

## The Scottish Parliament

### CROSS PARTY GROUP ON DEAFNESS

*Meeting Notes of the Cross Party Group on Deafness  
held in the Scottish Parliament, Holyrood, Edinburgh  
on Wednesday 13<sup>th</sup> August at 1.00 pm*

**PRESENT:** Jenny Marra MSP (Convenor)  
Dennis Robertson MSP (vice Convenor)  
Aidan McCorry (Deaf Action)  
Katie Rafferty (NDCS)  
Graham Duff (BDA Scotland)  
Liz Kraft (RCSLT)  
Alison McNair (RCSLT)  
Alison Brownlie (Deafblind Scotland)  
John Whitfield (Deafblind Scotland)  
Alana Trusty (Deaf Links)  
Dan Sumners (Signature)  
Elizabeth Adam (Tayside Deaf Forum)  
Delia Henry (AoHL)  
Carly Brownlie (SASLI)  
Rachel O'Neill (University of Edinburgh)  
Alan Dalziel (AoHL)  
Liz Kopp (ATLA)  
Molly Berry (ATLA)  
Rebecca Norton (Hearing Link)  
Dennis Arnold (Dumfries and Galloway Hard of Hearing Group)  
Graham Findlay (NESS)  
Yvonne Waddell (NATED Scotland)  
Graham Turner (Heriot-Watt University)  
Mandy Reid (SCoD)  
Janis McDonald (SCoD & CPGD Secretariat)

Also in attendance: Frances Johnston (Dennis Robertson's Assistant), Roy O'Kane (Jenny Marra's Parliamentary Assistant), Dr Lili Fraser (Scottish Poetry Library), Georgi Gill (Scottish Poetry Library), Sara-Jane Robinson (student interpreter), Andrea Bryant (NESS), Andrew Dewey, Sue Mowat (BSL/English Interpreters) and Willie Dixon and Colette Smith (Guide/Communicators).

**CPGD/422** **WELCOME REMARKS:** The Convenor welcomed everyone to the meeting.

**CPGD/423** **APOLOGIES:** Apologies for non-attendance had been received from Bert Smale (Individual member), Heather Gray (NDCS) and Liam Dunnachie (Donaldson's School).

**CPGD/424** **MEETING NOTES FROM 11<sup>th</sup> JUNE 2014:** proposed – Delia Henry; seconded – Rachel O'Neill. Accepted as an accurate record.

**CPGD/425** **MATTERS ARISING:**

**Request to the BBC to have subtitles and BSL added to the Alex Salmond/Alistair Darling debate:** AoHL, Jenny Marra and Dennis Robertson have been in touch with the BBC to ask that they ensure that the referendum debate they are showing on 25<sup>th</sup> August has captions and BSL so that it is fully accessible. The debate shown on STV wasn't accessible at all. Sandy Bremner, in charge of public services, has given his assurances that there will be captions on the programme on BBC One, the BBC News Channel and on BBC Two; and is working towards making sure there will be live BSL interpretation on the programme. Jenny is to tweet every day until the BBC agree to the live BSL interpretation. She asked member organisations that use social media to join the campaign. It has been suggested that a Deaf person sets up an e-petition to support what Jenny and Dennis are doing. Jenny to approach the BBC to ask that they also make a transcript available once the programme is finished.

**a. DWP answers to questions raised at the March meeting:** Jenny is following this up.

**b. Teachers of the Deaf PQs:** Jenny has lodged the PQs and is waiting for them to be answered.

**c. Access to Work Letter:** Jenny and SCoD wrote the letter and it has been circulated to members of the group.

**d. Captioning:** AoHL is running a campaign on captioning for all TV programmes. Ofcom is consulting on captions on TV at the moment. The consultation will be circulated to all group members. AoHL will present to the group on this issue at a future meeting.

**e. BSL (Scotland) Bill Update:** Mark Griffin MSP was not at the meeting to give an update on progress. Rachel O'Neill asked for clarification on which public bodies would be included and asked that Education Scotland and SQA be added. Jenny and Rachel to email Mark Griffin about these inclusions. Jenny told the meeting that she has attended the Fringe debate and found it to be very enjoyable; she has extended an invitation to the audience to attend the CPGD to find out more.

**CPGD/426** **NEW MEMBERS:** Jenny invited Yvonne Waddell of NATED Scotland to speak to the group. NATED - National Association for Tertiary Education for Deaf People – has changed its name to ADEPT. The organisation represents Communication Support Workers in 12 super – colleges and are looking at the role of deaf assessors; and the qualifications and standards for CSWs in education – from nursery through to tertiary education in Scotland.

**CPGD/427** **LIP READING STRATEGY:** Delia Henry spoke to this item. Lip Reading Awareness week is from the 8<sup>th</sup> to the 12<sup>th</sup> September this year. Delia will circulate her presentation after the meeting. She gave the background the strategy – the Scottish Government is supporting and financing the work on the strategy (£200,000). The working group is chaired by AoHL and members are Hearing Link, SCoD and two people from Scottish Government. Linda Armstrong has been employed on a 13 month contract as a social researcher and will write the research report. There are three emerging themes coming from the research – there has been little research carried out in the UK on the benefits of Lip Reading classes and the support learners receive (most research is from Australia and the USA); the need for a Lip Reading Pathway which will come with a “toolkit” including a decision-making tool on when to target in the diagnosis process; and support for people who live in rural and remote areas, which could include the use of technology.

Lip Reading stakeholders were invited to take part in a survey and the results have been analysed. 100 people responded. One significant quote is that “lip reading classes should be free like prescriptions”. Most of the participants want lip reading classes to be the same as other rehabilitation services, such as physiotherapy – free at the point of delivery, rather than what is in place at the moment – in some areas, classes are free; in others, people have to pay as they are seen as educational. There is also a need to develop self help and peer support systems as lip reading classes provide a variety of services and supports. There needs to be sustainable funding streams for classes across Scotland; in some areas it has been suggested that SDS pay for classes, but not everyone with a hearing loss is eligible for SDS.

Some areas of Scotland do not have any Lip Reading classes – the Western Isles, Orkney Islands and Shetland Islands. There are only two Lip Reading Tutors in the whole of the Highlands.

SCTTL and Linda Armstrong have been in talks with BT re connectivity issues in rural and remote areas of Scotland as the use of technology may be a way forward to reach more people in these areas. Nothing concrete has been decided as yet.

Liz Kraft is a Speech and Language Therapist and Lip Reading Tutor working in the Highlands. She uses video conferencing and home visits to reach more isolated communities and people.

The report will make a number of recommendations for government. SQA is in the process of validating the Tutor training course (paid out of the £200K). This is part of the long-term strategy to sustain and grow access to Lip Reading Classes and peer support throughout Scotland.

**CPGD/420** **AOCB: A. Support for the Meetings:** This item was taken out of order with the agenda as Jenny had to leave the meeting to attend in the Chamber. A paper was circulated that highlights the problem.

Previously, SCoD supplied the communication support for the meetings through support available to the Director. This is no longer the case and SCoD does not have the funds to offer support to the Cross Party Group in this way.

Jenny has approached Paul Grice from the Scottish Parliament's Corporate Body but as the Cross Party Groups are not a part of the formal parliamentary proceedings, the SPCB cannot fund communication support for meetings. It may be that members are asked to contribute something towards the cost of communication support for meetings. Jenny is to continue to discuss possible solutions with the SPCB and this will be discussed further at another meeting. SCoD has agreed to pay for the communication support for this and the December meetings so that there is room for a solution to be found.

Some members asked about access to an Electronic Notetaker. Janis told the meeting that only one person had asked for this and that since they subsequently told SCoD they would not be attending the Notetaker was cancelled. Members need to tell us if they need communication support.

Jenny Marra left the meeting at this point and Dennis Robertson took over the chair.

**CPGD/421 CLOSE THE GAP – OPERATIONAL UPDATE:** Katie Rafferty of NDCS spoke to this item. She gave a brief overview of the Close the Gap report. Heather Gray had a meeting with the Minister, Alasdair Allan, and David Watt (Scottish Government) last week to discuss the report and the recommendations and to ask for an aspect review to look at the specific needs of deaf learners in the education system. The Minister has made a commitment to acknowledging the attainment gap but has not committed a timescale to moving the acknowledgement forward. David Watt is keen that there is a conference or learning conversation on the educational attainment of deaf learners to look at the structures, systems and good practice. NDCS would like to see long-term sustainable recommendations that will help to close the gap for deaf learners rather than simply a sharing of good practice. Katie offered NDCS' thanks to MSPs who have supported the report especially Jenny Marra. Dennis Robertson asked if it would be helpful if the Minister's office co-ordinate the ongoing work needed to move the report's recommendations forward. He will raise the issue.

**CPGD/420 AOCB: (Continued): B.Rebecca Norton:** Rebecca took this opportunity to thank everyone for their support for her over the last 14 months in her post as Scotland Manager for Hearing Link. She is leaving this post as she is going back to university to study medicine in Glasgow. Linda Sharkey would be the contact for the group until her replacement is in post.

**C. SASLI Conference:** 30<sup>th</sup> August. The Conference will give interpreters and the Deaf Community an opportunity to get together to

look at communication and how we communicate. There is more information on the SASL Facebook page.

**D. Cochlear Implant Review:** Katie Rafferty told the meeting that the Cochlear Implant Service Review has now ended and the majority of the review group recommendations will be taken forward. The only one that needed additional input was the automatic update of processors. Andrew Lothian, the parent representative on the review group had a meeting with the Minister, Alex Neil, and has had an assurance that additional funding will be put in place to reduce the backlog of people waiting for replacement processors.

Dennis Robertson closed the meeting at 2.00pm as he had to attend the chamber.

Members enjoyed a networking opportunity until 2.30pm.

## **APPENDIX**

### **Additional Information**

#### **DATE AND TIME OF THE NEXT MEETING:**

The next meeting of the Cross Party Group on Deafness will be the joint meeting with the Cross Party Group on Visual Impairment on Thursday 4<sup>th</sup> December 2014 at 5.00pm. There will be a reception in the Garden Lobby after the meeting.

#### **REVIEW OF SIGNING ARRANGEMENTS FOR RELEVANT TV CHANNELS**

<http://stakeholders.ofcom.org.uk/consultations/review-signing-arrangements-tv/>

#### **SASLI CONFERENCE**

<https://www.facebook.com/sasli1981>

<http://www.sasli.co.uk/communicate-conference/>

#### **COMMUNICATION SUPPORT FOR MEETINGS – paper circulated:**

##### Discussion:

How should we fund the necessary language/communication support to make sure meetings are fully accessible for all who want to attend?

Scottish Parliamentary Corporate Body's position:

As set out in Section 6 of the Code of Conduct, Cross Party Groups (CPGs) are not part of formal parliamentary proceedings. On that basis, the Scottish Parliament Corporate Body's (SPCB) responsibility to support Parliamentary business does not extend to such Groups. As a result there is no additional funding made available from the SPCB's budget for this purpose.

In practice, CPGs can use available meeting rooms in accordance with the SPCB room booking policy and they receive limited support from Parliament staff (for example, to set up laptops in committee rooms during office hours). However the Code is clear that other Parliamentary resources are not available to CPGs.

Some Groups charge subscription fees to its members in order to fund their work, including providing any support required at meetings. For example, the Organisations within Groups can also provide financial assistance and material support. Any such support valued over £500 must be detailed in Group annual return forms. For example, the Group on Visual Impairment has received funding for translation services from one of its member organisations for a number of years.

##### Scottish Council on Deafness

Although SCoD holds the secretariat, the organisation is not in a position to pay, in the long term, for the necessary communication support needed to make the CPGD meetings accessible for members.

### Other Cross Party Groups

Cross Party Group on Adult Learning charges organisations a one-off £50 membership fee. Voluntary organisations pay £25 and individuals are not charged a fee.

Cross Party Group on Human Rights - £10 annual fee, but few pay it. Not had any requests regarding accessibility support so far; the group would cover that collectively.

Cross Party Group on Disability – membership fee of £20 from all organisations who wish to become members.

Cross Party Group on Visual Impairment – RNIB provides all support to make the meetings accessible.

Cross Party Group on Mental Health – Royal College of Psychiatrists holds the Secretariat and a small fund for refreshments and any other expenses.

### **ACCESS TO WORK LETTER**

Dame Anne Begg  
Chair  
Work and Pensions Committee  
7 Millbank  
House of Commons  
SW1P 3JA  
[workpencom@parliament.uk](mailto:workpencom@parliament.uk)

19/06/14

Dear Dame Anne,

#### **Access to Work decisions affecting deaf people in Scotland**

At the Scottish Parliament Cross Party Group on Deafness (CPGD) meeting on Wednesday 11<sup>th</sup> June, we had a discussion about how the changes being made to Access to Work have been affecting deaf people in Scotland, most especially those with language and/or communication support needs. The decision was made that we should write to the Work and Pensions Committee to express our concerns about the impact of recent DWP (Access to Work) decisions, and the potentially associated legal and financial risks. We are aware that the Minister for Disabled People, Mike Penning, has made several statements in the house on this issue. (List of CPGD Members attached).

The members of the Cross Party Group have been encouraged to respond directly to the Inquiry and to promote, encourage and support their own employees and service users who receive Access to Work to respond also.

Our main concern from anxieties raised from discussions is that Deaf and Deafblind BSL users and Deafened people who claim Access to Work are at risk of losing their employment due to delays resulting from changes to Access to Work procedures and also the associated cutbacks.

There would appear to be a problem when the deaf<sup>1</sup> person has to renew their application for Access to Work as some applications are taking two months or more to process, which leaves their employers having to cover the bills for the language/communication support that each employee needs to be able to be an active and productive employee. Many employer organisations do not have the flexibility in their budget to meet these needs.

Another problem is that each application is dealt with by several different DWP employees who do not appear to understand the specific and specialist issues and the questions being asked by the Deaf, Deafblind or Deafened person to whom the application refers. This would appear to be an internal training issue and something that could be solved quite easily by working in partnership with deaf organisations that are in the locale of each call centre/Access to Work centre.

The third problem that was tabled at the meeting was the issue of registered language/communication support professionals being replaced by unregistered and unregulated Communication Support Workers as they are cheaper than BSL/English Interpreters, Electronic Notetakers, Guide/Communicators, Speech To Text Reporters and Palantypists. This will result in inferior interpretation and communication in the workplace which in turn will lead to health and safety risks, a lack of fully informed consent, failure to comply with human rights, equal opportunities and employment legislation.

As you are aware, communication is a two-way process. The use of appropriate professional registered language/communication support is not for the sole benefit of the deaf employee, but is also of benefit to the business/organisation as a whole as it allows the deaf person to be as productive as their hearing peers in the workplace. Using Communication Support Workers who are not qualified and regulated may well result in businesses/organisations facing, at the very minimum, complaints from their customers and/or service users but may also result in loss of business and being sued. The deaf employee may face complaints, grievance and disciplinary procedures as a result of the lack of appropriate professional registered language/communication support and ultimately both the employer and the deaf employee may have to go to employment tribunal over situations that result in unfair/constructive dismissal.

The changes we discussed at the meeting could result in deaf people in Scotland who are employed being put into a position where they will no longer be able to enjoy the freedom of full access to employment. They would no longer be able to represent themselves appropriately in interviews, training, meetings and in other workplace situations where communication is key. Their education, skills and talents

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<sup>1</sup> The term "deaf person" as used here refers to Deaf BSL users, Deafblind people and people who are Deafened (have an Acquired Profound Hearing Loss).

will be underutilised; in effect costing the UK in terms of the investment already made and in financial support required due to a loss in wages. There will also be a considerable burden to the benefits system as a result of lost employment opportunities.

The concerns raised within the Cross Party Group meeting were sufficient for us to communicate with this review and call for more specific evidence to highlight the issues. Subsequent to the meeting, we understand there will be focussed review, over the summer months that will look at these issues. We urge your Committee to support the specific review and we welcome the further opportunity to contribute to the review process.

Yours sincerely,

Janis McDonald – Director of the Scottish Council on Deafness, Secretariat of the Cross Party Group on Deafness

Jenny Marra MSP – Convenor of the Cross Party Group on Deafness