

Personal Individual response to the BSL Bill – Margaret Kinsman

Introduction

I am a qualified teacher of the Deaf with over 25 years of experience. I hold the post of PT Deaf in Dingwall Academy and Highland Deaf Education Service. The department is in a large secondary school with several qualified teachers of the Deaf and a qualified part time Deaf BSL tutor. All D/deaf¹ pupils are mainstreamed with support in class and in tutorial to ensure they access the curriculum and achieve their potential in line with current legalisation. The staff support deaf learners and also delivers BSL / Deaf Studies² as part of the school curriculum. There is currently no National 4 or 5 in BSL/ Deaf Studies. I have co-developed and delivered BSL classes to Deaf BSL learners and to their hearing peers from S1 through to Senior school (S5 / S6).

Pupils have participated in numerous innovative projects, national competitions; raising awareness and self esteem and confidence in both participants and others in class.

Most recently, the new S1 IDL Deaf Studies course won the Highland Council Quality Award: Safe, Strong and Empowered Community 2014.

I am also an Associate Assessor working for HMIE where I accompany and work alongside full time inspectors on inspecting schools across Scotland. I have the opportunity to talk to staff and pupils about their education. I recognise I am in a privileged position to engage in professional dialogue with fellow colleagues and young people. Whilst, standards of linguistic skills of staff supporting deaf BSL learners vary (which can impact on the learning experiences for deaf pupils) there is now a realistic expectation that deaf pupils can achieve their potential in line with GIRFEC and CfE 4 capacities: confident individual, successful learners, effective contributors and responsible citizens.

I sit on the SQA Deaf Reviewers group where BSL users' exams papers are checked for accuracy of translation, maintaining the integrity of qualification. As part of this team, I participate in the delivery of SQA training pertaining to BSL users in the exam process.

I am one of the external tutor / mentors for the Scottish Sensory Centre (SSC) for teachers training to become qualified teachers of the Deaf. Working with these 'new' teachers afford me the opportunity to keep abreast of current research in the education of deaf children, audiological advances in hearing aid technology and cochlear implants and to network with other professionals across Scotland.

There are pockets of good practice in the learning and teaching of BSL across Scotland. As there is in the teaching of deaf pupils.

I am also a qualified and registered Scottish Association of Sign Language Interpreters (SASLI) BSL/English interpreter working on a freelance basis. I held the

¹ D/deaf- capital D deaf mean pupils who use BSL as their preferred means of communication. Small d deaf mean those who are deaf but may not use BSL as their preferred means of communication.

Small d deaf is generic term used for both groups.

² SQA modules in Deaf Awareness and BSL

post of Chair to the Board for several years and remain an active member of the organisation.

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, I support the BSL Bill entirely because it will allow all BSL users to participate fully and equally with the general population in society, in education and in work. Learning is considered to be at the heart of society. Yet many BSL users are denied this opportunity to continue their learning due to lack of access to qualified interpreters, lack of awareness from course providers and organisations. There are several Acts: Equality 2010 and Disability Discrimination Act. Some progress has been made to improve awareness of issues pertaining to Deaf people. However, these Acts are not aimed specifically at Deaf people.

The BSL Bill will send a strong message to society as a whole that BSL is not only a recognised language of Scotland but it should allow information and access to be available in BSL.

Some professionals consider deafness as a disability and require medical intervention to 'cure' this disability. Nothing will change the fact that someone who cannot hear can become like a hearing person. A hearing aid amplifies sound; it does not change the person into a hearing person. A person implanted with a cochlear implant will not hear sound like a hearing person. Implants can malfunction. It is not advisable to sleep with an implant on.

Communication is the key, yet there are some professionals who actively prevent parents of very young deaf children from using sign language to develop language and communication skills. There is no hard evidence to support the idea that using BSL will have a negative impact on the development of speech for those pupils who want to improve / use speech. It is possible for a deaf child to have a disability/ additional support needs on top of their hearing loss, just as a hearing child may have additional support needs.

Confusion arises when deafness is considered a disability. BSL does not cure a disability. BSL is a language which enables deaf people to communicate just as spoken English enables a hearing person to communicate.

I believe the BSL Bill will clarify this position.

An area of concern I have is linked to where and how priorities will be drawn: parents of newly diagnosed deaf child, all children in school where there's a deaf child or BSL classes (like English/ literacy classes) for all deaf children in any school in Scotland or BSL classes to mainstream classes like a modern language?

I can see the advantages for all but in order to be practical and sensible in the short term a priority list must be drawn up. Could the plan be individualised to specific areas? I doubt it! This notion of individualising the plan according to the area's need may appear attractive and manageable in the short term (as it would target support/ resources to specific) but in the long term I believe the result would be chaos, mishmash and a waste of resources. If you target families, then the family must include siblings and the extended family. And the classes should be free. This I understand happens with Gaelic. I am aware that living in the Highlands it maybe that there are only one deaf child in a wide area. Face to face contact is preferred but I would suggest that the use of high quality IT could mean that classes can be delivered from a central point for so many weeks with face to face contact once a month or on an agreed basis

Developing a strong and supportive network can help ease isolation so often experienced by new parents, offer the opportunity to ask questions and share solutions. The training for new tutors who are based outwith the Central Belt could use IT.

The new language policy from the government (Language Learning in Scotland: A1+2 Approach) could be adapted so that BSL sits easily alongside other languages. It is essential that BSL is given the same status as other languages: it was recognised as a language by the Scottish government so there should be no question about it not being included in this language plan. The issue of concern here is who will deliver it. There is no reason why Deaf BSL tutors cannot be involved in this delivery.

Just as primary teachers are being offered intensive teaching courses to teach a new language it is feasible to do the same for Deaf tutors to deliver BSL. At the same time, I would urge the set up of mentors to support all new tutors. The advantage being the opportunity to share resources, ease paperwork issues / concerns and enhance own learning and teaching.

Children (Deaf and BSL) are like sponges and can as evidenced by pupils in Dingwall Academy learn and achieve in learning BSL. I would further argue that their skills in BSL are more advanced than other modern languages because these pupils are using their BSL to communicate and learn alongside their Deaf peers often on a daily basis. Deaf BSL pupils must learn the grammatical rules of BSL just as their hearing peers learn English. If they do not understand the linguistics of their language, I believe, there is a knock on effect to their ability to understand the concepts and language of other subjects including English.

This may explain why some Deaf BSL tutors struggle to explain and teach linguistic features of their language to hearing learners. If they do not have the basic skills/ understanding of BSL or English grammatical rules then there will be a knock on effect.

I believe the BSL Bill will allow parents to seek from the education authority the right that their child has the right to learn a language before, and upon entering school. This language should not be solely speech or sign. Families should not have to decide as soon after diagnosis whether their child will sign

or not. For some children they will never speak (possibly due to the absence of the auditory nerve) so they do need to have a means for communicating their thoughts, wishes and needs.

Public bodies have had numerous Acts to implement over the years. I do not believe they have deliberately chosen to ignore/ not include BSL into the implementation of the various Acts. This Bill's principle focus is on BSL so public bodies will have no choice but to focus on BSL and how they will embed BSL into their plans and areas of development.

Working as a freelance SASLI Registered BSL/ English interpreter, I am aware of the challenges many Deaf BSL users face in their day to day lives. From accessing health services, through to booking an appointment with their bank to going shopping to having an night out to the theatre can all pose problems; many unnecessary ones at that if only communication had been thought from the outset.

I do believe there has been a shift in public thinking about the use of BSL and the role of interpreters. There is more awareness of the role of an interpreter as there is in the process of booking an interpreter in many health appointments. But there is still much work to be done: sitting in the waiting room and the Deaf patient's name is called over the loudspeaker, the dentist pulling on his mask covering his mouth, the consultant saying the patient can read so there's no need for the interpreter all examples where awareness and practice are out of sync.

The number and choice of BSL interpreted shows is still too low.

There has been steady (although still to low) rise in number of Deaf BSL people going onto college and university resulting in a rise in the number of deaf professionals. They require access to excellent interpreters if they are to work alongside their colleagues, contribute to society and to the country's wealth.

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?*

Society's view towards Deaf people has changed over the years. I believe this is as a result of mainstreaming and inclusion, where children see, learn and play alongside deaf children. Deaf people are entering the work place. It is unrealistic to expect change to happen in say 1 – 2years, not because it is too difficult, but to ensure these changes are embedded fully and appropriately resourced, it will require time.

But it is possible to construct a timeframe with relatively easy services provided in the short term, through to the long term projects which require major development.

I believe education is a key stage in this timeframe. Whilst, many would like to see BSL available in all schools, it might be more realistic in the short term to identify key schools; linked to deaf bases where BSL could be offered to both deaf learners and hearing learners. At the same time, the SQA should be able to offer National 4 / 5 alongside other language qualifications. I believe

there is very little work required to modify the existing CfE language experiences and outcomes to include BSL. Likewise the Language Learning in Scotland: A1+2 Approach could easily be adapted to include BSL alongside other suggested languages.

The issue of who would teach BSL will require additional training for deaf people interested in becoming tutors/ BSL. Again, in many disciplines, mentors are identified for new trainers. The assumption that teachers of the deaf can do this is wrong. It would be inappropriate to divert them from supporting deaf pupils in school to teaching BSL. Many teachers of the Deaf do not hold additional qualifications in BSL.

One recognised area requiring further thought is around qualified staff. Qualifications take time and resources. It is feasible for the National Plan to specify that authorities have a proportion of their teachers of the Deaf have additional BSL qualifications and a timescale for these qualifications to be achieved. It is recognised that not every teacher of the deaf will work with deaf children who communicate through BSL: some may work with deaf children who have mild and moderate hearing loss and their needs must be considered alongside those who have severe or profound loss.

The SSC have recognised training courses and I believe additional courses in BSL; delivered by qualified and experienced BSL tutors, could be offered to local authorities.

Heriot Watt University; the first university in Scotland, to offer full time degree course in BSL Interpreting could be approached to offer additional short BSL courses. A link is already established between HW University and Dingwall Academy Deaf / BSL department; benefitting Deaf and hearing BSL learners.

Charities, like Deaf Action, Deafblind Scotland and SASLI could be involved in offering assistance, advice and awareness raising opportunities to frontline staff and personnel involved in consulting with Deaf / Deafblind people.

Specialist knowledge and a willingness to work together can result in a stronger, safer and more empowered society for us all.

The wheel does not require to be build; it is already there: the knowledge, skills and experience out there and perhaps more importantly a will.

Gathering the right team together should mean progress can happen quickly and with results.

Currently, there are very few qualified Deaf people who are teachers of the Deaf. Whilst the numbers of deaf pupils moving into Further and Higher education, has increased over the years, very few go on to become teachers of the deaf and work with deaf children. In order to redress this, (and at the same time raise expectation of future career options) students going on initial teacher education should open their courses to accept deaf BSL students who would then go into placements with deaf BSL users. Currently, all student teachers must do placements in mainstream schools.

Many public bodies are aware of BSL and interpreters. However, there is still much work to be done to resolve issues like whose responsibility it is to book, pay and ensure the interpreter is registered with SASLI. Many do not know about Deaf BSL interpreters and their role. As it stands there are very few Deaf BSL interpreters. Yet, if public bodies want to make their information available in BSL, the number of Deaf BSL interpreters will need to increase.

3. *Could there be unintended consequences for other languages or forms of communication used by deaf people?*

A few years ago Dingwall Academy Deaf base had Spanish sign language students over 2 years on placement. As part of the cultural and linguistic exchange, the students were required to teach Spanish sign language and spoken/ written Spanish to the BSL / Deaf pupils. The pupils showed they were as capable at learning 2 languages as they were at learning one. Further study would be required to ascertain the benefits from learning additional languages especially for BSL learners where it is currently presumed that English is their second language and that a Deaf BSL learner cannot learn another language.

To implement the BSL Bill successfully it is acknowledged that monies and resources must be found. Meddling (as in robbing Peter to pay Paul) will have a detrimental effect on both Peter and Paul and therefore it falls on the Scottish government to send a clear message that existing budgets cannot be meddled with to make this new initiative viable and successful.

In order, to prevent this from happening, the Scottish government should establish a group of experienced and skilled BSL users and other knowledgeable professionals in the field of BSL as soon as practically possible; this will ensure the momentum for change and engagement will not be lost. I do not concur that only Deaf BSL users should make up this group. Likewise, I would also strongly advise against excluding Deaf BSL users. Partnership working where experience and knowledge are considered the pre-requisites and not whether the participant is Deaf or hearing is essential.

The advent of IT and social media has played a big part in the lives of deaf people. It is heart-warming to see many Deaf BSL take to social media to engage in the discussion and evidence gathering process, sharing their experiences and views freely and clearly. I do not believe this would have happened several years ago. Society has changed and so too has deaf people's attitude. No longer as they willing to be silent partners in society. By enabling them to participate through their language: BSL and social media, I believe Scotland will gain in experience and skills upto now have either been ignored or undervalued.

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?*

I applaud the suggestion of having a designated minister responsible for BSL. It is essential, if they do not know BSL, that they make the commitment to learn BSL and to work with deaf organisations. True engagement happens when there is an ease of communication.

I would urge the Minister to continue to use social media; even establishing a permanent Facebook site to maintain a visible and accessible means of communication for BSL users.

The Minister should also have a deaf awareness covering all aspects of deafness from the full range of hearing loss, deaf blind, additional support needs, deaf history and deaf culture.

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

In order for this to be achieved, I would suggest that public bodies produce their priorities in list format since each body will have a different emphasis. I would expect to see from, say, the SQA a clear plan outlining the timeframe and plans for Nationals 4 / 5 and Higher BSL for both learners and for deaf pupils (as they do for Gaelic), the health authorities for the publication of health information leaflets into BSL etc.

There are a number of approaches to accountability: praise and recognition of success, naming and shaming authorities and bodies, publishing league type tables. What is perhaps more important is the means for this information to be collated. Deaf people do not complain, professionals in education, health are often reluctant to raise concerns, accessibility and understanding the process is often too confusing. However, if BSL Bill is implemented fully then there should be a means where Deaf BSL users can access this information and perhaps more importantly be able to respond in BSL.

During any review, the Minister responsible for BSL should work with the group of recognised experienced and qualified deaf and hearing professionals in order to ensure continuity of progress and development.

BSL Authority Plans

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?*

I believe the important point on any proposed content of the Plans should be both realistic and achievable in relation to the National Plan. The Plan must

have clear timescales with reference to perhaps the key areas: education and health.

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

No. The recognised timescale is fair although the content and agreed items within each timescale may require further discussion / flexibility.

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?*

I have been pleasantly surprised by the interest and discussions, both hearing and deaf pupils have shown in the BSL Bill. Ensuring any consultations are available in BSL will engage these pupils in future events.

All deaf BSL pupils can access their SQA exams in BSL (excluding English and modern languages). As a result pupils can exhibit their knowledge and skills in their first / preferred language.

All plans, including information pertaining to the Plan should be available in BSL.

As a BSL /English interpreter, any consultations should be available in BSL and available for review (ie live presentations are interpreted and filmed so that it is possible to look back, reflect and share with others). Just as hearing people may take notes at a meeting so that they can refer back, Deaf BSL users cannot take notes (they are watching the interpreter) so they require the means to review and reflect as their hearing colleague can do.

9. *The Bill lists 117 public authorities that will be required to publish Authority plans. Would you suggest any changes to this list?*

No. I believe this list covers as broad a range as is sensible. I believe over time, more organisations including the third sector will be more eager to embed BSL into their plans.

Margaret Kinsman