**Feedback on the experiences of customers using Access to Work.**

The themes and examples below are identified from 115 responses the DeafATW survey[[1]](#footnote-1), and casework supporting Deaf ATW customers.

This is a summary of the top themes for: what ATW is getting right, and what still needs to be improved in customer service and policy.

The full survey responses, identifying a wider range of issues, are available on request, and DeafATW can contact respondents if you want more information or examples about specific feedback.

**What is working well?**

**1. We can now use email to communicate with ATW advisers.**

**2. We can now use SignVideo to contact the ATW call centre and advisers in BSL.**

This can be improved further by ensuring all customers clearly told they can use this service (some current customers complained of not being able to communicate with ATW in BSL), extending the service to cover all parts of ATW, especially the finance team, and extending the service to cover translation of written correspondence[[2]](#footnote-2).

1. **Flexibility**

Flexibility to use the award budget as needed is warmly welcomed (but not yet consistently applied). Personal budgets are an example of this flexible approach.

**Customer service issues that need improving:**

1. **Not getting things right.**
* Some decisions and some reconsiderations are flawed;
* Incorrect information given by advisers about ‘rules’ (see below);
* Poor record keeping leading to repeated requests for information that has been submitted;
* Failure to recognise when ATW does not get things right;
* Failure to respond to communication;
* Mistakes with payments/poor record keeping in relation to invoices and claims.

**See annex 4:** Email correspondence between an ATW customer and ATW adviser.

1. **Advisers applying inconsistent ‘rules’, and relying on citing ‘rules’ rather than an explanation of a decision.**

I have seen examples of illogical decision making, or decisions based on ‘rules’ that are not in fact rules, and the subsequent reconsideration decision not addressing the flaws in the original decision.

I have also seen examples where neither the decision nor the reconsideration decision are explained, but instead a set of principles is cited as having been applied, without explanation as to what evidence or information has been drawn on in applying those principles. The principles alone do not explain the basis for the decision.

**See annex 2**: Extract from reconsideration letter for an example of this and examples of inaccurate rules.

**Recommendation:** If one doesn’t exist, it would be useful to have a short simple myth-busting guide for ATW staff in order to dispel incorrectly held beliefs.

1. **Poor complaints handling.**

Whilst customers report that the complaints process (as explained on DeafATW) is clear, their almost universal reported experience (particularly at tier 1) is:

* Significant and continuous delays in responding;
* No formal acknowledgement of complaint or complaints investigation timescales;
* Responses are defensive, seeking to blame the customer, and show no evidence of learning;
* Direct questions relevant to the complaint are repeatedly ignored;
* Customers are often told that they should have known about rules that the customer couldn't have known about, or indeed that isn't a rule at all;
* Not acknowledging when ATW have got something wrong and not apologising;
* In reconsideration and complaints decision letters not signposting to the next level of the complaints process.

The impact of this is that the complaints process requires a lot of customer time and effort, and it can increase customer confusion (through mixed messages). It is also a lost opportunity for ATW to learn from customer feedback and complaints, and to use this for continuous improvement and staff training.

**Recommendation:** make effective complaints handling a key staff objective, train staff on complaints handling, make complaints a source of information for learning and continuous improvement. Refer to the Ombudsman’s principles for good administration and principles for good complaints handling.

**Policy issues of concern to customers:**

1. **The cap on awards.**

The policy intent behind the scheme as a whole is to remove the financial burden on employers of providing access for high cost disabilities. The cap acts in direct contravention of this policy objective.

**See annex 3** for an excerpt from a letter withdrawing an offer of employment after the employer is told about the cap and quotes from respondents.

Customers report feeling a burden on employers who already have significant financial pressures (e.g. Local Authorities), have days without communication support where they are not able to work effectively, and are less likely to apply for promotion if it would require more communication support.

For self-employed customers, where there is no ‘employer’ to make up the difference between the cap and their access needs, they report scaling back business plans, subsidising their own access by reducing the income they take, and are concerned that the additional costs will leave them uncompetitive against businesses that don’t have these access costs.

1. **Minimum turnover required for people who are self-employed.**

ATW customers fed back that the Lower Earnings Level (LEL) requirement is a barrier to employment in an increasingly mixed economy.

* Some report that part time self-employment alongside part time paid employment means that their turnover is too low;
* BSL tutors require ATW interpreter support for their first day, and for meetings / events outside the classroom, but don’t teach enough hours to meet the LEL;
* Severely disabled customers or those with fluctuating conditions are unable to earn enough to meet the LEL.

**Reflections:**

1. What are ATW’s organisational values, and what culture does it want its staff to have? How can this culture be achieved? Not just their formal objectives, though they are important, but in training, supervision, and role modelling?
2. For approximately 18 months I have received far fewer requests for support with problems and complaints. During December 2016 and January 2017 there appears to have been an increase in requests for help where advisers have made inconsistent decisions and misquoted rules. This was also reflected in the survey feedback I received. Could this be indicative of a problem in the team that works with Deaf customers?

**Annex 1: Survey questions**

1. What is working well with ATW at the moment?  What has improved with ATW?
2. What problems do you have with ATW at the moment?
3. If you could improve one thing with ATW, so that it supported you to work better, what would you change?

**Annex 2: Extract from reconsideration letter (anonymised[[3]](#footnote-3))**

“*Thank you for asking us to look again at the funding decision … The original adviser rejected your request stating that it would be a reasonable adjustment for* [your employer] *to* [provide you with interpreters]*, and has supported this decision with the following guidance:*

*Principles of Access to Work*

* *Above and beyond a reasonable adjustment: …*
* *Meeting minimum needs: …*
* *Value for money: …*

*As the adviser has supported his decision with current Access to Work guidance and I have no further information stating that your employer will not provide this support to you by alternative means I have no justification to make any changes.*

*Therefore … I am unable to overturn the original decision.”*

(NB: No signposting to tier 2 of the complaints process.)

**Examples of inaccurate ‘rules’ where a myth-busting guide may be of use**:

* Arbitrary limitations on daily, weekly or monthly use of support hours which severely limits flexibility;
* Not being allowed to book two interpreters for longer meetings;
* Not being able to use interpreters for job related training;
* Not being able to use interpreters for training that is not aimed at the core role (developmental training);
* Interpreters who have experienced payment issues are not allowed to speak to ATW about their invoices to resolve the problem.

**Annex 3: feedback about the cap.**

*“The decision by ATW to reduce my support, without rationale and without discussing it with me, and the decision then to refuse to put this right, has changed my relationship with my employer and manager for the worst, increased my sense of being a burden on my employer, causes me on-going stress, and means that I am less able to effectively support the children I work with, though I would be completely capable of doing so with the right support.*”

“*It’s very clear the cap is not going to work to support me in being self-employed and running my business. … If my business is to carry the cost of my access needs, then my business becomes non-competitive with the business of hearing people who don’t have to cover those costs.*”

“*… I already have to* [use] *money that I should be earning to support my family to pay for some of my access. This increases the earning gap between myself and non-disabled peers. It also won’t be sustainable once the cap starts, as I’d have to pay myself nothing.”*

(Letter from potential employer to Deaf person) *“… we were advised that the maximum financial assistance that we would receive as an employer, and … this figure may be lower. … the clear funding shortfall in terms of meeting the cost of a full time interpreter, means that, with much regret, we have no alternative but to withdraw our offer of employment to you on this occasion.”*

**Annex 4: Examples of communication (anonymised[[4]](#footnote-4)), excerpts from email correspondence between an ATW customer and ATW adviser:**

ATW adviser’s email:

“*I have spoke (sic) to your employer today … She has mentioned she would like a work place assessment conducting for yourself right away. I have informed her Access to Work do not operate like this. You have to be in a job and notice there are issues, rather than be pre-empting issues …”*

From the customer to the ATW adviser:

*“I have received a letter from my employer discussing the adjustments that they are going to need to make, and querying the point at which ATW will start to provide support. They are concerned on the grounds of health and safety that ATW may not agree to provide support prior to the workplace assessment.*

*Your email to me … also seems to imply that I cannot request any support before I have started the job … Therefore I would like to discuss with you what support I will need so that an interim award can be put in place for the first six to eight weeks whilst awaiting both a work place assessment and recommendations, and a clearer sense of the level of support I’m going to need for the longer term.”*

The ATW adviser’s response:

“… *Before I can discuss your application further, please contact* [prospective employer].”

From the customer to the ATW adviser:

“*… I need a response from you re the two questions I have asked, before I talk to [the prospective employer] again.*”

The ATW adviser’s email to the prospective employer:

“*However If* (sic) *you would like to request a work place assessment, then once* [customer] *has started this job I can refer her details, but any costs for the suitable recommendations would then have to be dedecuted* (sic) *from the cap maximum of £41,400. Which would result in a lower budget for her BSL support.*”

From the customer to the ATW adviser:

“*Thanks for your reply, but I'm still not clear about what you have recommended, or the answer to my questions. Please answer yes or no to my questions so I can be clear … Do you mean that you aren't recommending a work place assessment, and that it our choice if we want to request one?”*

The ATW adviser’s response:

*“Anyone can have a work place assessment if they are disabled as we are here to assist them … I have emailed your employer earlier to state that we can conduct an assessment within the next fortnight dependent on your availability, and await the outcome of this, before considering the next steps. I am awaiting a response from them.*”

NB. This lack of clarity is not unusual with communication seen by DeafATW between some advisers and their customers, and places an additional burden on BSL users, who may have written English as a second language.

1. DeafATW survey questions in Annex 1 [↑](#footnote-ref-1)
2. Can be done easily and without policy change or contract amendment, by inviting ATW customers to call the adviser through SignVideo; the adviser then reads out the written communication, which the SignVideo interpreter interprets. [↑](#footnote-ref-2)
3. DeafATW can contact the customer if further and/or non-anonymised details would be useful. [↑](#footnote-ref-3)
4. DeafATW can contact the customer if further and/or non-anonymised details would be useful. [↑](#footnote-ref-4)