is an increased chance of error and miscommunication since the communication is not face to face. And third, work isn’t usually broken up into broken up into discrete blocks, as provision of different face to face elements implies.

It is also another example of AtW not listening to or valuing the consistent feedback from their customers.

**Exceptions:**

There are some Deaf people who would choose to work with CSWs. Generally they seem to be BSL tutors, or people involved in interpreters’ assessment, who feel they can identify CSWs with the potential to become interpreters, support them in that development, and monitor their work to ensure they are good enough. Such Deaf AtW customers will still sometimes also request registered Interpreters for particular meetings etc.

There also may be some Deaf AtW customers who accept a CSW as their provision, because they don’t themselves know the difference between an Interpreter and CSW, and so don’t know that CSW provision may not meet their work needs.

**Recommendations:**

In the longer term AtW / DWP should work with user groups, customers who have complained, professional and registration bodies to explore these issues further. In the meanwhile given customer feedback re the inappropriateness of AtW in meeting their work access needs, I would suggest that:

1. DWP and AtW should develop written materials appropriate to AtW’s consideration of awarding packages including a CSW element. At the minimum this would include:
2. Definition of a CSW.

The definition given in response to the FoI request is that a CSW “works with deaf people and those with others disabilities who require support with communicating spoken and written English.”

However it is not clear what “support with communication and written English” means when working with Deaf BSL users, other than interpreting.

So any written definitions should explicitly identify the kinds of work that a CSW can do, that are not the BSL/English interpreting and translation they are not able to do.

1. The skills and competencies of a CSW. With an explanation of what the BSL levels mean / levels equate to
2. Criteria and Guidance for including and not including CSWs as an element in a support package. This should also take into account the nature of the Deaf customers work, that may or may not lend itself to discrete blocks of time that can be matched to different face-to-face communication support elements.
3. Case studies and examples of appropriate and inappropriate use.
4. A comparison document – e.g. along the line of the one developed by Joanna Wooten for the BDF Round Table, that amongst the other communication services, separates out RSLIs, RTIs, and CSWs.
5. Accessible information about Interpreters and CSWs so that Deaf people who are offered the CSW and / or Interpreting elements are able to make an informed choice.

Also:

1. Any training for AtW Advisers etc. re Deaf and Communication Awareness should explicitly explore this issue. And should be delivered on a regular basis, especially where there are new staff.
2. In the interim AtW Advisers should stop awarding packages with a CSW element.
3. Customers who have been given the CSW element as part of their package should be reviewed, checking explicitly if the CSW element is meeting their work access needs. If they say it isn’t their should be a process for replacing that element with more appropriate support.

**Background to this information:**

In writing this I have reference to the AtW Guidance, FoI request and response, feedback from AtW customers, Signature and NRCPD websites, and personal experience. This includes 15 years training CSWs and interpreters, experience assessing and monitoring CSWs working in colleges, two years running the dual route (CSWs and Interpreters) Deaf Studies degree program for Middlesex University, and my own interpreting career – co working with interpreters and CSWs.

Further examples of inappropriate use of CSWs can be supplied on request.

Also if useful I can ask customers who have had the CSW element as part of their package if they are willing to share their experience further with you.

Darren Townsend-Handscomb RSLI MAPP