

access to
communication

in english





A national report into
deaf and hard of hearing
people's experiences
of gaining access to
public services

Introduction and executive summary

One in seven people is deaf or hard of hearing¹. That's nine million people in the UK for whom public services need to use communication support to make their services accessible.

Most of those nine million people use English as their first or preferred language². For many deaf people a hearing aid is sufficient to enable effective communication. But for the one person in every 100 who is severely or profoundly deaf, for at least 23,000 deafblind

people, and many of the one in seven people who are deaf or hard of hearing, additional communication support is needed to enable effective

communication.

Millions of people use public services every year, and the number is rising. One in every seven of these people are deaf. Deaf people who require communication support often receive a service

that is far below the standard that they should reasonably expect.

This means that there are literally hundreds of thousands of deaf people for whom the provision of English-language based communication support is necessary to make services accessible.

The Access to Communication in English (ACE) campaign aims to ensure that all those who need English language based communication support can easily find it. The ACE coalition is made up of leading organisations that work with deaf people. We receive regular evidence of a lack of access to vital public services as a result of people not receiving the communication support to which they are entitled to by law. As a result, the organisations commissioned research into deaf people's experiences, the findings of which are detailed in this report which has been co-ordinated and produced by RNID on behalf of the ACE coalition.

¹ Throughout this report, we use the term 'deaf' to refer to deaf, hard of hearing, deafblind and deafened people.

² Around 50,000 deaf people use British Sign Language (BSL) as their first language, and therefore require BSL/English interpreters.






The Disability Discrimination Act




Under the Disability Discrimination Act (DDA) all public services are required to make 'reasonable adjustments' to accommodate the needs of disabled people. This includes, for deaf people, the provision of appropriate communication support to enable public services to be accessible to them.

The DDA means that a failure to provide adequate and appropriate communication support by any service provider could be viewed as discrimination. Yet this report illustrates that many public services are failing to meet their obligations under the law. The research was undertaken with 478 deaf people across the UK, involving members of all the participating organisations.

Our main findings were:

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• 22% of people received the wrong form of communication support either 'often' or 'all the time' when accessing public services.
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• 26% of people reported that no support whatsoever was provided to enable them to access public services.
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• 33% of people did not know if any communication support was available at all.

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- **Over half (55%)** reported that no information was provided about the availability of any communication support.

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- **A third (32%)** reported that their public service provider did not know how to book communication support, while over half (51%) reported that their services did not meet the cost of providing communication support.

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- **46%** of people reported that they were unable to interact with their public services 'all the time' or 'often' due to the lack of communication support available.

21st century public services



We welcome the Government's commitment to open and accessible public services. For many deaf people, gaining equal access to these services requires the most appropriate communication support. Unless this is provided, the Government's vision for strong and open public services for all will remain unfulfilled for a large number of people in the UK.

Recommendations for Government

These findings make it clear that the Government must take urgent action to ensure public services include the needs of deaf people and fully comply with the law. This action should include ensuring that all front line services comply fully with the DDA, including the provision of appropriate communication support.

This should be achieved by:

- Issuing mandatory guidance to all local authorities on their duties under the DDA on provision of appropriate communication support for deaf people.
- Including the provision of appropriate communication support for deaf people in all forms of social inclusion and equalities monitoring, through recognised procedures.
- Tackling the shortage of Language and Communication Access Services by addressing the lack of support currently available to those wishing to train as a Language Service Professional. This must include adequate funding for students, trainers, examiners and training centres.



Recommendations for local government

These findings also make it clear that local authorities must take urgent action to ensure that their own local services are accessible to deaf people, and comply with the DDA through the provision of appropriate communication support.

This should be achieved by:

- Making local arrangements with service providers to provide fully qualified communication support when this is needed.
- Training staff on the various communication methods used by deaf people and how to book appropriate communication support for their needs.

- Ensuring there are clear strategies in place to obtain central funding where necessary to tackle any shortages of fully qualified and registered Language Service Professionals in their own areas.

What does this mean?

We looked at a number of critical public services, their importance to deaf people and the impact of the lack of appropriate communication support on those who do not receive it.

The research revealed particular problems with:

- The courts and tribunals.
- Local government.
- Health and Welfare.

The courts and tribunals



The courts and tribunal services are among the most critical of all public services, deciding cases and appeals of direct relevance to many deaf people. This includes applications for Disability Living Allowance (DLA). Yet, many deaf people's experience of the service has been one of frustration, with few adjustments made to accommodate their preferred method of communication.

A National Agreement for the courts and tribunals system requires that only suitably qualified Language Service Professionals are used. However, there are frequent examples of inappropriate communication support being provided on the day of a hearing, or communication support being provided only for part of the time. In worst-case scenarios, none is provided at all.

The consequence of this is to increase the stress in an already difficult situation

for the individual; cancellations and delays in court cases and tribunals being heard resulting in a waste of public money; and the individual's right to be treated equally before the law not being upheld.

Local government

Local government provides the day-to-day services that most of us take for granted. For many deaf people they play a vital role, enabling people to live independently through, for example, equipment or aids to help with daily living. For deaf people this would include the provision of a textphone or a flashing light to alert them to the doorbell. In order to enquire about eligibility, people need to contact their local town hall or social services department directly.

However, for many deaf people, gaining access to and consulting their local authorities is no easy task.

Regular examples received by members of the ACE coalition include a lack of any information about what, if any, communication support is available to make services accessible to deaf people. Many report that it is difficult

to identify any member of staff who is able to help, with many staff being unaware of simple ways of communicating with deaf people or how to find specialist help. This lack of basic awareness contributes to the problems that people face when trying to communicate with their local authorities.

A separate survey carried out by Sense, a charity that works with and supports deafblind people, found that 18% of authorities could not provide any information to a person who used the deafblind manual as their only means of communication. Nearly half of the rest provide information only on social services, whereas deafblind people will use the whole range of council services.



Barriers

Imagine you wish to contact your local council about rubbish collection on your street. You are one of the nine million deaf people in the UK. You use a textphone, wear a hearing aid and communicate using lip-reading.

You look up the number of your local council but cannot find a textphone listed. You therefore use RNID Tynetalk, an operator assisted relay call, but find that the person you have contacted seems unwilling to deal with the call, perhaps because of the slightly longer time it takes to do so.

Having been unable to make your enquiry via phone you therefore travel to your local council to make your enquiry in person. You arrive at the waiting room and struggle to make yourself understood through a plastic

security screen dividing you from the receptionist. This makes it very difficult for you to lip-read. There is no signage indicating any communication support.

You are asked to take a seat and wait for your turn. You notice that people who have arrived after you are now being seen while you continue to wait. You find out that your name was called, but nobody came to check if you had heard.

This is the reality of basic public services for millions of tax-paying citizens in the UK today.



Case Study:

Mrs Jones is profoundly deaf and relies on digital hearing aids and lip-reading to communicate. She needed to have a meeting with her local education authority to discuss which school her hearing children would go to. Mrs Jones would need a lipspeaker or a speech-to-text reporter in the meeting to follow what was being said. The authority had said that if Mrs Jones used British Sign Language (BSL), it would provide a BSL/English interpreter. The local education authority said that as she did not use BSL, it did not need to do anything for her.

This case alone highlights an ignorance of responsibility under the DDA but also a lack of basic deaf awareness in a major public service.

Health and Welfare



A recent RNID report, *A Simple Cure*, indicated that deaf people face substantial problems when accessing the NHS. Examples included a complete lack of information about what communication support was available, including in the most stressful emergency situations.

A report by Sense and Deafblind UK, *Who Cares*, found that 17.7% of deafblind people had avoided visiting the GP when they needed to because communication was too difficult. Nine out of ten GPs with deafblind patients had made no attempt to improve access.

"I was given a morphine drip after a serious operation but no one told me I could press a button for an extra dose. I suffered unnecessary agony for nothing."

There continue to be examples of deaf people being assessed for benefit entitlement without appropriate communication support. When decisions have subsequently been overturned, at a cost to the taxpayer, it has often been because of a lack of deaf awareness on the part of the assessors and/or the inadequacy of communication support.

Danger

This situation could have several serious consequences for the individuals denied access to essential public services and to the service providers themselves.

They include:

- The potential for legal action against public bodies or employers as a result of non-compliance with the DDA. This law stipulates an 'anticipatory duty', which means making appropriate provision to meet disabled people's needs.
- Delays and cancellations within the courts system, placing further stress on an already over burdened system.
- Potentially fatal consequences due to a lack of appropriate communication support in the NHS.

Case Study:

Mr Appleby brought a claim for disability discrimination under the DDA against the Department for Work and Pensions. Despite a clear written request for speech-to-text communication support, the court provided sign language interpreters for the trial. The RNID Casework Service represented Mr Appleby and issued court proceedings on his behalf. The Lord Chancellor's Department (LCD), now the Department of Constitutional Affairs (DCA), subsequently admitted liability. As part of the settlement, the DCA agreed to take advice from the Disability Rights Commission when reviewing its procedures to ensure it is accessible to disabled people. The LCD also paid Mr Appleby £1,100 plus costs.

Conclusion and recommendations

The public services

This report clearly illustrates the lack of appropriate communication support available to make services accessible to deaf people.

In some areas, this problem is caused by a lack of available and fully qualified professionals. In others, however, the problem is caused by a lack of basic awareness about what adjustments are required to make themselves accessible to deaf people.

The impact of this situation on the daily lives of hundreds of thousands of people every year is profound, and gives great cause for concern.

The situation can, however, be addressed through simple and cost-effective action.

Standards of provision of communication support

Guidance exists on the use of BSL-English interpreters under the DDA. There is a clear and pressing need for similar guidance on the use of Language Service Professionals for the majority of deaf people who use spoken language.

Crucial to the development of all of these services is the accountability of the professionals who deliver the service, the maintenance of the standards of provision, and the dissemination of information about the role of the individual professional.

- All professionals must work to professional codes of conduct which ensure quality and ethical practice and be subject to complaints and disciplinary procedures in the event of these codes being broken.



- All professionals must be qualified to agreed national standards.
- Employers, commissioners and service users must be educated on the necessity for a registration policy and the safeguards of using a professionally registered Language Service Professional.
- Employers, commissioners and service users must be aware of the availability of each communication support professional, their role and function, how to use them, where to find them and how to fund their services.
- Tackle the shortage of communication support workers (known as 'Language Service Professionals') by addressing the lack of support currently available to those wishing to train as a Language Service Professional. This must include adequate funding for students, trainers, examiners and training centres, and lead to a dramatic increase in available Language Service Professionals.

Deaf awareness training



To ensure compliance with the DDA, all front-line public service staff should receive formal deaf awareness training to a recognised national standard. This training needs to be of a high quality to ensure that those undertaking the courses can demonstrate that they know how to communicate with a deaf person.

The Government needs to ensure that effective consultation takes place between local authorities and deaf people to develop local strategies to accommodate all communication requirements, and know where and how to acquire further assistance if required.



Types of Language and Communication Access Service

Lipspeakers

Lipspeakers convey a speaker's message without using their voice. They normally work one-to-one with a deaf person in meetings, conferences, training courses and in Courts. They produce the shape of the words with exceptional clarity, reproduce the rhythm and phrasing of natural speech and repeat the stress used by the speaker to enable the message to be passed to the deaf person. Facial expression, natural gesture and fingerspelling (if the deaf person requests it) are also used to aid understanding.

There are two levels of Lipspeaker, Level 3 and Level 2.

Level 3 Lipspeakers are trained to work in Courts and other legal settings, and in workplace settings such as conferences, formal meetings and training courses. They may also be able to relay the message of a deaf person to a hearing person. In certain circumstances, if requested by the lipreader, they can use their voice to aid the lipreader's comprehension of the hearing person's message.

Level 2 Lipspeakers are trained to work in informal settings such as club meetings, routine medical appointments and MPs surgeries.

Electronic Notetakers

Electronic Notetakers use a QWERTY computer keyboard and type a condensed version of a

speaker's message, generally operating at about 60 words per minute. This appears on the screen of the computer for a deaf person to read. There are two systems currently in use, SpeedText and Stereotype. Both use two computers, one for the deaf person and one for the operator. The linked computers make it possible for the deaf person to type messages direct to the operator, who can relay any comments, questions or responses the deaf person may have, or to edit the text as it appears on the screen.

Verbatim Speech to Text Reporters

Speech to Text Reporters use a system in which the speaker's message is keyed into a special keyboard. This is then processed by a computer, converted into English and can be viewed on the screen of the computer or projected onto a large screen. It provides verbatim access to meetings and conferences for a deaf person. The main systems in use are Palantype and Stenograph. Speech to Text Reporters work with speech speeds beginning at a minimum of 180 words per minute (wpm) but most reporters are able to operate at speeds over 200 wpm with an accuracy level of 97% and above.

Manual Notetakers

Manual Notetakers work with mainly with deaf students in education and also with deaf

people at work, in meetings and conferences. They take handwritten notes, providing a précis of what is said rather than a verbatim record, that the deaf person can use for revision or information after a lecture or meeting. A deaf person using a Lipspeaker or BSL/English Interpreter to access communication may not be able to take notes at the same time and would then need a Manual Notetaker.

Deafblind Interpreter (Manual) & Deafblind Communicator-Guide

Professionals providing communication access for deafblind people who require tactile text based communication provide a high level of support. The methods used will vary from person to person and include:

- The Deafblind Manual is based on the two-handed fingerspelling alphabet from BSL. Each word is spelt onto the deafblind person's hand. The Block Alphabet is each word spelt out on the deafblind person's hand using the outline of capital letters.
- Professions such as Communicator Guides and deafblind Manual Interpreters enable this communication.

Cued Speech Transliterators

A Cued Speech Transliterator is an experienced user of Cued Speech who cues

the speech of a third person (using clear lip-patterns silently) at the rate of normal speech. It enables a deaf user to see a full visual representation of spoken language sound-for-sound in any situation including classrooms, conferences, medical examinations, courtroom settings etc.

Note: Cued Speech is a simple sound-based system which uses eight handshapes in four positions near the mouth, in conjunction with the lip patterns of normal speech, so as to make all the sounds of spoken language fully comprehensible, both individually and in their combined forms in the real-time of speech.

Other related systems

There are also specialist forms of text based communication access used in specific settings.

STAGETEXT provides captioning services in theatres. The text is inputted by an operator from a pre-formatted script and displayed on an LED screen as the performers speak or sing.

Instant Captioning relays the speaker's message by telephone to a remote centre where the operator repeats what is said and uses voice recognition software to convert it to text which is then relayed back to the deaf person's computer.

Note: Some text based systems referred to are not generic systems but are unique to a single operating organisation.

Acknowledgements

The following organisations have contributed to and endorse the findings and recommendations of this report:

Aberdeen and North East Deaf Society

Providing services for Deaf and Hearing Impaired people throughout the north east of Scotland.

Association of Lipspeakers

The professional body that represents lipspeakers.

Association of Verbatim Speech-to-Text Reporters

Professional body representing verbatim speech-to-text reporters.

British Institute of Verbatim Reporters

The professional body representing verbatim reporters.

Council for the Advancement of Communication with Deaf People

CACDP is a UK awarding body accredited by the Qualifications and Curriculum Authority (QCA) offering qualifications, (from basic to advanced levels), in communication methods commonly used by deaf, deafened, hard of hearing and deafblind people and in deaf awareness.

Cued Speech Association UK

Providing information about and training in Cued Speech.

DeafBlind UK

Providing services for deafblind people throughout the UK.

deafPLUS

deafPlus is a national organisation with a grassroots focus, delivering services through its England-wide regional structure. deafPlus provides information, support and training across the range of deafness in partnership with others.

Hearing Concern

Providing advice, information and support, promoting communication access and raising public and professional awareness of the issues associated with hearing loss.

LINK Centre for Deafened People

LINK is a national organisation for late-deafened adults in the UK that delivers a wide range of direct services, conducts targeted research, and provides training for professionals working in relevant disciplines.

National Association of Deafened People

NADP aims to provide a service of information and support for people with a profound, acquired hearing loss.

RNID

RNID is the largest charity representing the 9 million deaf and hard of hearing people in the UK. As a membership charity, we aim to achieve a radically better quality of life for deaf and hard of hearing people. We do this

by campaigning and lobbying vigorously, by raising awareness of deafness and hearing loss, by providing services and through social, medical and technical research.

Sense

Sense is a national charity that supports and campaigns for children and adults who are deafblind.

United Kingdom Council on Deafness (UKCoD)

The UK Council on Deafness works with and for deaf organisations in the UK by providing information, advice and support and by representing the views of the sector to government and policy makers.

If you would like this report in an alternative format please contact the RNID Information Line.

Full contact details of all organisations that support this campaign, including those organisations not actively involved in producing this report, can be found at:
www.deafcouncil.org.uk/memdir.htm

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1420/0704 Registered Charity No. 207720

Photos: Philip Meech

