**The Multi-Stakeholder perspective:**

This is the presentation written for the Business Disability Forum (BDF) and DWP Communication Support Marketplace round table 25/9/14. Sections in *italics* weren’t delivered on the day due to time constraints.

It’s written as and for a spoken presentation, so is longer than I would like. If genuinely useful to have this, or any section of this, as a written report, please contact me.

In summary the presentation covers:

* Introduction
* A very potted history of employment and access to communication support for Deaf people.
* How AtW helped, and then hindered.
* A case study of the impact of the changes with AtW provision.
* Illustrative experiences of a range of other Deaf people’s experiences.
* The impact of these experiences on Deaf AtW users.
* The impact of these changes on employers and interpreters.
* *Removing the barriers to engaging customers and other stakeholders in exploring cost reduction.*
* *Potential opportunities to improve service and reduce cost.*

**Introduction - The impossible question:**

The Business Disability Forum asked me if I could succinctly describe what the AtW system looks and feels like from the perspective of Deaf AtW users, Employers, Interpreters and Agencies. And through this look at what’s working, what isn’t, and what the obvious opportunities are.

I had three problems with this.

First the timing. My mum died 4 weeks ago, and I got married yesterday.

Second, that it’s impossible. Even with the word succinct in the request.

But the third problem proved to be the hardest. It’s the one that made me write this half a dozen times, then rip it up and start again.

Luckily enough though, I realised that the thing that was making it hard for me to prepare for this presentation, is also the key unifying experience for Deaf people, interpreters, and to some extent employers and agencies of being supported by and working with AtW.

It’s a complete loss of trust In AtW and DWP.

**A very potted history of Employment and access to communication support for Deaf people:**

I’ll talk about this more, and why it might matter, in a second. But to understand the significance and meaning of this loss of trust for Deaf people first I need to do a personal potted selected history of being Deaf in the UK.

A Deaf colleague of mine just turned 60. She went to a mainstream school, where she was placed with the children who had learning disabilities, since no one expected that she would learn anything. She left school having taken no exams, and with no qualifications. (Mixed language)

After school she worked in a factory for a while making plasters. Deaf people generally went into the manual trades, if they were able to get work at all, because Deafness and communication access needs were seen as a barrier to most other work. Manual work was what her Deaf parents did all of their lives.

She then had a succession of manual and low paid jobs. This was a time before professional interpreters, and foe example, she remembers one job interview where it was the local vicar who came to help out with communication, drunk.

(For many Deaf people that experience of relying on vicars, social workers, friends to provide them access is recent history. And of course, for all the good intentions in the world, such help disempowered almost as much as it empowered).

She managed to get an administrative job in a local bank, which at the time was a success for a Deaf person. She had no interpreting access at the bank, and it was just accepted that she would stay in that role, for life, whilst her hearing colleagues were promoted around her.

In the 80’s BSL/English interpreting began to emerge as a profession, and she managed to get a place on a Youth Training course. After that she was able to get some more challenging work, but only when working with Deaf people, because although she was really bright and tenacious, her work opportunities were constrained by people’s attitudes and the lack of access.

Then AtW happened. With some disbelief she applied for a more challenging role in a mainstream organisation, and with the promise of interpreting support from AtW, got it. Within a short space of time she was the Director of a large charity, with full time interpreting support paid for by AtW.

She now has a strategic position in a disability sector organisation, still with AtW funded support, and has caught up with her education, with two MSc’s under her belt.

**Cinderella and her fairy godmother - How AtW helped, and then hindered:**

She is quite clear, as are most other Deaf and Deafblind people, that what made the difference was AtW. The legal context and changing social norms have helped, and employers are more likely to be flexible in many ways to make adjustments to meet Deaf and disabled people’s needs, but it’s AtW support that actually made the difference. An illustration of the reality of this is that when the recession hit, Deaf people didn’t really discuss the risk of the disproportionate affect of this on their work opportunities until the AtW changes.

Of course, her success isn’t just down to AtW, she’s bright and hard working, and attitudes & awareness have changed, but for her, AtW was THE difference between low paid manual work, and a rich and fulfilling career. A career that has allowed her to share her insights, understanding and intelligence to support 1000,s of people and organisations.

Her experience is shared in a thousand different ways by thousands of Deaf and disabled people.

She talks about AtW like Cinderella would talk about her fairy godmother, since AtW saved her from the drudgery of the scullery maid and opened up a world of opportunities.

But then, out of the blue, the fairy godmother turned round and bit her.

**Fairy story gone bad – a case study of the impact of the changes:**

Here’s just one fairy story gone bad.

With AtW support, for over 10 years Mark had successfully managed several professional roles within a Local Authority.

His AtW support had enabled him to book a few regular experienced qualified freelance sign language interpreters on a rota each week.  This enabled him to do the same work as his hearing colleagues, managing relationships with clients, colleagues, and other professionals, over the phone and face to face.

During a routine call to his AtW Adviser, Mark was told out of the blue that instead of using freelance interpreters, he would have to recruit one full time interpreter.  They also said that they would now only pay £16.00 per hour towards the communication costs, and that his employer would have to make up the difference.  Mark offered to discuss ways of reducing costs whilst meeting his needs, but AtW refused.

He tried to explain that as his work was very fast paced and technical, with significant safeguarding responsibilities, one interpreter would not be suitable, because it increased the risk of his being unable to do his work effectively if the interpreter was ill or left, and because the low salary being offered would not attract interpreters of sufficient skill to do the work. He asked what would happen, what support would AtW provide if he tried and was unable to recruit. AtW simply ignored his communications, other than to say this was existing policy being implemented.

Since AtW reduced his communication support, his relationship with his employer has become strained as they are reluctant to pay for communication support.

For the LA, already under huge financial pressure and having to make cuts to services year on year, this additional cost was unexpected, so unplanned and unbudgeted, and was felt to divert even more money away from essential services.

In addition, he is no longer able to work as effectively as he did due to the work time taken with AtW issues.  (E.g. chasing, unclear communication, making requests for information, and for many Deaf people the most time consuming of all, time spent working out what to write to AtW, but not knowing what to say, because you have no idea what reaction you’ll get.)

After one meeting where his employer refused to pay for a second interpreter for an all day meeting, Mark broke down and was signed off from work by his GP due to work related stress. The interpreters were increasingly reluctant to do the work with him, because it wasn’t safe, but were continuing to reluctantly agree to bookings some of the time as they didn’t want to stop supporting him. However he didn’t want to risk the health of professional he respected and valued, and so was stuck in the middle. The burden had become his.

Whilst he was off work, he found out that AtW had been talking to his employer without his knowledge or involvement.  As a result of those conversations, his employer advertised for an interpreter at a salary that would not attract suitably skilled interpreters.  He was told that if they do not succeed in recruiting an interpreter, his job is at risk because his employer could not pay for freelance interpreters, and had been advised to begin capability processes.

The employer was unable to recruit, and when he tried to discuss this with AtW they responded by saying “Since you have chosen not to employ a Support Worker …” This Orwellian doublespeak, this denial of reality, is incredibly damaging, from the service that was the main support in the face of discrimination.

He says: “After 10 years of being a loyal member of staff all I ever talk about with my manager now is AtW, and how much my access needs costs.  This has completely changed my relationship with employer.  I just want to be supported to be a member of staff and get on with my work, just like everyone else.”

**Other Grimm’s tales - illustrative snippets of other case studies:**

This example is not at all unusual. It’s not even the worst.

I could tell you about the person who was told that her support had been reviewed and reduced without her knowledge or involvement, and who only found out when the invoices were returned. And this was clearly not the behaviour of a ‘rogue’ adviser, since the adviser cc’d all his emails saying this to his manager*, including the one saying that involving the customer in their own review was not required by the guidance.*

Or of the person who offered to reduce his hours in order to still get the communication support he needed within the new limited budget, but was told that if he did this he would be committing fraud, as he had previously said he needed more hours.

Or about CSI (Communication Support at Interview) and how AtW have departed from the (unusually) clear and sensible guidance, and now contact the prospective employer before the interview every time to discuss whether they will pay for CSI. With the affect that before they meet the prospective employee and she has a chance to make an impression, the fact that she is disabled, and comes with expense and AtW bureaucracy is brought to the front of the prospective employers’ss minds.

Or about the person who was told that there was a new regional maximum hourly price per hour for interpreting, that was less than the amount charged by any interpreter or agency in the region. When they asked how this figure was decided, they were told that AtW had been given advice by relevant commercial and Deaf organisations. When asked for the supplier willing to supply at the price AtW say they have been told is reasonable, they were told that the information was commercial in confidence, and it was for the customer to source their own support at the appropriate rate. AtW Advisers, and the Reconsideration panel continue to enforce this, despite AtW senior managers saying there is no such regional rate.

*And the Deaf people who’s employers have told them that AtW is asking them to look at ‘job redesign’, understood to mean, to change the nature of their work so that it is no longer the same job as their hearing colleagues, to reduce the cost of access.*

**The impact of this on Deaf AtW users:**

As well as the loss of trust. It’s also about feeling fear, of the unexpected, the unpredictable, of your disability becoming the issue – not your work abilities, of becoming too expensive for employers, of being asked to do impossible things and being stuck in the middle, of being and feeling disempowered, side-lined, no longer relevant in your own needs, feeling ignored, being assessed by advisers who seem neither to understand nor care. Feeling how unfair this all is, especially when none of it was, or has to be, this way.

Mark, and the other Deaf people were supported by a service that enabled them to get, keep, and progress at work.

That enabled them to address the very real discrimination, prejudice and lack of access faced by them at every stage of their education and employment.

*That made it possible for hearing and non-disabled people having the chance to work for and with Deaf and disabled run companies, to have Deaf bosses and Deaf colleagues. To be treated and helped by Deaf professionals. To have Deaf and disabled parents, Deaf children, and Deaf friends leading successful working lives, with the autonomy, feelings of value, and the money, that brings. Not being told about how we should be equal, but having the opportunity to experience equality as it should be.*

And then AtW changed all the rules in a moment, no longer talking to them about their needs – and instead started talking about money, introduced often arbitrary rules, and often offering packages that bear no resemblance to the access needs described, or communication support needed, without any explanation as to why.

*That put them in a position where they don’t know from one day to the next whether they will have support. Going back to the bad old days. Put them back into a place where they are a problem for their employer, expensive, with their disability the focus.*

**The impact on other stakeholders – employers, interpreters:**

This presentation has focussed on Deaf AtW users experiences, because employers can employ someone else, interpreters can interpret somewhere else or take up other work, but for Deaf AtW users, in the end they are the ones who are risk of being left with no choices.

But all of the experiences described also clearly have an impact on all of the other stakeholders.

**Employers -**

For employers, the sudden change to AtW’s long standing custom and practice meant that they were being asked to make significant unbudgeted additional spends without notice, or risk employees being unable to work effectively. For LAs and NHS providers, this posed particular problems given the current funding constraints. *And for SMEs, particularly those employing large numbers of disabled people, there were real concerns that this would make them uncompetitive with other SMEs who weren’t having to factor in these additional staff costs.*

This was compounded by the lack of clarity about what the contribution should be, on what basis this was being calculated, and what predictability there was for future costs.

Employers particularly resented what they saw as the language of ‘guilt’ that many advisers and managers used and continue to use with them.

Employers commonly experienced the same bureaucracy and poor administration that AtW users experienced, and found the delays and amount of their time they had to put in to what seemed simple issues, unacceptable.

Many employers and managers found it difficult to manage the ‘loss’ of staff skills and staff time (dealing with AtW issues), staff management and capability issues.

There was a shared sense that AtW were no longer working with them, and the reasonable adjustments they had made, but were working against them with the sole focus of reducing costs rather than supporting their staff’s access.

**Interpreters –**

For interpreters there were three main areas of concern.

First feeling pressure to work in unsafe ways. Interpreting is a profession with a high percentage of work related injury and disability[[1]](#footnote-1), and changes, particular with regard to funding two interpreters where needed. This meant that interpreters were often being asked to work on their own, with no breaks, for long periods of time. The choice then was either to take the work, but leave the Deaf person without access, or take the work and risk their health.

Second, clear feedback that their professional skills and practice where neither understood nor valued. This was evidenced by the lack of concern for ensuring safe working conditions for interpreters, for paying appropriately for the service, and for often replacing them with untrained unqualified unregistered (etc.) people, i.e. CSWs.[[2]](#footnote-2)

Lastly, for many interpreters who have regularly worked with Deaf AtW users for some time, retrospective changes, delays in progressing assessments and reviews, and in confirming or refusing support, have meant that they have done work in good faith, that AtW will not pay for. Many interpreters have lost £1,000’s of pounds income in this way. *Interpreters are left in a position where they worked in good faith, with no reason to believe that there was any reason that they wouldn’t be paid, and their only recourse now seems to be to sue the Deaf person, who is contractually responsible for their access costs. This is something most interpreters don’t want to do, and think would be unjust, however can also not afford to lose the money.*

*Deaf AtW users in turn say that because of these issues, interpreters are increasingly reluctant to accept AtW bookings.*

**Removing the barriers to engaging customers and other stakeholders in exploring cost reduction:**

In looking at cost reduction, the involvement of AtW users, employers and professionals is crucial. Yet currently the loss of trust is such that people will be cautious, and the evidence is that whilst there are some improvements, AtW continues to act in bad faith. For example:

The reviews for people negatively affected by the imposition of the 30-hour guidance were and still are not intended to put right what was done.

And with the current focus on stopping the support to self-employed people, which is seen as an escalation of bad faith, since self-employed Deaf people don’t have an employer who may be able to pay for their work support costs. (At the moment self-employed Deaf people are having their support stopped for not earning the national minimum wage, despite the contradictory guidance, and AtW’s own Reconsideration Panel ruling in April that this was wrong, that self-employed people don’t need to earn the minimum wage. *They are subsequently having their support stopped for not paying NI class 2 or 4 insurance contributions, despite the guidance clearly implying this is a indicator of status, not a gateway rule. And despite Deaf AtW users not being told when the award was made that these were requirements, they are not being given the opportunity to put things right now, once being made aware of the (possible) requirements.*

*This consequent lack of trust can lead to appropriately defensive behaviour, although many AtW users, employers and professionals continue to try to engage with AtW in good faith.*

*For example, these can include:*

* *Not cancelling communication support when booked but no longer needed, since you risk your hours being reduced, and potentially being accused of fraud.*
* *Avoiding trying out new services (e.g. remote interpreting), since you then risk having them forced on you even if they aren’t suitable.*
* *Interpreters sometimes preferring to work through agencies, even though this adds cost, since there is no guarantee of payment if working directly with the Deaf person / employer, being paid by AtW.*
* *Asking for the maximum support needed in any one period averaged over the year, since there is no flexibility to fluctuate once you get your award.*
* *Avoiding feeding back where there may be possible improvements, since attempts to improve things are often taken in bad faith. E.g. DeafATW became aware of a lack of clarity with information given to self-employed AtW users, and would like to have suggested the Deaf AtW users contact AtW to clarify the situation. But we didn’t because the evidence is still that doing so is likely to lose them support.*
* *Not suggesting solutions or avenues to explore, as previous experience is that such suggestions are misused, and imposed in one size fits all fashion*

***Opportunities to improve service and reduce cost:***

*I was also asked to point out some of the easy wins. Decreasing cost whilst restoring and improving the support AtW offer.*

*But these can only work if AtW and the DWP start to act consistently in good faith, work to restore the trust lost, and address the issues highlighted above.*

*These are some of those easy wins that may be possible if trust is restored.*

***Systems and procedures:***

* *Getting it right first time – decreasing costs through less time dealing with problems, reconsiderations, complaints, etc.*

 *Supported by:*

* + *Enabling access between customers and call centres, advisers, complaints handlers etc. in BSL (using Sign Video or equivalent).*
	+ *Improving and maintaining staff knowledge and skills.*
	+ *Rationale for award decision’s are clear – e.g. decision letters showing request, award, and rationale for the latter.*
* *Where possible and appropriate reduce the use of agencies, so reducing agency fees on top of the communication service.*
* *Support Deaf people to source interpreters the most cost effective way, i.e.*
	+ *first choice booking direct,*
	+ *then using booking software (such as BSL Beam),*
	+ *and lastly agencies as appropriate (e.g. where cost effective, in emergencies, or where there are reasons [such as time pressures or the nature of work] that the Deaf person is not able to coordinate or book themselves).*
* *Improved fraud prevention and detection – no-one wants to reduce fraud more than the Deaf and disabled people whose money is being stolen. Engage AtW users, employers, Communication Services, etc. in discussions to explore fraud risks and reduction.*
* *Ability to cancel & release interpreters, or change support type – e.g. from face to face to remote interpreting, at short notice, without losing hours, potentially reducing cost.*

***Elements:***

* *People choose from wider range of options (for Deaf BSL and English users), so not just reliant on face-to-face interpreting, which can be more expensive.*
	+ *Supported by clear accessible online resources and informed staff.*
* *People able to genuinely trial various appropriate quality options, and ability to have mixed packages so more likely to choose a blend / range including lower cost elements.*
* *Increased use of remote interpreting, reducing need for face-to-face.*
* *Reintroduce the charging of reasonable travel expenses, so that interpreter’s fees are clear and allow for better comparison. As it stands now, interpreters etc. have to include travel costs in their daily rate, distorting charges, especially in more rural areas, or areas with less interpreters. This will support a better discussion of what is normal and ‘reasonable’.*

***Budgets:***

* *Use support comparison tools – to enable Deaf people to make informed decisions about costs of different combinations of options over time. Research shows the use of such tools encourages fiscally responsible behaviour.*
* *Ability to have packages with averaged use – to meet fluctuating need and avoid people needing to request use based on highest demand, potentially reducing annual costs.*
* *Use of online system to reduce AtW user and AtW staff admin time, and allow users to better manage their budget reducing risk of overspend (e.g. BSL Beam). Note this would not require AtW to implement new IT systems, with all that entails.*

***Reasonable adjustments:***

* *If employers are expected to contribute, to develop clear and reasonable formulae to assess employers’ contributions. Predicated on*
	+ *pre-engagement with employers,*
	+ *and sensible exclusions for SMEs and organisations led by and/or employing lots of Deaf and disabled staff , who would otherwise be disadvantaged e.g. in competitive tendering).*

***And …***

* *Work with Deaf and disabled customers, employers, interpreters, on-line booking and management tools, agencies – in order to identify all the other opportunities for providing a quality service whilst reducing costs. E.g through:*
	+ *Improved feedback and complaints handling mechanisms, identifying potential opportunities to improve service and/or reduce costs etc.*
	+ *Involvement of stakeholder groups – e.g. of complainants, and of ‘expert users’ along with invited users.*
	+ *Employer engagement, e.g. multi-national / large organisations (supermarket chains, etc.), SMEs, Deaf and Disabled People’s Organisations (DDPOs) etc.*

**Conclusion:**

Whether it as worth me putting this effort in the midst of dealing with my mothers’ funeral and trying to prepare for my marriage depends on what is being taken to be the starting point, and what questions you’re trying to answer.

If the starting point is where we are now, with no attempt to put right the support to Deaf AtW users, to remedy the impact of the imposition of the ’30-hour’ guidance, or to redress the self-employed AtW users who have lost their support, then it probably wasn’t.

If you’re just trying to answer questions about cost, expenditure, administration, politics, then it probably wasn’t.

But if you are prepared to put right what has been badly done. If you are trying to answer questions about how we all best support Deaf and disabled people to access work, and explore with all stakeholders how we can continue to build on the previous success of this life changing, era defining, equality made flesh service, in the most cost effective and efficient way. Then it was.

And I, like many others in this room and elsewhere, will continue to offer our professional and consumer skills and experiences for you to be able to achieve this.

1. *Occupational Health and Safety for Sign Language Interpreters (2008), http://www.ryerson.ca/woodcock/pdfs/OHSforSLI.pdf* [↑](#footnote-ref-1)
2. For more discussion of the issues around AtW and CSWs please email me for a separate paper. [↑](#footnote-ref-2)