Scottish Sensory Centre / School of Education response to the BSL Bill

Introduction

This response is from the Scottish Sensory Centre and the Scottish Heads of Services forum. The Scottish Sensory Centre provides continuing professional development to teachers of deaf and visually impaired children, and support staff, class teachers who work with these children. The SSC is actively engaged in research and project work related to deaf children, including the use of BSL. The following paragraphs outline work related to BSL undertaken at the SSC and more widely in the School of Education.

http://www.ssc.education.ed.ac.uk/home.html

Since 2007 Dr Audrey Cameron, Gary Quinn (from Heriot Watt University) and Rachel O’Neill have worked together on the BSL Glossary project, aiming to collect technical BSL terms for curriculum subjects, particularly in science subjects. The group works with fluent BSL users who have subject specialist knowledge to produce an online glossary of BSL signs and definitions in BSL. This is an important learning resource for Deaf BSL users in Scotland. The first year, 2007, it received £25,000 from the Scottish Government, but since then the team has raised over £89,000 from independent charities, companies and organisations. The team is currently working on signs for geography, fundraising for maths, producing a mobile and iPad app, and working with SENSE on BSL explanations about the science of Ushers syndrome. The Glossary Project now has over 1,000 technical terms and explanations online and is widely used by deaf children, teachers and BSL / English interpreters. A conference is planned to celebrate this in 2015. http://www.ssc.education.ed.ac.uk/BSL/list.html

This same group has worked closely with SQA to pilot a central translation of exam papers to BSL, embedding video clips in digital exam papers so they can be controlled by the deaf pupil. Research from the School of Education (Burns, 2011) suggested that standards are very variable across schools which often provide unqualified interpreters who do not have subject knowledge in exams. http://www.ssc.education.ed.ac.uk/research/papers.html
The SSC regularly provides intensive BSL weekends for teachers of deaf children which have been very popular. Particular CPD days have focused on skills of giving scientific explanations in BSL, using the Glossary site.

The SSC has also worked with a wide range of practitioners to produce Scottish Standards for Deaf Children (0 – 3). One of the important aims of the standards was to aim for age appropriate language for deaf children by the age of 5, whether that is in sign, speech or both languages. A second important aim is to monitor language development carefully in both languages. Thirdly, the standards put the family at the centre of the process as leaders of the early years team. The standards are not statutory and early years services are not inspected. The SSC feels that more consistency across Scotland would develop if all Local Authorities were inspected on the early
years activities the services for deaf children carry out with the families of deaf babies and children. In doing this, services work very closely with health and other voluntary organisations.

The SSC is situated in the School of Education where the Masters and Postgraduate Diploma in Education for Additional Support for Learning in deaf education is also situated. Rachel O’Neill is the programme director for all the ASL MEd pathways and the MSc Inclusive and Special Education and regularly supports the work of the SSC.
http://bit.ly/1uQ3q4k

A research project, The Achievements and Opportunities for Deaf Students, which has taken place within the School of Education led by Prof. Marc Marschark with Rachel O’Neill and Julie Arendt has had some interesting recent findings in relation to sign language use amongst deaf young people in Scotland. The results of this 2-year project funded by the Nuffield Foundation are summarised here:
http://www.blendedlearning.me/DASS/site/report.php

Members of staff and students from the University of Edinburgh work closely with Queen Margaret’s University and Heriot Watt University to provide free seminars in BSL and English to Deaf and hearing people at a group called Edsign. This regular programme of events has encouraged Deaf people to apply for academic jobs, give papers, and enter into debate about Deaf Studies issues. All its events are in BSL or interpreted into BSL and most are held at the School of Education.
https://www.sites.google.com/site/edsignlectures/
Responses to the Committee’s questions

General approach

1. Do you think we need to change the law to promote the use of BSL, and if so, why?
   Yes, we support the BSL Bill because it will allow BSL users to have much better access to information and to education. Currently many local authorities provide support for families who choose BSL, because of the competing discourse of inclusion and the Standards in Scotland’s Schools etc Act (2000), which proposes the local school as the main choice. We would critique the idea that families currently have choice of communication options to use with their deaf baby or child in many parts of Scotland, particularly in rural areas where no resource base or deaf school exists. Some deaf children grow up language-less in these council areas, i.e. they are given a learning disability by the health and education system. For example certain professionals continue to dissuade families from using BSL, or authorities don’t make provision for enough BSL input for a deaf child to develop a fluent first language.

   The BSL Bill will send a strong message to the education system that it has to promote the right to a fluent language by the time a child starts school, whether that is speech or sign. The plans will lead public bodies to consider ways they can offer intensive early years signing environments to families of deaf children, and provide properly qualified interpreters to children who use BSL or Sign Supported English in school. We don’t know which deaf children will develop speech or sign, so the provision of both is a necessary first step in the early years. Parents should also not have to make an either/or, one-off choice about communication approach. We think that the BSL Bill is necessary to legislate for public bodies to improve their provision of BSL, because little improvement has been seen in providing sign language in education in a generation. The Bill enables a provision of choice which previously has not been available.

2. How realistic do you think the aim for the Bill is, to increase the use public authorities make of BSL and to respond to demand for services in BSL?
   It is an aspirational piece of legislation, but achievable over time. There are issues in the education system about qualifications of teachers and other support staff, the provision of resource bases, existing policies about attending the local school, and of the staff available to teach BSL in schools.

   a. Qualifications of support staff
   We think it is perfectly possible for the National Plan to specify that a certain proportion of teachers of deaf children should have Level 3 BSL (e.g. Signature or Institute of BSL: Ref. 1) within an agreed timescale. Targets would be useful. In large authorities there are already staff at this level. In small authorities and in rural authorities there are not
currently, so these authorities would have to work hard to send staff on courses, or collaborate with nearby authorities more closely. There are currently not enough advanced BSL tutors outside the central belt, which has implications for these authorities for when teachers are going to attend sign language classes (Ref. 2). There may be potential in the SSC organising distance learning live streamed BSL courses (Ref. 3). Some local authorities may wish teachers to spend 2 years learning BSL intensively before attending the Postgraduate Diploma to gain the competences. These government competences currently specify level 1 BSL as a minimum; we would suggest that a National Plan should revise this guidance.

Not all teachers of deaf children, in our view, need to be able to teach the full range of deaf children because mildly and moderately deaf children often form half the caseload. However, in small and remote rural authorities they may need to provide support for the full range. The demand for these services may be sporadic due to the low incidence nature of the deaf population. This means that staff could find it hard to maintain their skills. It would be important, therefore, that local authorities in rural areas consider their training budget and recruitment strategy carefully to attract staff who could work with the whole range of deaf children, i.e. they can use BSL at an advanced level such as Level 3 or above and, if interpreting, Level 6. (Note not all exam boards use the NVQ system but there is equivalence with the levels).

The SSC would endorse good practice seen in South Lanarkshire Council where the authority has advertised for staff who can interpret in mainstream schools by asking for a minimum of BSL Level 3, plus passing an interpreting skills test, and then paying for them to gain NVQ 6 language and interpreting units, i.e. to become qualified interpreters. There is a range of useful practice here which could be replicated in other authorities. The SSC would be happy to support councils around issues of recruitment, selection, training routes to interpreter status and advising on job descriptions and salary grades. Currently Councils in Scotland do not have much flexibility on salary grades for support staff. Educational interpreting in a class with 30 children is a highly demanding job, one which is currently viewed as low status. We would like to see the graduates from the Heriot Watt BSL / English interpreting degree course achieving posts in schools and colleges with salaries and conditions to attract them to commit to the educational sector.

The SSC would also like to see teachers of deaf children monitoring the developing BSL skills of deaf children much more closely. IEPs and CSPs are rarely informed by data in this area. We are fortunate in the UK to have a range of tools developed to do this, but they are currently hardly used in Scotland: the Monitoring Protocol – BSL development; MacArthur Bates parent report form; BSL Receptive and Productive skills assessment, and the Mann Vocabulary assessment. With support from BSL linguists in Scotland, the SSC would be able to offer training
in these assessment tools and local authorities should be able to show they have teachers who know how to use them and draw conclusions for support planning from them.

b. Provision of resource bases in mainstream schools
The majority of deaf children are educated in mainstream schools in Scotland, and even where they attend a school with a resource base, they spend most of their time in the mainstream classroom. The Achievements and Opportunities for Deaf Students research has shown that though the majority of deaf young people use speech, there are far fewer using sign from local authorities without a resource base school or deaf school. In other words, the informed choice which is supposedly on offer to deaf children is not an actual resourced choice, and this has consequences for their language use later. This would not matter if deaf children left school with good exam results, but they do not. Further work remains to be done, particularly at the pre school level to achieve age appropriate language skills by the time deaf children start school, in whatever language(s) the child wants to use. If BSL is going to be a realistic option, then the National Plan may want to recommend that local authorities collaborate to set up a resource base school and an early years sign intensive nursery. We hope that in future these resource bases could become bilingual environments, schools where there is a demand for BSL as a modern language, and schools which experiment with having some of the curriculum taught to everyone in BSL, such as happened in Walker Road in Aberdeen with French. This may appear to contradict the Standards In Scotland’s Schools etc Act on the presumption of attending the local school. However, Gaelic language schools are very popular with non Gaelic speaking parents and children often do not attend their nearest school in these cases; the same could happen with BSL resource bases which have enrichment BSL throughout the curriculum. Such schools could produce very visual thinkers who are able to express themselves fluently in BSL. The alternative, as we see already, is that there are some language-less deaf children in remote and rural authorities, and some very isolated deaf children receiving very poor levels of BSL access as the only sign language user in their local school.

Between the respondents to this document there are a range of ideas about resource base schools: some people think that resource bases should move within a local authority depending on where clusters of deaf children are who want an education using BSL. Others think that a resource base with taxi transport allows very good deaf awareness to grow up in that school. Some believe that we need to open more deaf schools again, and others that co-enrolment experiments should be trialled (Ref. 4).

c. Availability of teachers to teach BSL
There is a clear demand through consultations with BSL users, such as the BSL and Linguistic Access Group and the consultation responses to this Bill, that Deaf people in Scotland would like to see many more hearing children learning BSL in schools as a modern language, in
order to reduce the need for interpreters in everyday situations. Teachers of deaf children, for example at Dingwall Academy, have often pointed out how important it is for deaf children to also have the chance to gain qualifications in BSL. Currently BSL tutors are rarely qualified and mostly do not work in schools. The SSC does not want to see teachers of deaf children diverted to teach BSL as a modern language in schools; in any case few are qualified to teach modern languages. We would like to see a teacher education degree course developed such as the one recently started at the University of Edinburgh, the Gaelic and Primary Education MA (Hons), a five-year degree aiming to produce fluent Gaelic teachers to work in immersion programmes. It would be likely that both Deaf and hearing applicants would join this type of teacher education course. The provision of this degree would support BSL development in the rest of Scotland, as hearing and deaf children could learn BSL at primary school under the 1+2 languages policy, they could take SQA N5s and Highers in the language and progress to degree and postgraduate courses to use BSL in their work.

To attract more Deaf teachers fluent in BSL into the profession of teaching deaf children we would like to see the possibility of Deaf students on initial teacher education courses being able to do some placements in settings with deaf BSL users.

3. Could there be unintended consequences for other languages or forms of communication used by deaf people?
Provided public bodies do not reallocate their current budget for deaf / Deaf people’s services to be used just for BSL users, then no. Clear Government guidance could deter public bodies from doing this. It is true that lengthy consultations with Deaf people could deploy interpreters, taking them away from their usual interpreting assignments. This is why the SSC would support the Government’s idea of a national body of fluent BSL users to assist the government with consultation. We agree that the Facebook site has been a good way to consult BSL users. In addition, organisations run by Deaf people such as the BDA could support with consulting their members, and organisations such as Deafblind Scotland could consult with their members. There is also a lot of experience within the BDA in communicating / guiding with Deafblind people.

As the SSC we don’t promote one approach in the education of deaf children. Deaf children are a very diverse group, ranging from mildly deaf to profoundly deaf, and from no additional impairment to sometimes many. We know that most parents choose speech for their deaf child, and funding for using spoken language and listening is crucial. For example, the Achievements and Opportunities for Deaf Students research project has suggested that because of the poor academic achievement of mildly deaf children, acoustic standards and noise management techniques would be very important for all Scottish schools (Ref. 3). These alterations to school buildings could also be costly. We do not see funding for d/Deaf people as coming from one
pot. Issues such as the school estate should be looked at from a whole council perspective. Better noise conditions in schools will benefit a far larger group than just deaf children, including those with English as an Additional Language and children with language impairments.

Duties on the Scottish Ministers

4. The Bill asks the Government to prepare and publish a BSL National Plan in each parliamentary session, every 4 years. The Government will be required to designate a Minister with lead responsibility for BSL. What should this Minister do?

We agree with the Government memo that the plan cycle is probably too short and could be reviewed every 6 years. We welcome the Government’s acceptance of the principle of a Minister having responsibility for a BSL Bill in his / her portfolio. The Minister should make a commitment to learning BSL and liaise closely with the Advisory body to review public body plans and develop the National plan. The minister could be visible on a continuing Facebook site so that BSL users, including children, are able to post comments to her / him directly.

5. Will the Performance Review process ensure that the listed authorities are held to account?

The proposed Government amendment on this point suggests that public bodies should produce a BSL Statement about how they are working towards the National Plan. If this is going to be accepted, we would suggest that the National Plan sets out very clear priorities for different types of public body. For example, SQA could plan for N5 and Higher exams in BSL; Education Scotland with the SSC could consider plans for curriculum support for BSL users at school such as Deaf Studies resources, BSL technical terms and advice on how to establish early years sign intensive environments so that families can learn BSL over a long period and babies can acquire the language. Local authorities could be encouraged to consider the skill level of their teachers of deaf children and support staff so that enough staff were qualified at NVQ 6 language or interpreter level. Naming and shaming in parliament is one approach to accountability. Professionals working in schools and colleges do not always find it so easy to comment on work issues to their MSP, so there should be mechanisms within public bodies for staff and families of deaf children, and deaf young people themselves to review progress towards achieving the aims of a plan. These views should feed through to the plan review.

If the BSL and Linguistic Access Group is to be the basis of the body which advises the Government about a National BSL Plan then we think it is important that Deaf-led organisations are more represented. At present it is mainly comprised of organisations run on behalf or for d/Deaf people. Another possibility would be to hold an election, as happens for Bord na Gaeilge.
6. The Bill sets out what a BSL Authority plan should include (3(3) and 3 (4). Do you have any comments on the proposed content of the Plans?

The SSC would support 3(3), i.e. the public body would set out their own aims, timescales and review. They should have regard though to the National Plan and priorities set by consultations with BSL users.

In 3(4) the Bill aims to make the Authority plan have consistency with the National Plan. The first point (i) ‘to the extent to which the authority’s functions are exercisable using British Sign Language’ we think has been borrowed from the Gaelic Language Act (Ref. 5). In the case of BSL it is likely to be some educational, social work and cultural functions which can be exercised in BSL. For example there could be immersion BSL nurseries set up, or nursery staff who are bilingual in BSL and spoken English working closely with families in rural areas to provide a minimum number of hours per week as a BSL environment for a group of deaf children to acquire BSL and / or spoken English at an appropriate age, i.e. in the pre school years. It is important that the views from a range of BSL users are considered, which should include parents and children who may not yet be fluent in BSL as well as Deaf parents who are fluent.

7. The policy memorandum explains the timescale for publication of authority plans. Do you have any comments on these proposed timescales?

No.

8. In preparing an Authority Plan a public authority must consult with those who are likely to be affected by it, or who have an interest in it. The plan must take into account any comments made during consultation. What effect do you think these requirements will have on your organisation?

Within the SSC we may be regarded as a body which will make a plan, or perhaps as part of the University of Edinburgh. The University as a whole does not recruit many students who are BSL users. It could consult with potential students who use BSL, through the provision of open days and taster weeks, as other universities have done (recently UCL). The University could also ask BSL users who attend Edsign events to comment on a University plan. The SSC itself could consult with BSL users by developing methods already in use, such as bilingual BSL / English questionnaires on our website (Ref. 6).
9. *The Bill lists 117 public authorities that will be required to publish Authority plans. Would you suggest any changes to this list?*

No. We are pleased to see that the local education authorities, colleges, universities, Education Scotland and SQA are listed.

We would encourage organisations which receive public funding, such as third sector organisations, to also make BSL plans and consult BSL users so that their plans can feed through into that of a wider public body, such as a local authority. Too often the provision of third sector projects are short term and do not extend across the whole of the country, so if their plans fed into the local authority areas it would help integrate their work with that of statutory bodies.

**References**

1. Two organisations which offer accreditation in BSL at advanced levels:
   - Signature: [http://www.signature.org.uk](http://www.signature.org.uk)
   - Institute of BSL: [http://www.ibsl.org.uk](http://www.ibsl.org.uk)

   Here are the current organisations offering advanced level BSL teaching in Scotland or via the internet, i.e. above level 2.

   - Deaf Perspective, Glasgow: [http://deafperspective.co.uk/](http://deafperspective.co.uk/)
   - BSLcourses, internet: [http://www.bslcourses.co.uk/](http://www.bslcourses.co.uk/)


6. BSL Glossary bilingual questionnaire to get user views. [http://www.blendedlearning.me/ssc/questionnaire/](http://www.blendedlearning.me/ssc/questionnaire/) Accessed 13.1.15

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