**What is the cap to ATW?**

ATW awards are now capped at one and a half times the national average salary, which changes each year.  This is currently [£42,042 per year](https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/bulletins/annualsurveyofhoursandearnings/2016provisionalresults#main-points).  The cap for 2016 to 2017 has been set at £42,100.

People who had an ATW award before 1 October 2015, and who haven’t changed their award since October 2015, will be capped in April 2018.

ATW expect Deaf people who have capped ATW awards to ask their employer to pay for communication support above the cap.

Deaf and disabled people, DeafATW and UKCoD are worried that the cap will act as a ‘glass ceiling’, making it more difficult for Deaf people to get and progress in customer facing, professional and more senior roles.

**The DeafATW survey and how will the answers will help:**

To find out more about the impact of the cap on Deaf people, DeafATW ran a survey from 7th to 22nd September 2017.

If you did the survey, or told other people about the survey, thank you.

Using the survey results, and some case studies, UKCoD has written to the Minister for Disabled People, Penny Mordaunt.

You can see the main survey results below, but not the case studies as they are confidential at the moment.

**Survey results:**

87 people who have been or will be capped did the survey.

* 58 people who will be capped in April 2018.
* 29 people have already been capped, either because they have just started ATW, because they have changed their job and so have a new award, etc.

The people who answered the survey:

* 31% of them work for charities and NGOs
* 31% local authorities
* 17% self-employed or employed by their own company
* 10% private companies, and
* 5% NHS.
* And people did other jobs e.g. in Higher education or the arts.

Most of the people answering the survey explained that their awards are above the cap because of the amount of face to face (and written) communication required by their job, often because they had professional, managerial or leadership roles.

**Answers from people who will be capped in April 2018:**

46% said they would not apply for promotions in the future because they were worried in a new job they wouldn’t have enough communication support with the cap.

20% said they had already had opportunities to apply for promotion, but had not applied because they were worried in a new job they wouldn’t have enough communication support with the cap.

44% said they would stay with their current employer for as long as possible, as they were worried about what a new employer would think about the cap.

59% of them had talked about the cap (starting in April 2018) with their employer.

* 57% of them said it had affected their relationship with their employer.
* 43% said it had affected their relationship with their line manager.
* 37% said their employer either was taking, or was thinking about taking, action to check whether they could still do their job properly.

**Answers from people who are already capped:**

Only 30% said their employer was paying some or all of the difference between the capped award ATW gave them, and the money they actually needed for their communication support.

63% worked on some days without the communication support they needed.

48% did not attend meetings or training that they should attend as part of their job.

44% asked a sign language interpreter to work on their own when two were needed for meetings, etc. Deaf people said that this made it difficult more to find interpreters to work with them, as interpreters couldn’t work on their own for such a long time because of risk of injury.

61% planned to stay in their current job for as long as possible because they were worried about the effect of the cap on a different job.

62% said it had affected their relationship with their employer.

34% could not now meet the needs of their role.

28% said their employer either was taking, or was thinking about taking, action to check whether they could still do their job properly.

38% said they had already had opportunities to apply for promotion, but had not applied because they were worried in a new job they wouldn’t have enough communication support with the cap.

60% said they would not apply for promotions in the future because they were worried in a new job they wouldn’t have enough communication support with the cap.

**Self Employed people:**

People who ran their own companies or were self-employed described the cap as a barrier to setting up and running businesses, and making them a success.

“*If my award is capped I will lose 225 hours a year. As a self-employed person, there is no employer to make up the difference in access costs that I need. Paying interpreting costs myself will mean that I earn insufficient income for the work to be viable. I cannot recoup my access costs from customers as my work will then be noncompetitively priced.*”

*“As someone who is self-employed, there is no employer to make up the shortfall of approximately £16,000 for my access costs. For me to make up the difference myself would mean that I don’t earn enough for the work to be viable.”*

**Does the Personal Budget help manage the cap?**

Three people who are already capped took part in the Personal Budget trial.  One of the three said it helped them manage with the cap, two said it didn't.

*“I liked having a personal budget, and it made working with the interpreters easier, as payments were smoother, however it made no difference to me being able to manage with the cap. The personal budget can't make four days interpreting cover me for five days.”*

**Will the cap to ATW awards become a glass ceiling for Deaf and disabled people who want to work?**

Many people who answered the survey said that as well as directly affecting them, the cap will affect the career aspirations of many more Deaf people, including those who aren’t currently at risk of the cap. One Deaf respondent said

“*I work with a number of D/deaf people and … when they ask 'Can I achieve my potential?' I want to be able to say yes. The ATW cap means I (and they) cannot.*”

Also, although the survey was for people who have been or will be capped, 32 people who have ATW awards below the cap also answered some relevant questions. They said that, even though they are not capped, and won’t be capped in April 2018:

37% of them planned to stay in their current job as they were worried about the effect of the cap if they applied for a different job; and

28% said they would not apply for promotions in the future because they were worried in a new job they wouldn’t have enough communication support with the cap.

16% said they had already had opportunities to apply for promotion, but had not applied because they were worried in a new job they wouldn’t have enough communication support with the cap.

This shows that even for Deaf people aren’t capped and who won’t be capped in their current job, fear of the effect of the cap is already causing people to rule out areas of work, most likely to be in professional, managerial and senior roles.

**What does the pattern of answers tell us?**

|  |  |  |  |
| --- | --- | --- | --- |
| **What is the impact on Deaf people thinking about and planning for work in the future?** | **Capped already** | **Capped in 2018** | **Not capped**  |
| I’ve turned down or not applied for promotion opportunities. | 38% | 20% | 16% |
| I won’t apply for promotion opportunities | 60% | 46% | 28% |
| I will stay in the same job as long as possible. | 61% | 40% | 37% |

The results of the survey are clear. Deaf people fear that having a capped award means they won't be able to do their job properly. The survey suggests that employers are concerned about this too. As a consequence Deaf people, whether capped already, capped in April 2018, or not capped in their current work, tell us that they are already avoiding applying for work in professional, managerial and senior roles that will be capped. Whatever the intent, the cap to ATW awards imposes a glass ceiling for Deaf and disabled people in their work.