

**New College Lanarkshire response using the general approach to the BSL  
(Scotland) Bill**

**In the Policy Memorandum, Mark Griffin MSP says he considered a number of alternative approaches to achieve his intention of promoting BSL, for example, by establishing a voluntary code or adapting existing legislation, such as the Equality Act 2010. He concluded that introducing the BSL Bill was the best approach. Do you think we need to change the law to promote the use of BSL and, if so, why?**

**YES**

- There is likely to be a decline in BSL users as 99% of deaf children are born to hearing parents and therefore are unlikely to have BSL as their first language, also there are more deaf children are being fitted with cochlear implants.
- There are no specialist schools teaching in BSL. Deaf children are not being immersed in BSL and Deaf Culture since Donaldson's became "Scotland's National School for Children who are Deaf, hearing impaired or have communication difficulties". The school now offers an environment of inclusive communication with both English and BSL having equal status. Also due to more children having cochlear implants and inclusive learning in mainstream schools the emphasis of teaching in BSL has become secondary in some if not all regions.
- There are a limited number of teachers of the Deaf.
- There is no ready access to BSL interpreter in emergency situations such as visits to Accident & Emergency or for accessing local authority services; also BSL users have limited choice when it comes to appointments as they have to fit in with interpreter availability.
- Not enough choice of interpreters – important for BSL user to feel comfortable in sensitive situations.
- There would be more readily available resources, e.g.: DVDs with interpreter on screen in addition to subtitles (at the moment most college DVDs don't have subtitles as the equipment used to record DVDs in the college is not able to record the programme with the subtitles switched on).
- Greater use of BSL would provide users with access to more information in their own language (health, travel information, public service announcements).

**Mark Griffin MSP hopes that the obligations under the Bill will, in practice, “lead public authorities to increase the use they make of BSL and the extent to which they are in a position to respond to demand for services in BSL” (Financial Memorandum, paragraph 4). How realistic do you think this aim is and to what extent do you believe the Bill can achieve this objective?**

- Aim achievable; however will be expensive/time consuming.
- Aim achievable if more training required for interpreters/CSWs.
- Achievable if BSL were taught in more nurseries and schools.
- If there was more written information on BSL for the general public.
- Hearing parents of deaf children would need to be given more choice/ assistance/information as to what method of communication to use with their child. BSL training to enable them to try different methods of communication.
- Bill allows BSL provisions for BSL users to have access to information in their own language. The BSL (Scotland) Bill would make this law and therefore a priority.
- Deaf people at the moment as a general rule do not hold qualifications in their own language (SQA). Need good BSL qualifications equivalent to English qualification (enable Deaf people to achieve group awards in further education), the Bill may allow for this.

**The Bill is solely about the use of BSL. Could there be unintended consequences for other languages or forms of communication used by the deaf community?**

**YES**

- Implementation of the Bill may lead to an assumption that all Deaf/ deaf/ hard of hearing need a BSL interpreter, this is not always the case.
- Leaflets in local authority services are not always of a good quality; these would hopefully be made available in plain English across local services.

### **Duties on the Scottish Ministers**

**The Bill will require the Scottish Government to prepare and publish a BSL National Plan (Section 1) and a BSL Performance Review (Section 5) in each parliamentary session (that is, normally every four years). The Scottish Government will also be required to designate a Minister with lead responsibility for BSL (Section 2). What should this Minister do?**

- The Minister should assure the list of public authorities is complying with the legislation. The Minister should also have a wider remit to promote BSL and should also encourage schools to include it in the curriculum.

**The BSL Performance Review provides the basis for the Parliament to hold the Scottish Ministers to account, and for Ministers to hold listed authorities to account. If listed authorities say they will do something relating to the promotion of BSL, will the Performance Review process ensure they are held to account?**

- Yes if monitored properly then it should. Monitoring should include local Deaf community.
- Could be monitored through Deaf clubs and public meetings.
- As long as grass roots BSL users and deaf BSL learners are included alongside professional BSL users.
- Including a range of age groups within the performance review process would be beneficial as the young are the group that will prevent BSL dying out as a language and the older BSL users have experience and cultural knowledge.
- As long as consultation takes place, this is important. Need an across the board opinion.

### **BSL Authority Plans**

**The Bill requires listed authorities to prepare and publish BSL Authority Plans in each parliamentary session. The Bill sets out what a BSL Authority Plan should include (Sections 3(3) and 3(4)). Do you have any comments on the proposed content of the Plans?**

- Consultation with Deaf BSL users essential, it is positive that they will be contributing to the plan.
- It is important to give consideration of access to BSL via different mediums (Interpreter, CSW, Skype, internet, DVD etc).
- Side issues such as the need for private space in sensitive situations (eg legal and medical) to restrict visual disturbance and/ or “eavesdropping” by other BSL users need to be addressed.
- Right/opportunity to hold qualifications in BSL.
- Right to good education through good quality Teachers of the Deaf and CSWs.

**The Policy Memorandum (see diagram on page 6) explains the timescales for publication of Authority Plans. Do you have any comments on these proposed timescales?**

- First session following passage of the Bill should be 9 months and subsequent sessions would be acceptable at 6 months.

**In preparing its Authority Plan, a public authority must consult with those who are “likely to be directly affected by the Authority Plan or otherwise to have an interest in that Plan” (Section 3(6)) and must take into account any comments made to it during the consultation (Section 3(5)). What effect do you think these requirements will have on you or your organisation?**

- Possibly time consuming but NCL are fortunate in that we have our own Deaf community on site. Getting everyone together at the same time may be a problem.
- The cost to NCL in organising and facilitating consultations should not be too expensive.
- Possible investment in new technology to ensure that where possible tv programmes used as teaching resources are taped from sign zone.
- Awareness sessions for staff to ensure teaching material such as film, DVD and hand-outs are available to CSWs before lessons to allow for preparation.
- Staff delivering BSL should have a direct input via consultation to the authority plan.

**The Bill (Schedule 2) lists 117 public authorities that will be required to publish Authority Plans. Would you suggest any changes to the list of public authorities?**

- We agree with the authorities listed but would suggest that a council constituted under section 2 of the local government should be required to have a plan for each of its services that it provides.

**Specific information pertaining to New College Lanarkshire’s delivery to BSL students.**

**1. What has been your experience in providing for Deaf students who use BSL?**

- Initial needs assessment with Educational Support Adviser (ESA) and Communication Support Worker (CSW) provided in order that the Deaf learner’s needs are met at all

stages :- application, interview and enrolment stages. If application is successful CSW would be present in class (possibly with note taker) as required with study support and assessment arrangements agreed and implemented by ESA.

- 5 x CSW – P/T contract – working 30 hours each
- Only college in Lanarkshire that has in house CSWs who support BSL.
- CSWs have built up a good working relationship with students and able to recognise when extra input/study support (ELS) is required by ESA.
- Learners have provided feedback to say they are receiving an effective service which in part is due to the continuity of support.
- Historically external interpreting agencies have been prohibitively expensive and have not always been reliable (services have been booked and the interpreters have failed to keep appointment).

**2. What has been your experience in providing for hearing-impaired students who do not use BSL?**

- Some learners have benefitted from using ‘Comfort Audio’ digital radio aids provided by the college.
- Some learners choose to study independently using lip reading, but may find that having a note taker in class is very helpful.
- Learners who have highlighted that they are Deaf/hearing impaired with no support required on their application form and that they only rely on lip-reading the lecturer, often switch to BSL or SSE requiring the use of a CSW. This generally occurs when the student/CSW recognise that information within lectures/practical situations is being missed or misunderstood.

**3. Do you offer BSL classes at college, and if so at what level?**

- BSL classes are offered at Coatbridge Campus. These are introductory and level one classes. Consideration is currently being given to offering a higher level course.

**4. Do you think your responsibilities under the Equality Act to make reasonable adjustments for students who are Deaf and hearing impaired will be affected in any way by the requirement to produce a BSL plan?**

- No, as we should continue to provide the professional level of support which we currently provide to the Deaf learners who are studying at college. The support which is delivered to the learners is at a professional level which eliminates barriers to learning through the use of an adaptable CSW (BSL, SSE). All CSWs within Motherwell campus are qualified at a very high level and also bring at least 60 years experience of interpreting within an educational environment.

**5. Anything else you want to tell us?**

- The role of CSW within NCL is not only about interpreting in a teaching environment as CSWs are expected to be available in break times to accompany learners to see the college nurse, arrange bursary and EMA payments and speak to lecturers out with class time. We also provide pastoral care to Deaf learners staying in the college residence. We accompany them to medical appointments and benefit office appointments where possible. We also provide assistance in explaining letters BSL learners cannot understand and completing application forms for courses within NCL.