

Review of “The Long and Winding Road: A Roadmap to British Sign Language & Linguistic Access in Scotland”: Five years on.

---

CONTENT	PAGE NUMBER
Summary	4
Introduction to the review	29
Definitions of deafness	29
Background to the review	31
BSLLA Working Group Consortium	33
Linguistic Access	35
Legislative Context	37
Scottish Government Strategic Objectives	40
Wealthier and Fairer	42
Employment	42
Post –school transitions	45
Online interpreting	47
Teaching BSL	47
Smarter	50
GIRFEC	50
Curriculum for Excellence	50
Communication in families	51
Scottish Asian families	52
Communication support in schools	52
Attainment of deaf learners	53
Teachers of the deaf	54
Mainstream and special schools	55
Curriculum materials in BSL	55
Transitions to adult life	56

Healthier	58
Mental Health Services	60
The Patient Rights (Scotland) Act 2011	61
Re-ablement and rehabilitation	62
Safer and Stronger	63
Access to Independent Advocacy	65
Greener	66
Third sector and mainstream support	68
See Hear Strategy	68
Economic mapping and preventative spend	70
Similarities to See Hear recommendations	71
Areas of Roadmap still to be addressed	74
Recommendations from the review	76
APPENDICES	
1. Original members of the BSLLAWG	79
2. Consortium Bid	80
3. E&A Project Statement of Intent	82
4. Human Rights Act 1998	87
5. UNCR of People with Disabilities	88
6. UNCR of the Child	91
7. Equality Act 2010 – Special duties	94
8. Scottish Government’s Objectives	98
9. Public Bodies(Joint Working)(Scotland) Act 2014	100
10. Early Day Motion 1167	102
11. BSL (Scotland) Bill as introduced	103
12. Professional Development Award in	109

## BSL

13. GIRFEC	111
14. NATED Tutor job description	115
15. NDCS' Statement of Intent	117
16. Petition PE808	119
17. SPSO: NHS Tayside ruling	121
18. Justice Disability Steering Group	122
19. Hate Crime	124
20. National Standards of Community Engagement	126
21. Scottish Government spend on deaf organisations	128
22. Deaf projects supported by the Scottish Government	130
23. Report on the MA BSL Programme 2013/14	133
For more information	136

## Summary

“**The Long and Winding Road - A Roadmap to British Sign Language & Linguistic Access in Scotland**” was published by the Scottish Government in 2009. The Roadmap was a collaboration between members of the **BSL and Linguistic Access Working Group** (BSLLAWG) and written by the Project Manager, funded by the Scottish Government Equality Unit. Members of the BSLLAWG included representatives of many deaf organisations, including those working solely in Scotland and UK-wide, and Scottish Government officials.

The Roadmap was developed to give the Scottish Government **information** so that it could make **informed judgements** about **linguistic access** in a **policy context**. It was written to be a resource for **central and local government** as well as other public bodies. The purpose was to **highlight the barriers** faced by Deaf and Deafblind people whose first language is British Sign Language (BSL) on a daily basis when trying to be active citizens in Scotland, and to suggest possible solutions to these barriers. The Roadmap also includes some of the barriers (and possible solutions) faced by people with an acquired hearing loss who have a spoken language as their first language and their need to access communication support in order to fully participate in Scottish society. The Roadmap does not, in the main, look at the needs of deaf people with additional physical disabilities, learning disabilities or learning difficulties.

From 2000 until 2011 the Scottish Government convened and chaired the BSLLAWG. Since 2011, the group has been convened and chaired by the Scottish Council on Deafness (SCoD).

The group facilitates discussion of the issues at the heart of linguistic access for Deaf, Deafblind, Deafened and Hard of Hearing people with members of the Scottish Government.

In 2007, the **Scottish Government** set out **its purpose** –

“to focus the Scottish Government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth”

And its five **Strategic Objectives** –

“Wealthier and Fairer; Healthier; Safer and Stronger; Smarter; and Greener.”

There were six specific national outcomes related to equality work and the Roadmap was written to help government better understand how to achieve these outcomes.

The Roadmap groups issues under the Scottish Government's strategic objectives, to deliver the national outcomes, which relate to the responsibilities of the then individual Directorates.

Since 2009, many of the desired outcomes in the roadmap have been achieved, if not in their entirety, then at least in part.

## Wealthier and Fairer

**Government Aim: to enable businesses and people to increase their wealth and more people to share fairly in that wealth**

### Recognition of BSL

The Roadmap outcomes for Wealthier and Fairer included **recognition of British Sign Language** by the Scottish Government in a similar way to that of Scots and Gaelic. The UK Government recognised the importance of BSL being recognised as a language in its own right in **2003**. Shona Robison, Minister for Public Health, formally recognised **BSL as a Scottish language** at the SASLI Building Bridges Project event in **2011**. Mark Griffin MSP lodged the British Sign Language (Scotland) Bill as a Private Member's Bill in the Scottish Parliament on the 29th October 2014. It is now under scrutiny by the Education and Culture Committee and is progressing through stage 1 of the parliamentary process. This bill's progression was started in **2010** by the former MSP Cathie Craigie.

### Employment Data

In 2009 when the Roadmap was written, there was a **lack of national data** on the **employment status** of deaf people in the UK. The BSL and LA Working Group agreed to raise this as an issue. The 2011 Census and Scottish Household Surveys are moving towards collecting more meaningful data on Deaf and Deafblind people and employment but there is still a way to go.

### Deaf awareness in mainstream employment

Due to the very nature of deafness, there will be situations where providing training to a workforce in deaf awareness and linguistic access will benefit both deaf people who are in the workforce and deaf people who use the goods and services that these workplaces provide. There are few workplaces that cannot employ people who have a hearing loss in some capacity, but too many continue to think that it is health and safety practices that restrict the roles that deaf people can play, rather than is with other employees, the ability to actually do the job.

It is recognised that there is a need for increased levels of training in deaf awareness and linguistic access in most employment situations, for staff who provide goods, services and information directly to deaf people; but also for those who will have deaf colleagues, and those who are involved in strategic planning for the organisation/business.

At the University of Stirling in **2013**, all **student psychiatric nurses** received deaf awareness training as part of their course. While it is hoped that this will enhance their professionalism when they have the opportunity to support and tend to the needs of deaf people in psychiatric settings in Scotland, it should also enable these professionals to support **deaf colleagues** in the workplace.

In **2009**, **NHS Education for Scotland (NES)** commissioned a Deaf Awareness training pack and course, to be co-delivered by an approved Deaf trainer and a member of NHS staff.

**NHS 24** provide an **e-learning deaf awareness course** for all their staff, call centre staff as well as HR and senior management so that deaf and hearing colleagues can enjoy the same levels of support as well as those who use the services provided.

**Deaf Action** and **Fife Society for the Blind** have developed a training pack and are co-delivering **“Just Ask” joint sensory awareness** training to a range of employers and service providers. It is hoped that this training will help to ensure that Deaf people have greater access to employment opportunities than previously.

**Action on Hearing Loss (AoHL)** has received funding from the Department for Business, Innovation and Skills (BIS) for the **“Managing hearing loss when seeking or in employment”** project. As part of the project, AoHL is conducting a survey and it is open to all people with a hearing loss, including Deaf and Deafblind BSL users, including those who live in Scotland.

### **Growing the numbers of appropriate professional registered language/communication support personnel available**

Employers and employment services cannot access **appropriate professional registered language/communication support** when required. The BSL and LA Working Group was keen to support the training of more registered language/communication support professionals. **Heriot-Watt University** now offers **a four year undergraduate degree** in British Sign Language (Interpreting, Translating and Applied Language Studies). Students are trained to work as **BSL/English Interpreters and Translators**, and to use BSL proficiently in related professional areas. The first group of fully qualified interpreters will graduate in 2016; and will be able to register with Scottish Association of Sign Language Interpreters (**SASLI**), and become full members of the National Registers of Communications Professionals working with Deaf and Deafblind People (**NRCPD**). The course has been made possible by an initial investment from the Scottish Funding Council, which has been confirmed as indefinite.

SASLI and partners ran **an apprenticeship scheme** to encourage more people to become interpreters, funded by the Scottish Government. This was not sustainable due to the high cost. SASLI continues to provide CPD and support for its registered members as well as acting as the bridge between Deaf and Deafblind BSL users and the BSL/English Interpreters who provide linguistic access.

## Post-school transitions

There is a significant attainment gap for deaf young people in Scotland today. The National Deaf Children's Society (**NDCS**) recently published their report on promoting positive post-school transitions for deaf young people in Scotland – **Close the Gap**. This illustrates that young deaf people are more likely to leave school with no qualifications and have more difficulty in accessing Higher Education and employment than their peers. These findings are based on research commissioned by NDCS from the University of Edinburgh. This study explored the experiences of young deaf people over the age of 16 years through their transition from school to training, further education and employment.

The "Close the Gap Report" shows that

- Almost 10% of deaf young people leave school with no qualifications
- Only a third of deaf young people qualifying for Higher Education
- Only a quarter of deaf young people entering Higher Education
- A quarter of school leavers moving into employment but only one sixth of deaf young people doing the same.

In **2012**, **NDCS** commissioned the **University of Edinburgh** to undertake a study of experiences of young deaf people over the age of 16 years through their transition from school to training, further education and employment.

There is a strong association for all young people between socio-economic background and educational outcomes. Young people who are Deaf or Hard of Hearing and from **socially advantaged homes** tend to do well in school and progress to **higher education**. These young people have high rates of employment after graduation, similar to those of non-disabled graduates. Young people from **less socially advantaged** backgrounds tend to move **into vocational education and training** where they have **less access to individualised support** and have poorer employment prospects.

**Action on Hearing Loss** is working in partnership with five other charities to support young people who have a disability into employment. The **Open Doors Scotland** project will support 350 young people aged between 16 and 24 years, who have a disability to get into the labour market and remain there. The project is being funded by Skills Development Scotland. This will give deaf young people a further avenue to join the labour market with appropriate support. The project can provide up to £1,500 to employers who are recruiting a deaf young person to work at least 15 hours per week.

Action on Hearing Loss also provides a transitions service – **On the Move**, funded by The Big Lottery Fund, which supports deaf young people aged between 16 and 25 years in central Scotland to find work experience and move in to full-time employment, training or education.



Donaldson's School also has a transitions project that works with young deaf adults aged between 16 - 24 years – '**More Choices, More Chances**'. It began in 2007 and it means that their students have the best possible start in their post-school life. The project works in partnership with other agencies to support the young people into employment and training.

### **Online Interpreting**

There are a number of organisations providing online interpreting in Scotland. These include partnership arrangements with both third sector and private sector organisations/companies. Many public bodies are accessing online interpreting services so that Deaf and Deafblind people can have access to more accessible services, especially at times or in places where it is more difficult to access face-to-face interpreting services. Some online interpreting services are also providing an online note taking facility for those who require this service.

In December 2014, the Heriot –Watt University Languages & Intercultural Studies Department in collaboration with the European Union of the Deaf and the European Forum of Sign Language Interpreters completed a project – **InSign**- that put forward recommendations on good practice for video remote interpreting.

### **Teaching BSL as a career**

In **2009**, when the Roadmap was published, there were 154 known **BSL tutors** in Scotland teaching BSL from Level 1 to Level 4 in 47 different centres.

Four agencies in Scotland were offering courses at Levels 3 and 4. Other BSL classes were known to be happening on a more informal basis as there were BSL tutors who were not registered with any organisation.

In **2007**, Heriot-Watt University ran a **Graduate Diploma in the Teaching of BSL Tutors**, the highest level course in the UK (SCQF level 10), with eight students achieving Graduate Diploma level outcomes and two achieving Graduate Certificate level outcomes. The initiative was funded by the Scottish Government through SASLI. With further government investment, a second group of students of a similar size graduated from the university.

This training of trainers course was designed as stage one of a cascade model and would have provided a career pathway for tutors if further government funding had been made available.

### **BSL Tutors in schools**

In Scotland, there are a number of **part-time BSL tutors** who work in schools but these tutors are **not qualified as school teachers**. At the present time, there has been little capacity-building in the Deaf Community to enable more people to become fully-qualified teachers as well as BSL tutors. Initial discussions have taken place about introducing **BSL as a "1+2" language** for children in the same way that

English, Gaelic and community languages (modern languages) are taught which would go a long way to making BSL accessible to more people and increasing the opportunities for linguistic access for Deaf and Deafblind people and the opportunities for more **first language BSL users to become tutors and teachers**. Teaching BSL to all children would also mean that should that deaf children would have equality of access to their entire peer group.

This level of **bilingual teaching** would need a financial commitment from the government to ensure that there is a year on year **increase in the numbers of BSL tutors** who increase their own skills base to become teachers as well. Any initial investment should be focussed on deaf children and their acquisition of language and teaching bilingually, before the introduction of bilingual teaching for all children.

### **BSL qualifications**

The **ladder of BSL qualifications** needs to be built up to make progression easier. This was something that the Roadmap suggested be looked at.

**SQA accreditation** is the nationally-recognised route for most initial and further education in Scotland. An increasing number of approved SQA centres are delivering BSL and related topics as part of programmes of Community Based Adult Learning and vocational training.

In anticipation of the BSL Bill, SQA has undertaken **a review of its awards** -BSL Intermediate 1, Intermediate 2 and Higher. These units have been revised and there are a number of Approved Support Packs to accompany the courses as well as an introduction to BSL, Deaf Awareness and Lip Reading Skills.

The **Graduate Diploma in Teaching BSL Tutors** course run by Heriot-Watt University in **2008** and **2011** has produced 20 Deaf trainers to train BSL tutors across the whole of Scotland. An organisation has been created to represent British Sign Language (BSL) teachers in Scotland and to support the existing graduates to contribute to advanced BSL tuition and to the training of other tutors most effectively - the **Scottish Teaching Council of BSL (STCBSL)**, which held its first conference at the end of April **2013**. The council is for tutors in Scotland. A key aim of the council is to establish agreed standards for language teaching and set up on-going training and continuing professional development (CPD) events.

### **Smarter**

**Government Aim: Expand opportunities for Scots to succeed from nurture through to lifelong learning ensuring higher and more widely shared achievements.**

### **Getting It Right For Every Child (GIRFEC)**

The Getting it right for every child approach is about how practitioners across all services for children and adults meet the needs of children and young people, working together where necessary to ensure they reach their full potential.

GIRFEC and the **Early Years Framework** apply to all children in Scotland including deaf children and young people and take a more person-centred, rights-based approach to the education of Scottish children. This should mean that deaf children and young people are given the support they need so that they find their own “fit” in both the hearing world and the Deaf Community simultaneously.

### **Curriculum for Excellence and bilingualism in BSL**

The Languages Working Group in the Education Scotland Curriculum Unit considered the rationale for promoting specific languages but decided not to set a hierarchy of languages to be learned by pupils in Scotland. The languages that are offered in schools are a matter for schools and local authorities to decide, taking account of the local context. However, **Local Authority language strategies** should acknowledge that for **some children their first or main language is BSL**. The opportunity exists for local authorities and schools to introduce BSL as a taught part of the curriculum. This is especially true as schools become aware of the new expectation around teaching an additional language from Primary 1 and another from Primary 5 and pupils continuing learning languages throughout their broad general education that is up to Secondary 3 at least.

**Schools** will need to decide which languages to offer that best suit the needs of their pupils and the wider community including minority communities such as the Deaf Community, as well as looking to issues of continuity and transition through primary and into secondary education. **Heriot-Watt University’s Department of Languages and Intercultural Studies** has written to the **Minister for Learning, Science and Scotland’s Languages** and to **SCILT**, Scotland’s National Centre for Languages, based at the University of Strathclyde, on the integration of BSL into the 1+2 approach to language learning.

**Deaf adults view education as the most significant influence** on their achievements and wellbeing in later life and they hold very strong views on the nature of education for deaf children. **Deaf children** are, however, much more likely to have **hearing parents (90%)** and they have a range of views about the education of their children.

### **Communication in families with a deaf child**

In **2009**, a researcher, on behalf of the **Scottish Sensory Centre (SSC)** and in conjunction with **NDCS**, undertook a **mapping exercise on linguistic access and education for deaf pupils and students in Scotland**. It looked at the linguistic access arrangements for deaf children from diagnosis and in school and for deaf students in further and higher education. The report also looked at data collection

across the education system for deaf children and young people, including that of Language Service Professionals (LSPs) working in education, and the level of BSL that associated professionals had gained; and produced a number of recommendations to improve the linguistic access for all deaf learners across all aspects of education.

If a family wishes to develop a knowledge and understanding of BSL, there is **no national system which can deliver BSL tuition suitable for families**. However, NDCS has produced a family curriculum and the BDA is in the process of developing one. These could form the basis of relevant tuition to families and if delivered by **Deaf adults** could also provide useful **role models** and sources of positive information on what it means to be Deaf. **Family friendly material in BSL** for has been developed mostly by deaf organisations in the Third Sector.

NDCS continues to deliver its **national family support service** as well as its **Your Child Your Choices project** which support families with deaf children from birth to age 8. This project has supported over 100 families and delivers regular training courses for parents in 'Family sign language', 'Communication is fun' and 'Parenting a deaf child'.

### **Scottish Asian families with deaf children**

NDCS delivers support through its **Black Minority Ethnic Family Support Volunteer Network**, a group of parents of deaf children, trained by NDCS to provide informal emotional and communication support to **families who do not have English as their first language**. They work closely with statutory services to enable them to engage more effectively with these families. The **Ishara Project** hosted by Deaf Connections provides support for **Deaf adults** from the **BAEM communities in the west of Scotland**

### **Communication support in schools**

According to **NDCS' Close the Gap** report, there is variation in the consistency and quality of support that deaf young people receive in schools across Scotland.

The "Count Us In" report is a valuable resource and the uptake of this is positive among education practitioners. However, NDCS recommends that this resource is updated, and its content extended to include support for deaf children and young people from their early years through to further education. In **2010, Education Scotland** published the **Journey to Excellence**.

Discussions about **linguistic access and language/communication support professional and workers** in schools included a broad spectrum of posts including Electronic Notetakers and Lip Speakers and those working exclusively in educational settings, such as Communication Support Workers and classroom assistants. These titles are applied to very different roles and it is often difficult to compare like with like. It has been suggested that part of the **role of the teacher of deaf children** is to co-ordinate these various roles to provide the optimum linguistic access for their

pupils. There is some evidence that that level of BSL amongst teachers is not high. The consequence of this is that other professionals will require a higher level of BSL, if as a team, they want to be able to work successfully with deaf children who are in the process of acquiring a fluency in BSL.

### **Attainment of deaf learners**

As a group, the academic attainment of deaf children continues to trail behind their hearing peers. According to **Scottish Government data in 2011/12**, in comparison to school leavers with no additional support needs, deaf school leavers who received support for learning:

- were more likely to leave school with no qualifications (9.8% vs. 0.9%)
- were more likely to leave school with Standard Grades at 3-4 (16.2% vs. 10.8%)
- were less likely to qualify for entry into higher education (36.3% had Highers and Advanced Highers, as opposed to 61.1% of school leavers who did not have additional support needs).

NDCS has asked the Scottish Government and Education Scotland <http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/85486.aspx> to commit to a national review into education provision for deaf learners, including Deaf children and young people; to establish a set of recommendations to make progress in improving outcomes for this group. NDCS is committed to offering its expertise to support the facilitation of such a review, drawing together the contributions of skilled stakeholders from across the sector.

In **2010**, the University of Edinburgh, with funding from the Nuffield Foundation, carried out a piece of research that examined **the achievements of deaf pupils** in the UK, focusing on Scotland in order to make use of **a longitudinal database** which has detailed information about every deaf pupil from 2000 – 2005. This database is part of the legacy from the Mary Brennan study of **the Achievements of Deaf Pupils in Scotland**. The 2010 project looked at factors leading to success for deaf pupils, patterns of early support for deaf pupils in education which lead to success in later years, and how the academic, social, and vocational outcomes for deaf children compare to the wider population of children / school leavers.

### **Teachers of the Deaf**

In **2013**, the **Consortium for Research in Deaf Education** (CRIDE) carried out a **national survey** that suggests that there has been a **15% decline in the numbers of Teachers of the Deaf** over the past two years. In addition, the survey raised concerns about the status and recognition given to professionals working with deaf pupils. According to statutory guidance, teachers working wholly or mainly with deaf children should obtain a mandatory qualification within five years of working within this role. However, CRIDE data suggests that the number of Teachers of the Deaf who are fully qualified in Scotland has declined by 23% in the past two years. More

investigation is required to fully understand these figures within their local contexts. Any reduction in numbers or qualifications held by professionals raises serious concerns about how education services are supported to deliver effective services for deaf children. It is also important to note that within the context of mainstreaming deaf learners the decline in numbers of Teachers of the Deaf may also reflect increases in other support staff to meet additional needs such as Communication Support Workers, but there is little data in this regard as CRIDE does not ask what number of Teachers of the Deaf or support staff have BSL level 3 or above.

At the **Cross Party Group on Deafness** meeting held in the Scottish Parliament in June **2013**, two representatives from the British Association of Teachers of the Deaf (**BATOD**) presented a paper about their concerns about the qualification routes that the Teacher of the Deaf had to take.

There is the legal requirement for teachers who teach deaf children have the appropriate qualification. However their data has shown that there is **a number of teachers still teaching deaf children for more than five years with no appropriate qualification**. The data also shows that only one teacher had gone through and completed the competency route at Moray House School of Education and that there is no one keeping the record of teachers and checking on their qualifications.

BATOD suggested three action points:

- a) A register of Teachers of the Deaf should be set up by GTCS;
- b) A review of qualification routes; and
- c) Teachers working with deaf children should be included in school inspections.

### **Mainstream education and special schools**

Most deaf children are placed in **mainstream education** (estimates vary **between 80 and 97%**). Some members of the BSL& Linguistic Access Working Group felt that the roadmap should emphasise how important it is to have deaf schools and should make clear that **mainstream education does not work for all**. The Scottish Government currently funds **Donaldson's School**, following a decision made in 2003 to continue the funding stream to a small number of independent schools.

In **2012**, the Scottish Government commissioned the Doran Review (see page 59 of the full report), which sets the strategic vision for education provision for children and young people with additional and complex needs in Scotland. The Review outlined 21 recommendations which were all fully or partly accepted by the Scottish Government. Some key recommendations were made about the introduction of strategic commissioning which will change current funding models and ways of

working. Work streams have been set up to prepare for the introduction of strategic commissioning and support current grant-aided institutions in preparing for strategic commissioning.

The government's strategy **Curriculum for Excellence** should actively support all children.

### **Curriculum materials in BSL**

There is scant material available in BSL for any educational level, from nursery to higher education. Various projects have been funded to produce specific material; for example, **200 technical signs for scientific terms** were produced on DVD by the Scottish Sensory Centre (SSC) during **2007**. The SSC, working in partnership with Heriot-Watt University, **now has over 1,000 technical terms and definitions in BSL for science subjects**. The SSC raised the funding to produce this resource; it was not provided from the education budget. The SSC has not been able to persuade the SQA to produce exams centrally in BSL because so few candidates ask for signed papers each year.

The SSC would like to see more of the science syllabus covered as well as other curriculum areas so that Teachers of Deaf children are able to explain the necessary concepts in BSL. This should lead to higher achievement amongst BSL users in schools and colleges and encourage services for deaf children to consider the advantages of employing more bilingual and Deaf staff.

The impact could be a lifelong one as the deaf education system would be successful in producing bilingual students, ready for further and higher education where they would not need as many academic texts translated.

### **Transitions to adult life**

Many Deaf adults believe the transition from school to work or to college was the most significant time in their life that greatly influenced everything that followed. While there are **support structures** in place for young people moving **from school to tertiary education or into work**, there are **gaps**. There is, for example no funding to access communication support if a pupil goes on a work placement or enters voluntary work, so deaf pupils are often denied the opportunity to learn about work and to demonstrate their practical potential for employment. **Access to Work** only applies to people who are in paid and contracted work, **not volunteering or work placements**.

Opportunities and risks for deaf students have been presented by the recent shift towards regionalised colleges in Scotland. The Association of Deaf Education Professionals & Trainees - **Adept** (formerly NATED- National Association for Tertiary Education for Deaf people) suggests that previously, it was unrealistic for all colleges to employ a qualified member of staff with a dedicated remit to manage support for deaf students. Now, they suggest that each regional college identifies such a person

to fulfil that role in their institution. Adept has drafted a job description which acknowledges the diverse skills required to inform the sector.

NDCS has launched a **Statement of Intent (Appendix 15)** which is a vehicle through which local authorities, with the support of NDCS, can pursue a pragmatic approach to supporting deaf young people locally. The three principles of promoting positive post-school transitions below are intended to support deaf young people to become successful learners and effective contributors in their local communities.

- 1) Promote positive emotional health and wellbeing and peer support among deaf young people
- 2) Facilitate effective transitional planning for deaf young people
- 3) Promote effective local multi-agency working to facilitate smooth and positive transitions

## Healthier

**Government Aim: Help people to sustain and improve their health, especially in disadvantaged communities, ensuring better, local and faster access to health care**

Despite a number of initiatives over the years, there is still a lack of **identification of language and/or communication preference** on health records. The NHS National Services Scotland Information Services Division did a piece of work with deaf organisations and deaf people themselves on what information should be included in the Emergency Care Summary for each patient. Not all health boards have adopted the recommendations. Part of this was to ensure that IT programmes to support the establishment of electronic patient records were able to record communication preferences across all health sectors. Another part of this work was to look at the GP Read Codes so that these were “fit for purpose”. The **Joint Sensory Impairment Strategy** will further develop this work.

An example of good practice that should be shared is the **NHS Greater Glasgow and Clyde** Spoken Language, British Sign Language and Communication Support; Interpreting Policy. Several deaf organisations have worked with NHS GGC to ensure this is a comprehensive and robust policy.

**NHS Health Scotland** had a working group – the **TICS JAG** – the Translating, Interpreting and Communication Support Joint Action Group – which wrote and supported **2010/2011 Programme Delivery Plan for TICS in NHS Scotland**. This plan included signage, accessible appointments, communication support in its widest sense, interpreting procurement (including BSL and Deafblind Manual), use of technology, and stakeholder engagement. The group also proposed and organised an Interpreting Conference in November 2011. Part of the way forward for this plan was to improve the information available on the **NHS Inform** website.



**NHS 24** has put an online interpreting pilot in place to ensure that Deaf and Deafblind BSL users can access their out-of-hours services. It is proposed that some form of “Webchat” is also put in place to ensure all people with a hearing loss can access the services without having a textphone. The NHS 24 **online interpreting service** is being used by several NHS Health Boards to provide language support for patients in a number of settings – Accident and Emergency, GP appointments, out-of-hours face-to-face services, outpatient appointments, and other areas where it is difficult to access BSL/English Interpreters in the short term. Three NHS 24 staff have been seconded as full-time students to Heriot-Watt University’s BSL/English Interpreting degree course.

**Deafblind Scotland** has a project that is working in partnership with NHS 24 to ensure that services are accessible to Deafblind people.

The Scottish National **Blood Transfusion** Service is looking at online interpreting services for their main centres so that Deaf people have the same options as their hearing peers as to whether or not they donate blood.

The Scottish **Breast Screening** Programme – which underwent a 10 year review in 2012 – is also looking at online interpreting in its hospital and clinic based services so that Deaf and Deafblind women and men have a better screening experience. It will not help Deaf and Deafblind women who live in more rural and remote areas and need to be screened in mobile units, but hopefully in time, these too will have access to online services.

The Scottish Ambulance Service is looking at an SMS service (mobile phones) for booking the **Patient Transport Service**. At a stakeholder engagement session especially for deaf people, this was identified as the easiest and most widespread way of making sure that deaf people can access this service for themselves if eligible or for other family members.

The BDA has **Deaf Health Challenge Project** that is working in conjunction with health providers and professionals to ensure Deaf people have equal and direct access to all forms of health care and health promotion across the whole of Scotland. A report on this work - Health Services Provision to BSL Users in Scotland – has been published.

## **Mental Health Services**

Since the Roadmap was written, the Scottish Government has set up the **Scottish Mental Health Service for Deaf People**, hosted by NHS Lothian and based in St John’s Hospital in Livingston.

The service, which opened in **2011**, is committed to providing **specialist support in Scotland for deaf people** with mental health problems across Scotland. They provide a high quality service for people who are deaf and are suffering from mental ill-health. In the main, they are a consultancy and liaison service.

In **2009**, a pilot project to give **Mental Health Officers** deaf awareness training was carried out by a deaf organisations partnership. This was a one-off that has not been repeated due to lack of funding.

There continues to be a lack of information about the Mental Health (Care and Treatment) (Scotland) Act 2003 in BSL. The Scottish Government's Communications Working Group that was set up in **2004** to produce the "purple booklets" had the production of all the booklets in BSL on its agenda until the group was disbanded, but as yet, apart from the CD produced by the **Mental Welfare Commission for Scotland**, there has been little information produced in BSL. With the publication of the **Principles of Inclusive Communication** - and the completion of the review of the Mental Health Act, this situation may change.

**NHS Inform** is the new national online **health information** service. This service has brought together many pieces of health information in BSL.

**Breathing Space** is a free, confidential phone and web based service for people in Scotland experiencing low mood, depression or anxiety. The service provides a safe and supportive space by listening, offering advice and information. There is a BSL service available two evenings per week.

### **Access to Independent Advocacy**

The Scottish Independent Advocacy Alliance (SIAA) has been a member of the SCoD Mental Health and Deaf People Task Group for a number of years and is fully aware of the issues.

SCoD and the SIAA are in talks re partnership working to ensure advocacy organisations are deaf aware and deaf organisations understand what independent advocacy is. Advocacy money has been made available to Deaf Links and BDA Scotland to provide advocacy for deaf people Dundee, the Highlands and the South of Scotland. Some independent advocacy organisations in Scotland are providing advocacy for deaf people.

### **General Health Services**

**The Patient Rights (Scotland) Act 2011** was passed by the Scottish Parliament. The Act gives all patients the right that the health care they receive will:

- consider their needs
- consider what would most benefit their health and wellbeing
- encourage them to take part in decisions about their health and wellbeing, and
- provide them with the information and support to do so.

It also gives patients a right to give feedback, comments, raise concerns or complaints about the care they have received. The Act required Scottish Ministers to publish a **Charter of Patient Rights and Responsibilities** which summarises the

existing rights and responsibilities of patients using the NHS in Scotland and of people with a personal interest in such patients' health care.

Although work has been done to ensure health services are accessible to deaf people, there is still much to be done. In March **2013**, the **Scottish Public Services Ombudsman** found against NHS Tayside in a case where

“The complainant (Mrs C) raised concerns about the failure by Tayside NHS Board (the Board) to provide a British Sign Language (BSL) interpreter for a patient (Ms A) in Ninewells Hospital (the Hospital).

The complaint which has been investigated is that it was unacceptable for the Board not to provide a BSL interpreter during Ms A's 12-day in-patient admission to the Hospital in July 2011 (upheld).”

### **Re-ablement and rehabilitation**

In **2013**, eleven new **Lip Reading** tutors completed a one-year course which was designed by Scottish Course for Training Teachers of Lipreading (**SCTTL**) and resourced by the Scottish Government-funded Scottish Lipreading Strategy Group. This brings the number of qualified tutors in Scotland up to 31. SCTTL has launched its updated website with more information about the Lip Reading classes.

The Lip Reading Strategy Group is supported by a social researcher employed by AoHL who will produce a report based on the research being carried out into the significance that lip reading plays in the re-ablement of people with a hearing loss in Scotland.

## **Safer and Stronger**

**Government Aim: Help local communities to flourish, becoming stronger, safer place to live, offering improved opportunities and a better quality of life.**

In June **2010**, the **Justice Disability Steering Group** report was published. Capability Scotland had been tasked with consulting with disabled people and the organisations that support and work with them to establish what barriers disabled people face when involved in all aspects of the justice system in Scotland. In **2009**, Capability Scotland worked with other equality organisations to hold involvement events for disabled people to raise concerns about the justice sector and make suggestions for improvement to access. At the involvement events, five key topic areas were discussed:

- Physical access
- Access to legal advice
- Information barriers
- Communication barriers
- Attitudinal barriers and rights.

The **information** gathered from deaf people was **fairly negative**. There is an ongoing issue about deaf people accessing language/communication support when they need to see a solicitor in both criminal and civil circumstances. If the person is entitled to **Legal Aid**, then the solicitor can apply for financial support to pay for language/communication support for all appointments. But the problem is who pays for the language/communication support before the application for Legal Aid is processed and who pays if the person is not entitled to Legal Aid. Several deaf organisations/partnerships, including SCoD and the BSL and Linguistic Access Working Group have met with the **Law Society for Scotland** and the Scottish Legal Aid Board (SLAB) to look at this issue, but no concrete decisions have been made re initial access. SCoD has joined a working group that is looking at this and other justice matters – the Law Society for Scotland and SLAB are members of the group.

In **2010**, the Governor of HMP Glenochil approached SCoD to have a discussion about **deaf people and access in prison**. This discussion resulted in the Governor working with Deaf Action to ensure all his staff received basic BSL training, deaf awareness training and communication skills training.

SASLI has worked closely with the **Scottish Court Service, the Judicial Institute for Scotland and Scotland's Crown Office & Procurator Fiscal Service** with the aim of raising Deaf and BSL/English interpreting awareness with legal staff. SASLI has also organised specialist training for SASLI registered interpreters to learn and practise court procedures. The aim of this was to **increase the number of registered, suitably experienced interpreters** able to work in court settings and increasing accessibility and equality for Deaf people.

A number of deaf organisations, on their own or in partnership with other organisations, have worked with the police and/or fire and rescue services to make sure local services are accessible for deaf people. One of the most pressing issues is that this learning is not lost now that both services are national – **Police Scotland** and the **Scottish Fire and Rescue Service**. Prior to Police Scotland's inception, SCoD worked with the Communications Team on how contact with the new force could continue to be accessible for deaf people and others who cannot use a telephone. All **local accessible options** remain in place – including SMS contact and email contact. Police Scotland made a commitment to looking at how to make the **101 non-emergency service** accessible once they have updated their telephony platforms. Deaf people can access the **999 emergency service** by registering their mobile numbers so that in an emergency, they send a text asking for the police, fire and rescue, ambulance or coastguard.

SCoD continues to be involved in the Scottish Government **Building Safer Communities** Learning Network. This network gives an ongoing opportunity to work with the Police and Fire and Rescue services to ensure they become fully accessible for all deaf people.

Several deaf organisations throughout Scotland have become third party reporting centres for reporting **hate crime**. This means that deaf people get the support they need when reporting a crime against them.

The BDA has the **Empowerment and Campaigns Project** which provides opportunities for Deaf people to develop their own personal, social and community skills and knowledge, so enabling participation in wider society. The project also involves the Deaf Community in consultations by the Scottish Government and Westminster.

## Greener

**Government Aim: Improve Scotland's natural and built environment and the sustainable use and enjoyment of it.**

Many deaf people miss out on the ability to influence the work done to improve Scotland's natural and built environments because without information that is both accessible and timely they are unaware of what is being done and what is going on.

The Government wants to increase accessibility, education and awareness. **Scottish Natural Heritage** (SNH) has a responsibility for promoting understanding of the opportunities for outdoor recreation, including promotion of the Access Code. Scottish National Heritage is reviewing its website and SCoD took part in an interview (September 2014) to look at how accessible the website is for deaf people – it is not accessible at the present time and although SNH has taken the decision to have film clips on the website, it did not realise that the clips would have to have closed captions and a BSL translation to make them fully accessible for deaf people.

The Scottish Government's **Planning System** has no accessible information on it neither do **strategic planning authorities** – for example, Glasgow and the Clyde Valley.

The Scottish Government consulted on and has now lodged the **Community Empowerment (Scotland) Bill** with the Scottish Parliament. The purpose of this Bill is to help local communities to develop the places they want to live and work in – it will help everyone in Scotland to get involved in the decision-making processes at a local level. The government has published the Bill's policy memorandum in an Easy Read version and all the other papers including the Bill in English, but has not published anything in BSL as yet.

On the government website, there are a number of publications relating to community engagement. The page does not list the Principles of Inclusive Communication, but does have a link to the Australian Government Department of

Social Services – nor does it have a link to the **National Standards for Community Engagement**.

The **Scottish Accessible Information Forum** (SAIF) was funded by the government to provide guidance on how to produce accessible information for the people of Scotland. <http://www.saifscotland.org.uk/> Accessible information is not just for health and possibly social services. Public bodies and government itself need to be smarter when producing information for the people in Scotland. Without information on the environment, recycling, energy efficiency, public health, planning, and land and environmental services at a local level, deaf people cannot become **greener citizens** who are fully engaged with their local communities and communities of interest.

## What are the similarities to the recommendations in the See Hear: Joint Sensory Impairment Strategy?

1. Local partnerships should consider options for the introduction of basic sensory checks for example for people of a certain age, and at agreed times in their care pathway.

This would help to add to the data collection for all deaf people, especially those who are losing their sight or hearing as they age. When compared to other data collected, it could also help to identify adult Deaf BSL users who are in good health and do not use social services.

2. At a national level, the Scottish Government should scope out the range of formal and informal training opportunities around sensory impairment awareness, and work with the relevant education, training and qualification bodies to explore opportunities to increase awareness and expertise in the area of sensory impairment awareness, building appropriate content into the core training regimes of different professional groups.

The Roadmap identified the need for deaf awareness and linguistic access training for employers as well as service providers. Although some work has been done on this – SQA review, for example, there is still a need to audit what is available and by which awarding body and to develop appropriate training for different work streams and professionals. There is also a need to look at how BSL is taught and what career pathways are open tutors. A further training regime needs to be clarified and that is for professionals working in schools as teachers of the deaf and communication support workers. Alongside this is a need to look at registration and CPD for those who are providing training especially to children and young people.

3. Local partnerships should audit their skills base in relation to awareness of sensory impairment in the workforce and take steps to address any deficits identified, targeted in the first instance at older people's services.

Again, this is something that the Roadmap identifies as a need – see point above. This is wider than covering service provision in that it should also cover mainstream workplaces as, hopefully, in the future, there should be more mainstream employment opportunities for Deaf and Deafblind BSL users, Deaf people whose first language is a spoken language, and Deafened people. This wider employment awareness can also help those who start to lose their hearing as a result of age or illness to retain their employment for longer.

4. Local partnerships (in this instance, local statutory and third sector agencies) should be able to evidence that their service planning reflects the need in their area, and reflects appropriate responses to the hierarchy of need outlined earlier.

- i) They should audit current spend and service patterns on sensory impairment, including for carers, in relation to specialist provision and also to those elements of other service provision that impact on people with a sensory impairment. In the light of the findings, consideration should be given to options for service redesign as appropriate;

There has been little mapping of the deaf sector in Scotland and little or no evaluation on the central/local government spend on deaf projects, including those that have been funded to ensure increased engagement and participation by deaf people in policy development at a national and local level. There needs to be more research carried out on whether or not deaf people are fully engaged in the local planning partnerships and other bodies.

- ii) They should develop care pathways for people with a sensory impairment, which confirm the component parts of the individual's journey. In so doing they should assess performance against the care pathway and the key factors for effective pathways outlined earlier, and use this as the basis for service improvement, and identify the relevant responsibilities across agencies for the delivery of this;

This care pathway development should be able to show how BSL and linguistic access is being achieved at a local level, including access to information and services.

There also needs to be more done to ensure the necessary rehabilitation services are put in place to ensure that people who become Deafened (have an acquired hearing loss) are cared for using a rehabilitative approach. This would ensure that all people who are

diagnosed with a hearing loss have access to all the information they need about language/communication support and how to access this.

- iii) Accessible local information strategies should be developed to include preventative measures and good self-care in retaining sensory health, but also providing information on how to access services.

If local information strategies follow the Principles of Inclusive Communication than they will be able to evidence how they ensure BSL and linguistic access for deaf people. This would then “fit” with the Roadmap’s expectation on access to information that is fully accessible to those who need it.

5. There should be robust systems for maintaining information locally, and sharing this between agencies, in relation to people who have received a diagnosis of a sensory impairment at any time from birth onwards.

Too often the linguistic and communication needs of Deaf, Deafblind and Deafened people are not recorded and so do not proceed them. For example, GPs refer people onto specialist services in hospital and when the person goes to their appointment, no language/communication support has been booked as their needs have not been passed on. Communication is a two way process and it is important that the health professionals can communicate properly with all their patients, more especially in times of cuts in services. With better electronic systems as well as the Public Bodies (Joint Working) (Scotland) Act 2014, it should be much easier for agencies to share this basic level of information – what language/communication support do I as a professional have to make sure is in place so that I can communicate properly with my Deaf, Deafblind and Deafened clients and service users.

6. Agencies should review their compliance with the Equalities Act 2010 and the UNCRPD Article 9 in relation to sensory impairment, particularly in relation to communication, and give consideration to whether any future action may be required.

The Roadmap makes several references to the need to plan so that the linguistic/communication needs of deaf people are considered at the start of processes rather than left to chance. For example, when planning physical access in new health settings, the same consideration should be given to visual call systems in waiting areas as is given to the installation of ramps and lifts. But it goes further than looking at health and social care settings, all public buildings should be as easy for a deaf person to access as it is for a hearing person. More deaf people should be involved in the planning and design of public buildings so that they are deaf-compliant.



7. The Scottish Government should issue further guidance in relation to children and young people following the conclusion of work on the implications of the Doran review and the eventual enactment of the Children and Young People (Scotland) Bill.

This ties in with the recommendations made in the Roadmap for deaf children and young people and reflect many of the actions asked for by children's services that work with deaf children and young people, and NDCS.

## Areas of the Roadmap that are still to be addressed

1. There does not appear to have been any audit carried out on accessible information in Scotland, including the use of technology to increase the accessibility of websites. As the Digital Participation strategy is rolled out across Scotland there needs to be a baseline from which to start to ensure that Deaf, Deafblind and Deafened people and their families and carers are not left behind and left out.

The Scottish Government website is under review as information is transferred to scotland.gov.uk. This website is being populated by information in plain English, but does not appear to be using the SAIF guidance. This is something that needs more promotion. Other public bodies, including local authorities and health boards – all have websites that are WC3 accessible. Some do have some information in Easy Read and/or BSL but these are not the norm. Too often video clips do not have captions.

The Scottish Government now has a contract in place that allows consultations and other public documents to be translated into BSL and to be published at the same time as the documents are in English. There is little evidence of this facility being put into practice.

Some local authorities and health boards have accessible parts to their websites – information in BSL, English captions on video clips. But more could be done.

2. There is still a lack of statistical data. There has been no systematic approach to the collection of data in Scotland. There is work to be done with the "Beyond 2011" project (this project is looking at how government should gather statistical data in the future) to look at what questions should be asked to gather the necessary information about deaf people and their lives. More negotiation is needed on the questions used in the Scottish Household Surveys as well as the Scottish Attitudinal Surveys.
- Work has been done by NHS National Services Scotland Information Services Division on capturing data from primary care sources. The momentum on this has possibly slipped somewhat since the lead person retired.

- Individual Health Boards have been looking at how they capture data on patients and staff.
  - Local authority sensory impairment strategy leads will be of particular importance in the gathering of data at a local level.
3. There are few public bodies in Scotland that have taken responsibility for the linguistic access for Deaf and Deafblind people whose first language is BSL. The BSL and LA Working Group Consortium Project – Equality and Access for Deaf and Deafblind People in Scotland – is starting to address this within Education and Health settings. MSP Mark Griffin’s BSL (Scotland) Bill should address this across all areas of government at a national and local level if it is successfully enacted.
  4. Again there appear to be few public bodies that have effective mechanisms in place for effective consultation and communication with Deaf, Deafblind and Deafened people to inform policy development and service planning. More needs to be done to show how public bodies are developing direct and stronger links with deaf people in their own communities, and how representative these deaf people are of their communities. It is considered that younger deaf people should be encouraged to become the community leaders of the future.
  5. There is more work to be done on access for Deaf, Deafblind and Deafened people who are immigrants to Scotland and/or who come from BAEM communities. There is a specific issue with access to financial support through the welfare benefit system that is specific to immigrants at the present time, but may be extended to others, including Deaf and Deafblind BSL users. The UK Government has introduced an English “test” where immigrants need to prove they are learning to speak English. Does this mean that Deaf, Deafblind and Deafened immigrants cannot access the benefits system; and so cannot access employment search support?
  6. There needs to be more capacity-building in the Deaf Community to enable more people to become fully-qualified teachers as well as BSL tutors. This would enable more deaf children to learn BSL in schools and with further investment, enable their hearing peers to learn BSL at the same time. BSL could then be taught in the same way that English, Gaelic and community languages (modern languages) are taught which would go a long way to making BSL accessible to more people and increasing the opportunities for linguistic access for Deaf and Deafblind people.
  7. There is a lack of research being carried out on the deaf sector and how it supports both the private and public sector in providing opportunities for deaf people to access employment through volunteering and work placement, internships and apprenticeships; and how individuals get the support they need to develop their own businesses and enterprises.

8. Little work has been carried out in the deaf sector on the language used to define deafness, BSL and linguistic access and how this “fits” with the language used in government policy, at a national and local level. This can lead to misunderstandings and exclusion rather than inclusion across the sector as well as across the Third, Public and Private sectors as a whole. There needs to be a move towards a more person-centred, rights-based use of language that is inclusive of all deaf people in Scotland including those with other disabilities and protected characteristics.

## Recommendations from the Review of the Roadmap

### **Audit, Monitoring and Evaluation**

- A. The work of the BSL and Linguistic Access Working Group has not been evaluated since the Roadmap to see if the group remains “fit for purpose” and to see if the membership should remain as it is. This evaluation could be done by the group with an external facilitator or by an independent evaluator.
- B. Website and Information Audit – Both the Roadmap and the See Hear Strategy call for more planning to ensure that information is fully accessible for all those who need it. Without an audit trail on what has been discussed and then put into practice, it is difficult to see where improvements have been made and how policies are being put into practice. It may be possible to audit some of the work done by local authorities and other public bodies who have signed up to the Public Services Improvement Framework (PSIF) and so should be using the Principles of Inclusive Communication. This could give a baseline for others to measure against.
- C. Mapping of the deaf sector in Scotland and evaluation of central/local government spend on deaf projects, including those that have been funded to ensure increased engagement and participation by deaf people in policy development at a national and local level.
- D. Audit of policies across all government – central and local - to show the impact the Roadmap has made to the inclusion of BSL and Linguistic Access for deaf people in Scotland.

### **Data Collection**

- E. There needs to be more planning on how and what data will be collected on deaf people and their linguistic access needs in Scotland. There have been many small pieces of good practice that have been allowed to disappear as the responsible personnel have changed jobs or retired. A more strategic approach needs to be taken across government to ensure that this good practice is not lost and is replicated throughout all areas of the public sector.

- F. The work begun by the deaf sector to change the way that Census and other government survey information is collected should continue. Consideration should continue to be given to the introduction of a deaf register for adults once the pilot register for children and young people has been completed.

### **Engagement, Involvement and Participation**

- G. There needs to be a clearer picture of what community empowerment and personalisation means for deaf people, their families and carers in Scotland, and how this increases the engagement, involvement and participation in community decision-making processes and planning.
- H. More public bodies need to use the co-production model to ensure deaf people, their families and carers are fully involved in the planning and design of local and national services, including those that involve increasing BSL and linguistic access. This needs to happen across all areas of government, not solely in the more traditional areas such as health and social care.
- I. More needs to be done to increase the inclusion across the deaf sector, which should identify those who are on the margins and not fully active in the design and development of the sector; and who by default are also on the margins of other services and sectors. The deaf sector needs to be fully inclusive of all deaf people, their families and carers so that good practice can be shared and other sectors can learn lessons. This may involve looking at the language used across the sector as a whole, including definitions and what is meant by linguistic access.

### **Sector Development**

#### **Deaf Sector**

- J. The deaf sector should lead the way in asking for an independent audit of awareness training – deaf, communication skills and BSL. This has been identified as a gap from the Roadmap and in the See Hear Strategy.

Any audit of awareness training should include an audit of the career pathways for those who deliver training along with registration, supervision and CPD.

Deaf organisations should lead the way in training needs analysis to show what level of training their staff and volunteers have; including hearing awareness for their deaf staff.

- K. Market development – the deaf sector should be working with government and the private sector to move away from a grants-based culture to one of social investment. This may mean that the sector will have to work to look at possible duplication of work and greater partnership working between organisations to share skills sets and knowledge.

## **Private and Public Sectors**

- L. Training Needs Analysis (TNA) – for all front facing staff in the first instance. This could be similar to the “Social Work Skills Audit” that SCoD carried out on Social Work Services in Scotland in 2009/10. This will show the extent of awareness and BSL training that has taken place throughout the sectors as well as how it was delivered. From this, the deaf sector and government can put in place a comprehensive awareness raising programme.

There is also a need to carry out a TNA for strategic planners and those whose remit it is to design physical spaces and the delivery of services.

## **Linguistic Access**

- M. There needs to be a full and frank discussion across all the government departments that work to support deaf children and young people as well as those who work in the deaf sector doing similar work on what we mean by bilingualism and how this can be achieved for deaf children and young people. From this discussion, there needs to be a strategic plan in place which allows this to become a reality if this is what is decided.

## Review of “The Long and Winding Road: A Roadmap to British Sign Language & Linguistic Access in Scotland”: Five years on.

The Scottish Government published “The Long and Winding Road: A Roadmap to British Sign Language & Linguistic Access in Scotland” in 2009. This roadmap was a collaboration between members of the BSL and Linguistic Access Working Group and written by the Project Manager, funded by the Scottish Government Equality Unit.

The purpose of this roadmap was to highlight the barriers faced by Deaf and Deafblind people whose first language is British Sign Language (BSL) on a daily basis when trying to be active citizens in Scotland, and to suggest possible solutions to these barriers. The roadmap also includes some of the barriers faced by people with an acquired hearing loss who have a spoken language as their first language and their need to access communication support in order to fully participate in Scottish society. The Roadmap does not, in the main, look at the needs of deaf people with additional physical disabilities, learning disabilities or learning difficulties.

This review will concentrate mainly on the work done to overcome the barriers faced by Deaf and Deafblind people whose first language is BSL and their access to goods, services and information in their own language; and will try to show how many of the suggested solutions have been realised, within the framework of the Scottish Government’s strategic aims. The review will also compare some of the original outcomes of the roadmap for those who have an acquired hearing loss with the outcomes of the government’s recently published joint sensory impairment strategy – See Hear.

### **What do the terms deaf, Deaf, Deafblind, Deafened and Hard of Hearing mean?**

The term **deaf** is used to include people on the full spectrum of deafness/hearing loss: people who are Deaf Sign Language users, Deafblind, Deafened and Hard of Hearing. These are the words that the Scottish Council on Deafness uses to define levels of deafness in the people of Scotland.

Deaf Sign Language users are people whose preferred or only language is British Sign Language (BSL). These people have been born deaf or have become deaf early in life. People with this level of deafness are described as being profoundly deaf. **Deaf BSL users** usually see themselves as part of a linguistic/cultural minority known as the Deaf Community. <http://www.scod.org.uk/information/position-statements/definitions-of-deafness/>

Deafblindness is sometimes called dual sensory impairment. This is because **Deafblind** people will have both some hearing loss and some sight loss. A person can be born Deafblind (called congenital Deafblindness) or lose both their hearing and sight in later life. Some people who are born with Deafblindness may also have physical and/or learning disabilities. A person who is born deaf who later loses their

sight is most likely to be a BSL user. Other deafblind people may be born blind and lose their hearing in later life. These people will use a spoken language and may also use braille for written documents. It is important to remember that many deafblind people may not be totally deaf and totally blind.

<http://www.scod.org.uk/information/position-statements/definitions-of-deafness/>

According to the 2011 Census in Scotland, 12,533 people over the age of 3 years use BSL at home. The table below shows all people aged 3 years and above who have a long-term health condition and who use BSL at home.

	All people aged 3 and over	British Sign Language
All people aged 3 and over	5,118,223	12,533
No condition	3,539,742	5,640
One or more conditions	1,578,481	6,893
Deafness or partial hearing loss	350,492	3,729
Blindness or partial sight loss	125,370	663
Learning disability	25,872	682
Learning difficulty	105,874	833
Developmental disorder	31,209	468
Physical disability	354,390	1,547
Mental health condition	232,833	1,044
Other condition	983,595	2,879

**Scottish Census 2011, Standard Outputs** <http://www.scotlandscensus.gov.uk/ods-analyser/jsf/tableView/crosstabTableView.xhtml>

People who were born hearing and become severely deaf after learning to speak are often described as **Deafened** or as having an acquired profound hearing loss (APHL). This hearing loss may be due to a disease or illness or there may not be an identified reason for the loss of the person's hearing. Deafened people may rely on lipreading to follow a conversation or need to have things written down for them.

<http://www.scod.org.uk/information/position-statements/definitions-of-deafness/>

**Hard of Hearing** is a term used to describe people with a mild to moderate hearing loss. People who are hard of hearing will, in general, lose their hearing gradually and the majority of hard of hearing people do so later in their lives. A person with a mild

hearing loss might wear a hearing aid and have some difficulty in following conversations in noisy situations. A person with a moderate hearing loss might have one or two hearing aids and will have difficulty following normal speech without the aid. **The Scottish Council on Deafness website,** <http://www.scod.org.uk/information/position-statements/definitions-of-deafness/>

## **Background of the BSL and Linguistic Access Working Group and the Review**

At a meeting in January this year – **2014** – with the Scottish Government Equality Unit to clarify some of the anomalies of the Equal Access for Deaf People project, it was suggested that the Roadmap be re-visited to see what had been achieved, what could be achieved with the publishing of the Joint Sensory Impairment Strategy and other governmental strategic planning processes; and what remains to be done.

This paper will form the framework for the final part of the 2013 review of the BSL and LA Working Group that began with the Away Day in November 2013.

From **2000** until 2011 the Scottish Government convened and chaired the BSL&LAWG. Since **2011**, the group has been convened and chaired by the Scottish Council on Deafness (SCoD).

The group consists of representatives from deaf organisations and Government officials. It enables discussion of the issues at the heart of linguistic access for Deaf, Deafblind, Deafened and Hard of Hearing people with members of the Scottish Government.

The original remit of the group was

- To develop a strategy for improving linguistic access for deaf people in Scotland
- To raise awareness of deaf issues among policy makers, professionals, service providers, deaf people and the general public
- Consider how best to support BSL and Deaf awareness
- Consider how best to support education and training provision in BSL, deaf studies and linguistic access.

In May **2006**, the working group decided to look at how it worked and to change its focus and the Scottish Government Equality Unit agreed to fund a Project Manager to take forward some of the decided initiatives and to develop the roadmap. The Project Manager started in post in January 2007 and the group took on a new structure of a core group to steer the strategic direction and four satellite groups to allow the expertise of members to be fully utilised.



In **2008**, the Working Group went through another restructuring once the roadmap was published. The core of the group remained intact – members were from national organisations involved in the promotion of linguistic access for Deaf people. These organisations were:

Association of Directors of Social Work (ADSW)

British Deaf Association (BDA Scotland)

CACDP – now Signature

Deafblind Scotland

Forum of Providers of Social Work Services

Heriot-Watt University Department

LINK – now Hearing Link

RNID – now Action on Hearing Loss

Scottish Association of Sign Language Interpreters (SASLI)

Scottish Council on Deafness (SCoD)

Scottish Course for Teaching Teachers of Lipreading (SCTTL)

University of Edinburgh – Moray House (**Appendix 1**)

There was also a single sub group set up. This sub group looked at how Deaf people could become more actively engaged and involved in the work of the BSL and LA Working Group and the Scottish Government. The Project Manager and SCoD's Policy and Research Officer supported the group and facilitated at meetings. This group was time limited to one year and was asked to produce a strategy for engaging and working with Deaf people with recommendations on how to take the strategy forward. From the work carried out by this group, the BDA in Scotland produced the "Engaging with Deaf People" guidance for public bodies.

In **2011**, the BSL and LA Working Group again went through a review/restructuring exercise. This time, the Scottish Government although still supportive of the group handed over the running and administration to the working group itself.

"The group would continue but would not be convened by the Equality Unit:

- Members would organise the meetings taking on administration and secretarial functions, and chairing the group on a rota basis;
- A member of the Equality Unit will attend meetings to maintain the links with the Equality Unit;

- The Equality Policy and Communities Team Leader would be invited to meetings if the group had specific items the group wanted her to address;
- Work around how deafened and hard of hearing people can sit within the [Independent Living \(IL\)](#) activity needs to be undertaken;
- There is some overlap/synergy between the BSL work and IL, for example, on Inclusive Communication, but there are distinct differences;

Member organisations themselves to take ownership of and responsibility for pieces of work in the Roadmap, and for any associated campaigning and lobbying.” **Scottish Government website,** <http://www.scotland.gov.uk/Topics/People/Equality/remit/Access-Working-Group/remit> [This statement will be reviewed after the Away Day to discuss what happens now]

### **BSL and Linguistic Access Working Group Consortium Project – (see Appendix 2)**

In **2012/13**, the Scottish Government informed the group that funding could be made available for a consortium bid from members of the BSL and LA Working Group to improve equality of opportunity for deaf people in Scotland by consolidating work that had already been started at a local and national level by members of the working group to support public authorities to seek solutions which complement existing and emerging legislation, policy and service delivery. The bid was successful and the money awarded for two years. SCoD agreed to host the project – **Equality and Access for Deaf People** – and all three Project Officers (2FTE) are now in post. This project’s main aims are:

1. To produce a “Statement of Intent” (**Appendix 3**) and use this as a starting point to seek consensus and adoption of this by public authorities on priorities for improvement and a commitment to change.
2. The consortium will proactively and continuously engage with public authorities at a strategic level to seek improved equality of opportunity for Deaf people, their families and their communities
3. The participation and contribution of Deaf people at a local and national level will increase. Policy development and local service delivery will have improved by means of positive engagement and consideration of sustainable solutions.
4. Through an established method of evaluation, monitoring and reporting - demonstrate and evidence the positive improvements that have been achieved throughout the funding period. Make recommendations for continued improvement across the public and third sector.

It is hoped that the project will make recommendations that will take the work forward in the longer term as it is recognised that strategic changes take time to embed into practice.

The project is concentrating on the equality of access for Deaf and Deafblind BSL users as the project is time-limited to two years; and in discussions with the Scottish Government, it was felt that to try to look at equality and access for all deaf people across all areas of life in Scotland was too broad a remit with little chance to really influence change.

## **The Roadmap and what it set out to do**

The roadmap was developed to give the Scottish Government information so that it could make informed judgements about **linguistic access** in a policy context. It was written to be a resource for central and local government as well as other public bodies. The roadmap's primary function was to act as a guide so that linguistic access could become a reality and enable deaf people to enjoy the same active citizenship as their hearing peers.

“Much of the roadmap is devoted to the personnel needed to make linguistic access a reality and not to other important aspects of access, but the working group believe the personnel are pivotal and without them linguistic access cannot be substantially improved. This emphasis on personnel should not detract from other significant issues which require investment, such as:

- the skills and the confidence of deaf people themselves which underscores how they interact in accessing services;
- increasing the bi-lingual skills of key professionals;
- the provision of accessible information.”

<http://www.scotland.gov.uk/Publications/2009/07/01102537/2>

The roadmap outlines many of the major issues for Deaf and Deafblind people living in Scotland and points to some of the ways that can improve the situation, particularly in public policy. The roadmap provides a long-term vision on what Scotland could look like with linguistic access for Deaf and Deafblind BSL users and for people with an acquired hearing loss (are Deafened) who require linguistic access. The document was a starting point for an ongoing dialogue with policy makers in government which continues today.

Much of what needs to be done is the responsibility of the government directorates and other agencies, such as the Scottish Funding Council, Local Authorities and Health Boards, not just the Equality Unit. Success in improving linguistic access should be measured by how these directorates and agencies make sure that linguistic issues are fully integrated into their day to day operations and in practical

improvements in delivery. Any improvements will not be sustained unless they are part of the strategic planning of all agencies.

### **What do we mean by “linguistic access?”**

There is an ongoing debate as to whether or not linguistic access – access to information, services and the language itself – is in fact, access to communication. While this is true in the broadest sense, it is not solely about accessibility or access to communication. Linguistic access is about the language and how people communicate in that language. People who are Deafened will also require linguistic access, whether their first language is English or another spoken language, but in order to be an active citizen on Scotland today, need a different type of communication access to that of people whose first language is BSL.

Chapter five of the “Investigation of Access to Public Services in Scotland Using British Sign Language” published in 2005 shows how Deaf people feel about their interactions with hearing people. **Linguistic access** is about communication using language in all communication settings, not just formal ones where BSL/English Interpreters are used. Many Deaf, Deafblind and Deafened people lose out in casual and informal settings where hearing people with a spoken language can choose to interact or not, but will still have “unconscious” access to information that may be remembered later. For example, when a hearing person is travelling on public transport or is in a public place or even in an office, they will be aware of the conversations taking place around them even when they are not actively taking part or listening. The hearing person has a choice as to what they do with the information that they are hearing. Deaf, Deafblind and Deafened people do not have that choice to make as they are not able to process the information because they are not receiving it in the first place – they have no linguistic access to the spoken conversations that are taking place around them.

#### **“Hearing people at work**

5.28 When Deaf people work in an organisation, they seldom work in teams with other Deaf people. While councils and organisations try to increase the numbers of disabled staff, there seems to be major insensitivity to the needs of someone who does not speak. Poor interaction is commonly reported. Deaf people struggle in a larger group of hearing people especially in the work place and miss out on a whole range of information which affects social well being, as well as workplace practice. Despite the achievement of having the job, Deaf people just feel isolated. This sensation is not necessarily helped by the provision of interpreters.

"I felt left out. Most hearing people talk to each other and did not include me. I have ideas but they made me feel passive because the interpreter was interpreting what they said." A20

"In my previous job (for 12 years) I had no access at meetings. They refused to provide interpreters. They said I should lip read." A13

5.29 It may be believed, in many circumstances, that providing the interpreter, immediately solves the problem of including the Deaf person, but what is apparent, is that Deaf people do not feel this. Even, effective interpreting has a time lag - the Deaf person receives the information later than everyone else and in meetings where questions are posed and answers given in a group, the Deaf person simply misses the cues to respond - because the interpreter is working behind the flow of the conversation. The first quote above suggested that Deaf people became "passive".

5.30 However, there are common situations where there is no interpreter and the employers somehow believe that the Deaf person can cope. Usually the Deaf person is unable to follow what is going on. Even in situations where hearing people seem to show an interest or where there is supposed to be signing by other staff, it rarely works out.

"I used to work with a small hearing group. I was involved but later the group started to grow and I no longer felt I belonged. I was never involved in any social events because of the communication problem." B46"

**Investigation of Access to Public Services in Scotland Using British Sign Language, 2005:** Jim Kyle, Anna Marie Reilly, Lorna Allsop, Monica Clark, Alexy Dury. Scottish Executive Social Research.  
<http://www.scotland.gov.uk/Publications/2005/05/23131410/14116>

### **Linguistic Access for Deafblind people who do not use BSL**

Signature, formerly known as CACDP, is the leading awarding body for nationally recognised qualifications in British Sign Language and other deaf communications. Their highest award in BSL is the NVQ Level 6; for Deafblind Communication, the highest award is now Level 2, whereas in the past, there was a Level 3 award.

Deafblind Scotland has trained over 1000 people in Level 2 Communication and Guiding Skills with Deafblind People. The majority of those taught are no longer working directly with Deafblind people. There is no longer a progression route to Level 3 as Signature has withdrawn the Level 3 qualification. Signature's **Deafblind Manual** Interpreting qualification is also no longer available, and there is no course available to replace this.

## The legislative context for linguistic access

### Human Rights Act 1998

<http://www.legislation.gov.uk/ukpga/1998/42>

There is a duty placed on public authorities (Chapter 42, Section 6 (1) – health board, local authorities and “any person certain of whose functions are functions of a public nature” – to ensure that they do not act in any way that is incompatible with a Convention right. The Human Rights Act 1998 is directed by the European Convention of Human Rights 1950. For more information on the Human Rights Act 1998, go to **Appendix 4**

There are several mentions in the Human Rights act 1998 to the right of access to goods, services and information in your own language as well as the prohibition of discrimination on the basis of language – Article 14 -

#### **Prohibition of discrimination** states

“The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, **language**, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.”

<http://www.legislation.gov.uk/ukpga/1998/42/schedule/1>

Deaf and Deafblind BSL users should not be discriminated against on the basis of linguistic access and their own language. In the interests of good community relations and equality, information is available in many community languages; and immigrants and visitors from other countries whose first language is not English are given access to interpreters in situations where informed consent is required and in the justice system. Children are also given language support in schools until they learn to speak English.

Deaf and Deafblind BSL users do not have the same opportunity to receive information in BSL, and in many cases are not afforded the same access to interpreters in order to give informed consent across all aspects of their lives. More needs to be done to ensure discrimination on the grounds of language for Deaf and Deafblind people becomes a thing of the past. Deafened people whose first language is not English will continue to require communication support in their first language as they, like Deaf and Deafblind BSL users, do not have the opportunity to develop their English language skills due to their lack of hearing.

### **The United Nations (UN) Convention on the Rights of Persons with Disabilities**

“The Convention on the Rights of Persons with Disabilities and its Optional Protocol was adopted on 13 December 2006 at the United Nations Headquarters in New York, and was opened for signature on 30 March 2007. There were 82 signatories to the Convention, 44 signatories to the Optional Protocol, and 1 ratification of the Convention. This is the highest number of

signatories in history to a UN Convention on its opening day. It is the first comprehensive human rights treaty of the 21st century and is the first human rights convention to be open for signature by regional integration organizations. The Convention entered into force on 3 May **2008**.”  
<http://www.un.org/disabilities/default.asp?navid=12&pid=150>

The Convention was signed after years of work by the UN to change the attitudes to people with disabilities. The move signified a change in attitude from treating people with disabilities as needing to be looked after and protected from themselves and others to being people who have rights, can make decisions about how they live their lives based on free and informed consent and are active members of society. The Convention endorses that everyone with a disability must enjoy all human rights and fundamental freedoms. The Convention identifies barriers, including historical ones, and how these need to be overcome to ensure people with disabilities can exercise their rights and where the protection of those rights must be reinforced.

The general principles of the Convention are laid out in **Article 3**:

- Respect for natural dignity, individual independence which includes the freedom to make your own choices without interference;
- Non-discrimination;
- Full and effective participation and inclusion in society;
- The respect for difference and acceptance of people with disabilities as part of human diversity and humanity;
- Equal opportunities for all;
- Accessibility;
- Gender equality; and
- Respect for how children with disabilities grow in society and for the right of children with disabilities to their own identity.

There are a number of Articles that refer directly to the right to use sign language and to access services and information in sign language. See **Appendix 5** for more information on specific articles.

The UN Convention on the Rights of the Child also mentions the right of the child to access education in their own language and also information. **Appendix 6**

There is a distinct **contradiction** for some Deaf people between the UN Convention and how they see themselves. The UN Convention takes the position that Deaf and Deafblind people who use sign language are people with disabilities, whereas many in the Deaf Community take the view that they are in a **linguistic minority** with their own language, history and culture. Deaf people who are living in Scotland face the same hurdle as other disabled people in that many public bodies and institutions continue to use a medical model of disability which concentrates on what the individual cannot do – in this case, hear - rather than the social model which highlights what barriers society put in the way of people so that they have trouble achieving full and active citizenship – the lack of BSL and linguistic access. See

## page 5 of the Roadmap – “Deaf not Disabled” -

<http://www.scotland.gov.uk/Publications/2009/07/01102537/1>

The **British Deaf Association** has written an appendix / supplement to the main report by the Reclaiming our Futures Alliance in response to the UK Government’s **State Report to the United Nations regarding the Convention on the Rights of Persons With Disabilities (CRPD)**. This appendix highlights some of the issues that Deaf BSL users face in their everyday lives. The following shows how BSL users do not “fit” with current legislation, albeit UK Government legislation.

This paper states that

“The Deaf community, with its unique culture and sign languages, is virtually invisible in UK disability policies. The Government recognised BSL in 2003... but there have been no attendant changes in policy... Relying only on existing equality legislation to reduce discrimination and ensure that Deaf people’s linguistic human rights are respected is impractical since it relies on the individual citizen to pursue cases through the courts.”

One of its recommendations is

“Accord legal status to BSL through a Language Act that will introduce measures to protect and promote Deaf culture and sign language to ensure full implementation of articles 21 and 30.”

<http://www.bda.org.uk/uploads/BDA/files/UNCRPD%20Shadow%20Report%20FINAL%20DRAFT%20SBS%20amended.pdf>

### **The Equality Act 2010**

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 require Scottish Ministers to publish its proposals to enable public bodies to implement the public sector duty that focuses on the elimination of discrimination, advancing equality of opportunity and developing good relations.

<http://www.legislation.gov.uk/ssi/2012/162/regulation/12/made>

“...the public sector equality duty is a key strategic lever for change. There are clear indications, for example, that the creation of new equality outcomes is helping raise understanding of the fundamental role of equality in improving outcomes for people. This is contributing to the creation of more effective, efficient public services shaped around people and communities.” **Scottish Ministers’ proposals to enable the better performance of the Public Sector Equality Duty 2013-2017**

<http://www.scotland.gov.uk/Resource/0044/00440910.pdf>

Public bodies must publish a set of equality outcomes which considers how it will better perform its equality duty and how it reasonable steps to involve people and if relevant, their families/carers/supporters, all who have a particular protected



characteristic, in any decisions made as to what will be in the equality outcomes. This includes Deaf and Deafblind BSL users as well as their families, carers and supporters. But what is the “fit” for Deaf and Deafblind BSL users?

The main issue that Deaf and Deafblind BSL users have with the Equality Act 2010 as it is in its present form, is that in order to access information and services in their own language, they must use the protected characteristic of “**disability**” which places them in a contradictory position. Is the issue about disability i.e their hearing loss or is the issue one of linguistic access i.e. access to their own language? There is no real “fit” for Deaf and Deafblind people with the Equality Act in terms of access to language.

For more information on the Public Sector duties in Scotland, go to **Appendix 7**.

### **The Scottish Government’s Strategic Objectives**

When the new government took up office in May 2007, they took the decision to “streamline the resources of government in order to focus on creating a more successful country.”

<http://www.scotland.gov.uk/About/Performance/scotPerforms/objectives>

They positioned the Scottish Government around five strategic objectives that support their purpose and describe the kind of Scotland they want to see –

“A Scotland that is Wealthier and Fairer, Smarter, Healthier, Safer and Stronger and Greener.”

### **What do these strategic objectives mean?**

“Wealthier and Fairer - Enable businesses and people to increase their wealth and more people to share fairly in that wealth.

Smarter - Expand opportunities for Scots to succeed from nurture through to life long learning ensuring higher and more widely shared achievements.

Healthier - Help people to sustain and improve their health, especially in disadvantaged communities, ensuring better, local and faster access to health care

Safer and Stronger - Help local communities to flourish, becoming stronger, safer place to live, offering improved opportunities and a better quality of life.

Greener - Improve Scotland's natural and built environment and the sustainable use and enjoyment of it.”

<http://www.scotland.gov.uk/About/Performance/scotPerforms/objectives>

More on Scotland’s objectives and national outcomes can be found in **Appendix 8**

The roadmap was written to reflect what the BSL and LA Working Groups actions and considerations were when connected to the Scottish Government's strategic objectives. This review follows these strategic objectives and the headings used in the Roadmap itself.

**Note:** The Public Bodies (Joint Working) (Scotland) Act 2014 may have an effect on what work still needs to be done to achieve the Roadmap's objectives. For more information on the Act, go to **Appendix 9**

## Wealthier and Fairer

**Aim: to enable businesses and people to increase their wealth and more people to share fairly in that wealth**

The Roadmap outcomes for Wealthier and Fairer included **recognition of British Sign Language** by the Scottish Government in a similar way to that of Scots and Gaelic. The UK Government recognised the importance of BSL being recognised as a language in its own right in **2003**. Shona Robison, Minister for Public Health, formally recognised **BSL as a Scottish language** at the SASLI Building Bridges Project event in **2011**

“British Sign Language is a vibrant language which makes a vital difference to the daily lives of many deaf people in Scotland. It is important that we do all we can to support the use of the language.”

<http://www.academyofbsl.com/index.php/our-history>

This meant that the Scottish Government recognised BSL as a language in its own right in the same way that Westminster had in 2003. See the Early Day Motion 1167: 10th Anniversary of Recognition of British Sign Language in **Appendix 10**

**Cathie Craigie MSP** carried out a consultation on the need for a **BSL (Scotland) Bill** in **2010**. This was successful and Cathie got cross party support for the proposed bill. At the election in 2011, Cathie Craigie lost her seat and the proposed Private Member’s Bill was handed over to **Mark Griffin MSP** to take it forward. Mark Griffin lodged the British Sign Language (Scotland) Bill in the Scottish Parliament on the 29<sup>th</sup> October **2014**. It is now under scrutiny by the Education and Culture Committee and is progressing through stage 1 of the parliamentary process.

<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/83760.aspx> The Bill – **Appendix 11**- and its accompanying memoranda can be read at <http://www.scottish.parliament.uk/parliamentarybusiness/Bills/82853.aspx>

SASLI continues to increase its dialogue with Deaf and Deafblind BSL users to ensure that their needs and concerns regarding interpreting are heard. A conference was held in August 2014 at which SASLI interpreters and BSL users met to discuss issues and to agree on action points for future communication. A report will be available shortly. Funding by the National Lottery made this conference possible.

### **Aim: Employment**

In 2009 when the Roadmap was written, there was a lack of national data on the employment status of deaf people in the UK. The BSL and LA Working Group agreed to raise this as an issue. The 2011 Census and Scottish Household Surveys are moving towards collecting more meaningful data on Deaf and Deafblind people and employment but there is still a way to go.

One of the major things identified in the Roadmap that was stopping deaf people from getting into and keeping meaningful employment was a **lack of deaf**

**awareness of mainstream employers.** One of the actions was that the public sector should lead the way in this by ensuring that they provided deaf awareness and communication skills training for all their staff.

This year, the Joint Sensory Impairment Strategy was published by the Scottish Government. Recommendation 2 in this strategy is that

“At a national level, the Scottish Government should scope out the range of formal and informal training opportunities around sensory impairment awareness, and work with the relevant education, training and qualification bodies to explore opportunities to increase awareness and expertise into the core training regimes of different professional bodies.”

At the University of Stirling in 2013, all student psychiatric nurses received deaf awareness training as part of their course. While it is hoped that this will enhance their professionalism when they have the opportunity to support and tend to the needs of deaf people in psychiatric settings in Scotland, it should also enable these professionals to support deaf colleagues in the workplace.

In **2009**, **NHS Education for Scotland (NES)** commissioned a Deaf Awareness training pack and course, to be co-delivered by an approved Deaf trainer and a member of NHS staff.

<http://www.nes.scot.nhs.uk/media/10005/Basic%20SI%20Awareness%20resource.pdf>.

Deaf Action and Fife Society for the Blind have developed a training pack and are co-delivering “Just Ask” joint sensory awareness training to a range of employers and service providers. It is hoped that this training will help to ensure that Deaf people have greater access to employment opportunities than previously. **Page 21: Fife Health and Social Care Partnership Draft Service Delivery Plan 2012-2015.** [http://admin.1fife.org.uk/uploadfiles/publications/c64\\_DraftSDPforconsultation.pdf](http://admin.1fife.org.uk/uploadfiles/publications/c64_DraftSDPforconsultation.pdf)

Action on Hearing Loss (AoHL) has received funding from the Department for Business, Innovation and Skills (BIS) for the “Managing hearing loss when seeking or in employment” project. BIS provides funding to colleges and training providers in England to deliver adult skills provision. Colleges and training providers are independent and autonomous bodies who are responsible for their course provision and who are required to respond to the needs of learners, employers and communities to ensure provision meets the needs of local people. As part of the project, AoHL is conducting a survey and it is open to all people with a hearing loss, including Deaf and Deafblind BSL users, including those who live in Scotland.

**Employers and employment services cannot access Language Service Professionals (LSPs) when required.** The BSL and LA Working Group was keen to support the training of more LSPs. Heriot-Watt University now offers an undergraduate degree in British Sign Language (Interpreting, Translating and Applied Language Studies)

“This is a new programme – the first of its kind in Scotland and, in key aspects, unique in the UK – in which British Sign Language (BSL) is studied to professional level. Students are trained to work as BSL/English Interpreters and Translators, and to use BSL proficiently in related professional areas... Graduates successfully completing all specified components of the programme will be able to register as full Members of the Register of Sign Language Interpreters with [NRCPD](#), the United Kingdom's registration body for sign language interpreting; and also with [Scottish Association of Sign Language Interpreters](#), SASLI.”  
<http://www.undergraduate.hw.ac.uk/programmes/Q196/>

Low numbers of BSL/English interpreters severely restrict linguistic access. The BSL and LA Working Group member organisations with the Scottish Government and other relevant agencies continue to promote the best use of resources to provide quality interpreting services through a range of different mechanisms, including face to face and remote interpreting.

SASLI and partners ran an **apprenticeship scheme** to encourage more people to become interpreters, funded by the Scottish Government. This was not sustainable due to the high cost.

Heriot-Watt University's Department of Languages & Intercultural Studies phased out the two-year part-time Graduate Diploma in Interpreting, which did not produce graduates able to work at a professional level without undergoing further training and learning. This course was replaced by a full-time four-year undergraduate programme for BSL/English translators and Interpreters - British Sign Language (Interpreting, Translating and Applied Language Studies). The first group of fully qualified interpreters will graduate in 2016. This course has been made possible by an initial investment from the Scottish Funding Council (SFC), which has been confirmed as indefinite.

<http://www.undergraduate.hw.ac.uk/programmes/Q196/#introduction>

The university continues to carry out research into a wide range of issues in BSL translation and interpreting. The most recent research papers by the Department's two professors can be found at

[https://pureapps2.hw.ac.uk/portal/en/persons/graham-h-turner\(689b53b0-7385-4e0f-af2b-872fa55ebeb0\).html](https://pureapps2.hw.ac.uk/portal/en/persons/graham-h-turner(689b53b0-7385-4e0f-af2b-872fa55ebeb0).html) and [https://pureapps2.hw.ac.uk/portal/en/persons/jemina-napier\(3aadebae-a415-4063-98f8-f18d8cfdca99\).html](https://pureapps2.hw.ac.uk/portal/en/persons/jemina-napier(3aadebae-a415-4063-98f8-f18d8cfdca99).html).

The SFC's investment pays for a minimum of 12 Scottish and EU students to enter the programme each year. The programme is designed to bring up to 20 new graduates each year to a point where they can register as qualified BSL/English interpreters. Heriot-Watt University has received initial proposals from its Languages Department to add a full-time MSc in BSL Interpreting & Translation to its suite of qualifications.

In **2009**, when the Roadmap was published, there were 154 known **BSL tutors** in Scotland. Of these, 86 were teaching Level 1, 50 teaching Level 2, 12 teaching Level 3, and 6 teaching Level 4.

Of the 154, 75 BSL tutors taught CACDP (now Signature) courses in 47 centres: 75 teaching Level 1; 50 teaching Level 2; 12 teaching Level 3; and 6 teaching Level 4. Four agencies in Scotland were offering courses at Levels 3 and 4.

The SQA reported that in 2007/8, four colleges were delivering their accredited courses at Access 3 and Intermediate 1 and 2 levels, but they did not know how many of the other 43 colleges were delivering BSL classes on an informal basis as a leisure activity.

Other BSL classes were known to be happening on a more informal basis as there were BSL tutors who were not registered with any organisation.

In 2007, Heriot-Watt University ran a Graduate Diploma in the Teaching of BSL Tutors, the highest level course in the UK (SCQF level 10), with eight students achieving Graduate Diploma level outcomes and two achieving Graduate Certificate level outcomes. The initiative was funded by the Scottish Government through SASLI. With further government investment, a second group of students of a similar size graduated from the university.

This training of trainers course was designed as stage one of a cascade model and would have provided a career pathway for tutors if further government funding had been made available.

SASLI was to prepare a staged proposal for a **training pathway** and a **support network** initially to start in the autumn of 2007 as the first intake graduated and to continue into the next budget round, but there was no funding available.

### **Post-school transitions**

There is a significant attainment gap for deaf young people in Scotland today. The National Deaf Children's Society recently published their report on promoting positive post-school transitions for deaf young people in Scotland – **Close the Gap**. This illustrates that young deaf people are more likely to leave school with no qualifications and have more difficulty in accessing Higher Education and employment than their peers. These findings are based on research commissioned by NDCS from the University of Edinburgh. This study explored the experiences of young deaf people over the age of 16 years through their transition from school to training, further education and employment.

It showed that deaf young people are leaving school with fewer and lower qualifications than their hearing peers. They are under-represented in further education, training and employment; and deaf school leavers are less likely to be employed than hearing school leavers.

The “Close the Gap Report” shows that

- “Almost 10% of deaf young people leave school with no qualifications
- Only a third of deaf young people qualifying for Higher Education
- Only a quarter of deaf young people entering Higher Education
- A quarter of school leavers moving into employment but only one sixth of deaf young people doing the same.”

[http://www.ndcs.org.uk/about\\_us/campaign\\_with\\_us/scotland/close\\_the\\_gap.html](http://www.ndcs.org.uk/about_us/campaign_with_us/scotland/close_the_gap.html)

In **2012**, NDCS commissioned the University of Edinburgh to undertake a study of experiences of young deaf people over the age of 16 years through their transition from school to training, further education and employment.

There is a strong association for all young people between socio-economic background and educational outcomes. Young people who are Deaf or Hard of Hearing and from socially advantaged homes tend to do well in school and progress to higher education. These young people have high rates of employment after graduation, similar to those of non-disabled graduates. Young people from less socially advantaged backgrounds tend to move into vocational education and training where they have less access to individualised support and have poorer employment prospects. **Post-school Transitions of People who are Deaf or Hard of Hearing. Executive Summary. October 2013: Mariela Fordyce, Sheila Riddell, Rachel O’Neill and Elisabet Weedon. Centre for Research in Education, Inclusion and Diversity, The University of Edinburgh.**

[http://www.docs.hss.ed.ac.uk/education/creid/Reports/30ii\\_NDCS\\_PostSchTransit\\_FinalRpt\\_Summary.pdf](http://www.docs.hss.ed.ac.uk/education/creid/Reports/30ii_NDCS_PostSchTransit_FinalRpt_Summary.pdf)

Action on Hearing Loss is working in partnership with five other charities to support young people who have a disability into employment. The **Open Doors Scotland** project will support 350 young people aged between 16 and 24 years, who have a disability to get into the labour market and remain there. The project is being funded by Skills Development Scotland. This will give deaf young people a further avenue to join the labour market with appropriate support. The project can provide up to £1,500 to employers who are recruiting a deaf young person to work at least 15 hours per week. <http://www.enable.org.uk/mediacentre/pressreleases/Pages/Charity-partnership-to-boost-employment-opportunities.aspx>

Action on Hearing Loss also provides a transitions service – **On the Move**, funded by The Big Lottery Fund, which supports deaf young people aged between 16 and 25 years in central Scotland to find work experience and move in to full-time employment, training or education. <http://www.actiononhearingloss.org.uk/about-us/scotland/services-in-scotland/on-the-move.aspx>

Donaldson's School also has a transitions project that works with young deaf adults aged between 16 - 24 years – '**More Choices, More Chances**'. It began in 2007 and it means that their students have the best possible start in their post-school life. The project works in partnership with other agencies, Councils, FE colleges, and organisations such as the Careers Service to support the young people into employment and training. <http://www.donaldsons.org.uk/about-our-school/transition-project.aspx>

### **Online Interpreting**

There are a number of organisations providing online interpreting in Scotland. These include partnership arrangements with both third sector and private sector organisations/companies. Many public bodies are accessing online interpreting services so that Deaf and Deafblind people can have access to more accessible services, especially at times or in places where it is more difficult to access face-to-face interpreting services. Some online interpreting services are also providing an online note taking facility for those who require this service.

In December 2014, the Heriot –Watt University Languages & Intercultural Studies Department in collaboration with the European Union of the Deaf and the European Forum of Sign Language Interpreters completed a project – **InSign**- that put forward recommendations on good practice for video remote interpreting.

### **Aim: Increase the number of BSL Teachers to increase the number of people learning BSL**

#### **Teaching BSL and linguistic access**

In Scotland, there are a number of part-time **BSL tutors** who work in schools but these tutors are not qualified as school teachers. At the present time, there has been little capacity-building in the Deaf Community to enable more people to become **fully-qualified teachers** as well as BSL tutors. Although discussions have taken place about introducing BSL as a "1+2" language for children in the same way that English, Gaelic and community languages (modern languages) are taught which would go a long way to making BSL accessible to more people and increasing the opportunities for linguistic access for Deaf and Deafblind people. Accessible information i.e. information in BSL would ensure that Deaf and Deafblind people have the same "formal" access to information as their hearing peers who use a spoken language, but also makes the language more visible to others and so promotes an interest. Teaching BSL to all children would also mean that deaf children would have equality of access to their entire peer group.

This level of **bilingual teaching** will need a financial commitment from the government to ensure that there is a year on year increase in the numbers of BSL tutors who increase their own skills base to become teachers as well. Any initial



investment should be focussed on **deaf children** and their **acquisition of language** and teaching bilingually, before the introduction of bilingual teaching for all children.

The **ladder of BSL qualifications** needs to be built up to make progression easier. This was something that the Roadmap suggested be looked at.

SQA accreditation is the nationally-recognised route for most initial and further education in Scotland. An increasing number of approved SQA centres are delivering BSL and related topics as part of programmes of Community Based Adult Learning and vocational training.

In anticipation of the BSL Bill, SQA has undertaken a review of its awards BSL Intermediate 1, Intermediate 2 and Higher. <http://www.sqa.org.uk/sqa/65528.html>. These units have been revised and there are a number of Approved Support Packs to accompany the courses as well as an introduction to BSL, Deaf Awareness and Lip Reading Skills. In 2014, updating the report published in 2011, the SQA published “Arrangements for: Professional Development Award in British Sign Language Studies at SCQF level 8.”

[http://www.sqa.org.uk/sqa/files\\_ccc/PDABritishSignLanguageStudies.pdf](http://www.sqa.org.uk/sqa/files_ccc/PDABritishSignLanguageStudies.pdf)

“The Arrangements Document for the Professional Development Award (PDA) in British Sign Language Studies (BSL) at **Scottish Credit and Qualifications Framework (SCQF)** level 8. This is a new award within SQA’s portfolio of qualifications. It has been designed to develop skills in BSL at SCQF level 8 as well as developing knowledge and skills in the Linguistics of British Sign Language at SCQF level 8, Scottish Deaf History: 1750 to the Present at SCQF level 8 and The Community and Culture of Deaf People at SCQF level 8. The award is aimed at a variety of individuals who may work or aspire to work in an environment that requires the use of BSL skills at an advanced level and therefore where an understanding of the linguistics of BSL and of the history and culture of the deaf communities would be beneficial. The award is also appropriate for those with an interest in developing knowledge and skills in these areas for social purposes. The award is appropriate for hearing and d/Deaf individuals.

The development of the proposed PDA in BSL Studies at SCQF level 8 was initiated as a result of the Government’s establishment of a Linguistic Access Working Group in 2000. The primary aim of this group is to improve access for deaf people so that they can fully contribute to a prosperous and dynamic Scotland.”

[http://www.sqa.org.uk/sqa/files\\_ccc/PDABritishSignLanguageStudies.pdf](http://www.sqa.org.uk/sqa/files_ccc/PDABritishSignLanguageStudies.pdf)

For more information, go to **Appendix 12**.

There appears to be a lack of nationally recognised “train the trainer” qualifications available for Training of Tutors (TOTs) graduates to deliver. The Arrangements

Document for the Professional Development Award (PDA) in British Sign Language Studies (BSL) at Scottish Credit and Qualifications Framework (SCQF) level 8 suggests that it would be reasonable, under SQA, to create a custom award for potential tutors (taught by TOTs graduates). This should include the unit “Conduct the Assessment Process” and other relevant topics. There is also a Professional Development Award in British Sign Language Studies at SCQF level 8.

[http://www.sqa.org.uk/sqa/controller?p\\_service=Content.show&p\\_applic=CCC&pContentID=48136](http://www.sqa.org.uk/sqa/controller?p_service=Content.show&p_applic=CCC&pContentID=48136)

The Graduate Diploma in Teaching **BSL Tutors** course run by Heriot-Watt University in 2008 and 2011 has produced 20 Deaf trainers to train BSL tutors across the whole of Scotland. An organisation has been created to represent British Sign Language (BSL) teachers in Scotland and to support the existing graduates to contribute to advanced BSL tuition and to the training of other tutors most effectively.

The Scottish Government funding which supported the design of Heriot-Watt's Graduate Diploma also anticipated a focus on the development of resources for BSL teaching in all contexts. This area of work has been developed by the Heriot-Watt's British Sign Language Corpus Project (BSLCP). Funded by the Economic and Social Research Council, this project's aim was to create a digital BSL collection for use by teachers, BSL pupils, and researchers, publicly available on the internet, containing video clips showing Deaf people using BSL. The BSLCP will also carry out research using this collection, into BSL grammar and vocabulary, social variation in the use of BSL, and how signing in the UK is changing.

The group, called the Scottish Teaching Council of BSL (STCBSL), held its first conference at the end of April 2013. The council is for tutors in Scotland. A key aim of the council is to establish agreed standards for language teaching and set up ongoing training and continuing professional development (CPD) events since, historically, there have not been clear qualification and progression routes for BSL teachers. <http://www.hw.ac.uk/news-events/news/new-council-aims-represent-british-sign-12150.htm>

## Smarter

**Expand opportunities for Scots to succeed from nurture through to lifelong learning ensuring higher and more widely shared achievements.**

### **Getting It Right For Every Child (GIRFEC)**

The Getting it right for every child approach is about how practitioners across all services for children and adults meet the needs of children and young people, working together where necessary to ensure they reach their full potential. It promotes a shared approach and accountability that:

- builds solutions with and around children, young people and families
- enables children and young people to get the help they need when they need it
- supports a positive shift in culture, systems and practice
- involves working better together to improve life chances for children, young people and families.

GIRFEC and the Early Years Framework apply to all children in Scotland including deaf children and young people and take a more person-centred, rights-based approach to the education of Scottish children. This should mean that deaf children and young people are given the support they need so that they find their own “fit” in both the hearing world and the Deaf Community simultaneously. For more information on GIRFEC, go to **Appendix 13**.

### **Curriculum for Excellence and bilingualism in BSL**

The Languages Working Group in the Education Scotland Curriculum Unit considered the rationale for promoting specific languages but decided not to set a hierarchy of languages to be learned by pupils in Scotland. The languages that are offered in schools are a matter for schools and local authorities to decide, taking account of the local context. However, Local Authority language strategies should acknowledge that for some children their first or main language is BSL. The opportunity exists for local authorities and schools to introduce BSL as a taught part of the curriculum. This is especially true as schools become aware of the new expectation around teaching an additional language from Primary 1 and another from Primary 5 and pupils continuing learning languages throughout their broad general education that is up to Secondary 3 at least. **Language Learning in Scotland. 1+2 Approach: Scottish Government Languages Working Group, Report and Recommendations. 2012**

<http://www.scotland.gov.uk/Resource/0039/00393435.pdf>

Schools will need to decide which languages to offer that best suit the needs of their pupils and the wider community including minority communities such as the Deaf Community, as well as looking to issues of continuity and transition through primary and into secondary education. Heriot-Watt University’s Department of Languages

and Intercultural Studies has written to the Minister for Learning, Science and Scotland's Languages and to SCILT, Scotland's National Centre for Languages, based at the University of Strathclyde on the integration of BSL into the 1+2 approach to language learning.

For Deaf adults now and in the future to be able to contribute to and to benefit from the opportunities presented by a successful, smarter Scotland, they need educational opportunities which enable them succeed alongside their peers. Deaf adults view education as the most significant influence on their achievements and wellbeing in later life and they hold very strong views on the nature of education for deaf children. Deaf children are, however, much more likely to have hearing parents (90%) and they have a range of views about the education of their children.

### **Communication in families with a deaf child**

In 2009, a researcher, on behalf of the Scottish Sensory Centre (SSC) and in conjunction with the National Deaf Children's Society (NDCS), undertook a mapping exercise on linguistic access and education for deaf pupils and students in Scotland. It looked at the linguistic access arrangements for deaf children from diagnosis and in school and for deaf students in further and higher education. The report also looked at data collection across the education system for deaf children and young people, including that of Language Service Professionals (LSPs) working in education, and the level of BSL that associated professionals had gained; and produced a number of recommendations to improve the linguistic access for all deaf learners across all aspects of education. One of the findings of this report was that the professional background of those working with families often influences the approach taken towards communication in families with a deaf child.

<http://www.scotland.gov.uk/Resource/Doc/260426/0077513.pdf>

If a family wishes to develop a knowledge and understanding of BSL, there is no national system which can deliver BSL tuition suitable for families. However, NDCS has produced a family curriculum and the BDA is in the process of developing one. These could form the basis of relevant tuition to families and if delivered by Deaf adults could also provide useful role models and sources of positive information on what it means to be Deaf. In 2010/11, a proposal was put to the Scottish Government Equalities Unit for a collaborative project to be funded to provide qualified BSL teachers to work with and support families to develop their BSL skills. This bid was not successful. Family friendly material in BSL for has been developed mostly by deaf organisations in the Third Sector.

NDCS continues to deliver its national family support service as well as its Your Child Your Choices project which support families with deaf children from birth to aged 8. This project has supported over 100 families and delivers regular training courses for parents in 'Family sign language', 'Communication is fun' and 'Parenting a deaf child'.

## **Scottish Asian families with deaf children**

NDCS delivers support through its Black Minority Ethnic Family Support Volunteer Network, a group of parents of deaf children, trained by NDCS to provide informal emotional and communication support to families who do not have English as their first language. They work closely with statutory services to enable them to engage more effectively with these families. They also host information days, coffee mornings and family outings for these families. The Ishara Project hosted by Deaf Connections provides support for Deaf adults from the BAEM communities in the west of Scotland - <http://www.deafconnections.co.uk/Table/Ishara/>

## **Communication support in schools**

According to NDCS' Close the Gap report, there is variation in the consistency and quality of support that deaf young people receive in schools across Scotland.

"In 2007, NDCS worked in partnership with HMIE (now Education Scotland) to produce the Count Us In: Achieving Success for Deaf Pupils resource. The schools inspectorate stated:"... the quality of [deaf pupils'] experience and their progress were limited by the lack of communicators and teachers with suitably high levels of BSL competence to provide effective access to the curriculum." <http://www.hmie.gov.uk/documents/publication/asfdp.pdf>

The "Count Us In" report continues to be a valuable resource and the uptake of this is positive among education practitioners. However, NDCS recommends that this resource is updated, and its content extended to include support for deaf children and young people from their early years through to further education. In 2010, Education Scotland also published the Journey to Excellence: deaf education resource which contains further opportunities for education practitioners to reflect on their practice in relation to supporting deaf children and young people. <http://www.journeytoexcellence.org.uk/>

Discussions about linguistic access and language/communication support professional and workers in schools included a broad spectrum of posts including Electronic Notetakers and Lip Speakers and those working exclusively in educational settings, such as Communication Support Workers and classroom assistants. These titles are applied to very different roles and it is often difficult to compare like with like. It has been suggested that part of the role of the teacher of deaf children is to co-ordinate these various roles to provide the optimum linguistic access for their pupils. There is some evidence that that level of BSL amongst teachers is not high, as described in the 2009 Scoping Study report. The consequence of this is that other professionals will require a higher level of BSL, if as a team, they want to be able to work successfully with deaf children who are in the process of acquiring a fluency in BSL.

## **Attainment of deaf learners** (Scottish Government, 2013)

As a group, the academic attainment of deaf children continues to trail behind their hearing peers. According to Scottish Government data in 2011/12, in comparison to school leavers with no additional support needs, deaf school leavers who received support for learning:

- were more likely to leave school with no qualifications (9.8% vs. 0.9%)
- were more likely to leave school with Standard Grades at 3-4 (16.2% vs. 10.8%)
- were less likely to qualify for entry into higher education (36.3% had Highers and Advanced Highers, as opposed to 61.1% of school leavers who did not have additional support needs).

This attainment gap is also reflected in access to post-school destinations for deaf school leavers:

- Scottish Government data shows that deaf school leavers are less likely than their hearing peers to go on to higher education (21.8% in comparison to 40% of hearing school leavers).
- More positively, 41% of deaf school leavers successfully enter further education after school. However, NDCS has concerns around how deaf young people are supported and funded to achieve their full potential within these further education settings. Deaf young people face barriers to employment with national data highlighting that only 19.1% find work within three months of finishing school compared to 25.5% of school leavers with no additional support needs.

NDCS has asked the Scottish Government and Education Scotland <http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/85486.aspx> to commit to a national review into education provision for deaf learners, including Deaf children and young people; to establish a set of recommendations to make progress in improving outcomes for this group. NDCS is committed to offering its expertise to support the facilitation of such a review, drawing together the contributions of skilled stakeholders from across the sector.

In **2010**, the University of Edinburgh, with funding from the Nuffield Foundation, carried out a piece of research that examined **the achievements of deaf pupils** in the UK, focusing on Scotland in order to make use of **a longitudinal database** which has detailed information about every deaf pupil from 2000 – 2005. This database is part of the legacy from the Mary Brennan study of **the Achievements of Deaf Pupils in Scotland**. <http://www.adps.education.ed.ac.uk/survey/index.shtml>. The 2010 project looked at factors leading to success for deaf pupils, patterns of early support for deaf pupils in education which lead to success in later years, and

how the academic, social, and vocational outcomes for deaf children compare to the wider population of children / school leavers.

The research attempted to follow the progress of pupils in the original database, involving questionnaires to deaf young people who have now left school, and close collaboration with teachers of deaf children who continue to be partners in collecting information about deaf pupils who are still at school. The researchers worked with a Reference Group with diverse representation.

<http://www.blendedlearning.me/DASS/site/index.php>

## Teachers of the Deaf

In 2013, the **Consortium for Research in Deaf Education** (CRIDE) carried out a national survey that suggests that there has been a 15% decline in the numbers of Teachers of the Deaf over the past two years. In addition, the survey raised concerns about the status and recognition given to professionals working with deaf pupils. According to statutory guidance, teachers working wholly or mainly with deaf children should obtain a mandatory qualification within five years of working within this role. However, CRIDE data suggests that the number of Teachers of the Deaf who are fully qualified in Scotland has declined by 23% in the past two years. More investigation is required to fully understand these figures within their local contexts. Any reduction in numbers or qualifications held by professionals raises serious concerns about how education services are supported to deliver effective services for deaf children. It is also important to note that within the context of mainstreaming deaf learners the decline in numbers of Teachers of the Deaf may also reflect increases in other support staff to meet additional needs such as Communication Support Workers, but there is little data in this regard as CRIDE does not ask what number of Teachers of the Deaf or support staff have BSL level 3 or above.

[http://www.ndcs.org.uk/professional\\_support/national\\_data/uk\\_education\\_.html](http://www.ndcs.org.uk/professional_support/national_data/uk_education_.html)

At the Cross Party Group on Deafness meeting held in the Scottish Parliament in June 2013, two representatives from **BATOD** presented a paper about their concerns about the qualification routes that the Teacher of the Deaf had to take.

There is the legal requirement for teachers who teach deaf children have the appropriate qualification. However their data has shown that there is a number of teachers still teaching deaf children for more than five years with no appropriate qualification. The data also shows that only one teacher had gone through and completed the competency route at Moray House School of Education and that there is no one keeping the record of teachers and checking on their qualifications.

BATOD suggested three action points:

- a) A register of Teachers of the Deaf should be set up by GTCS;
- b) A review of qualification routes; and

c) Teachers working with deaf children should be included in school inspections.

<http://www.scod.org.uk/scotdeaf/wp-content/uploads/2014/04/CPGD110613.pdf>

### **Mainstream education and special schools**

Most deaf children are placed in mainstream education (estimates vary between 80 and 97%). Some members of the BSL& LAWG felt that the roadmap should emphasise how important it is to have deaf schools and should make clear that mainstream education does not work for all. The Scottish Government currently funds Donaldson's School, following a decision made in 2003 to continue the funding stream to a small number of independent schools.

In 2012, the Scottish Government commissioned the Doran Review, which sets the strategic vision for education provision for children and young people with additional and complex needs in Scotland. The Review outlined 21 recommendations which were all fully or partly accepted by the Scottish Government. Some key recommendations were made about the introduction of strategic commissioning which will change current funding models and ways of working. Work streams have been set up to prepare for the introduction of strategic commissioning and support current grant-aided institutions in preparing for strategic commissioning. **The Right Help at the Right Time in the Right Place. Strategic Review of Learning Provision for Children and Young People with Complex Additional Support Needs: Peter Doran.** <http://www.scotland.gov.uk/Resource/0040/00408307.pdf>

The government's strategy **Curriculum for Excellence** should actively support all children. <http://www.curriculumforexcellencescotland.gov.uk/>

**Count Us In: Achieving Success for Deaf Pupils** (HMIE 2007) describes in detail how the Curriculum for Excellence should apply to deaf pupils. It states secondary school pupils should not have a restricted choice of subjects and deaf children should have access to specific programmes, such as programmes for learning BSL and an awareness of deaf culture. The report makes many other practical suggestions for improving the outcomes of education for deaf pupils. The Curriculum for Excellence acknowledges the two language areas - the need for language to access the learning experience and access to additional languages. [http://www.educationscotland.gov.uk/publications/c/publication\\_tcm4527188.asp](http://www.educationscotland.gov.uk/publications/c/publication_tcm4527188.asp)

### **Curriculum materials in BSL**

There is scant material available in BSL for any educational level, from nursery to higher education. Various projects have been funded to produce specific material; for example, 200 technical signs for scientific terms were produced on DVD by the Scottish Sensory Centre (SSC) during 2007. The SSC, working in partnership with Heriot-Watt University, now has over 1,000 technical terms and definitions in BSL for science subjects. The SSC raised the funding to produce this resource; it was not provided from the education budget. The SSC has not been able to persuade the



SQA to produce exams centrally in BSL because so few candidates ask for signed papers each year.

The SSC would like to see more of the syllabus covered as well as other curriculum areas so that Teachers of Deaf children are able to explain the necessary concepts in BSL. This should lead to higher achievement amongst BSL users in schools and colleges and encourage services for deaf children to consider the advantages of employing more bilingual and Deaf staff.

<http://www.ssc.education.ed.ac.uk/bsl/list.html>

The impact could be a lifelong one as the deaf education system would be successful in producing bilingual students, ready for further and higher education where they would not need as many academic texts translated.

### **Transitions to adult life**

Many Deaf adults believe the transition from school to work or to college was the most significant time in their life that greatly influenced everything that followed. While there are support structures in place for young people moving from school to tertiary education or into work, there are gaps. There is, for example no funding to access communication support if a pupil goes on a work placement or enters voluntary work, so deaf pupils are often denied the opportunity to learn about work and to demonstrate their practical potential for employment. Access to Work only applies to people who are in paid and contracted work.

Opportunities and risks for deaf students have been presented by the recent shift towards regionalised colleges in Scotland. Adept (formerly NATED) suggests that previously, it was unrealistic for all colleges to employ a qualified member of staff with a dedicated remit to manage support for deaf students. Now, they suggest that each regional college identifies such a person to fulfil that role in their institution. Adept has drafted a job description which acknowledges the diverse skills required to inform the sector – **Appendix 14**.

NDCS has launched a **Statement of Intent (Appendix 15)** which is a vehicle through which local authorities, with the support of NDCS, can pursue a pragmatic approach to supporting deaf young people locally. The three principles of promoting positive post-school transitions below are intended to support deaf young people to become successful learners and effective contributors in their local communities.

- 4) Promote positive emotional health and wellbeing and peer support among deaf young people
- 5) Facilitate effective transitional planning for deaf young people
- 6) Promote effective local multi-agency working to facilitate smooth and positive transitions

In partnership with NDCS, local authorities that do not as yet have a local transitions forum commit to facilitating a local forum which includes Teachers of the Deaf and other relevant professionals working with deaf young people. These fora will be vital

for bringing together key stakeholders in the area, to share knowledge and good practice, and to address specific challenges.

Heriot-Watt University hosted the **BSL:UPTAKE** project which enabled researchers and others with an interest in deaf studies and data collection to share existing studies and expertise.

## Healthier

**Aim: Help people to sustain and improve their health, especially in disadvantaged communities, ensuring better, local and faster access to health care**

Despite a number of initiatives over the years, there is still a lack of **identification of language and/or communication preference** on health records. The NHS National Services Scotland Information Services Division did a piece of work with deaf organisations and deaf people themselves on what information should be included in the Emergency Care Summary for each patient. Not all health boards have adopted the recommendations. Part of this was to ensure that IT programmes to support the establishment of electronic patient records were able to record communication preferences across all health sectors. Another part of this work was to look at the GP Read Codes so that these were “fit for purpose”. The Joint Sensory Impairment Strategy will further develop this work.

**NHS Greater Glasgow and Clyde** has a Spoken Language, British Sign Language and Communication Support; Interpreting Policy in place -

“The policy relates to both NHSGG&C’s Accessible Information Policy and to the Communication Support and Language Plan. It aims to:

- Describe interpreting and communication support and why it is important
- Define the roles and responsibilities of those responsible for implementing this policy and procedure
- Direct staff to available guidance for the provision, review and monitoring of interpreting and communication support
- Increase compliance with the Interpreting Services Booking Procedure.

2.2. Interpreting and communication support relates to all forms of communication support that will meet a patient's communication needs whilst using NHSGGC services. This includes face to face spoken language interpreters, telephone interpreting, British Sign Language (BSL) interpreters, deafblind communicators, Deaf relay interpreters, lip speakers, Notetakers and speech-to-text reporters (Palantypists) and any other forms of communication support required to meet the needs of the patient.”

<http://library.nhsggc.org.uk/mediaAssets/library/Interpreting%20Policy%202012%20-%202015.pdf>.

Several deaf organisations have worked with NHS GGC to ensure this is a comprehensive and robust policy.

**NHS Health Scotland** had a working group – the TICS JAG – the Translating, Interpreting and Communication Support Joint Action Group – which wrote and supported 2010/2011 Programme Delivery Plan for TICS in NHS Scotland. This plan

included signage, accessible appointments, communication support in its widest sense, interpreting procurement (including BSL and Deafblind Manual), use of technology, and stakeholder engagement. The group also proposed and organised an Interpreting Conference in November 2011. Part of the way forward for this plan was to improve the information available on the NHS Inform website.

<http://www.healthscotland.com/documents/4592.aspx>

**NHS 24** has put an online interpreting pilot in place, funded by the Scottish Government, to ensure that Deaf and Deafblind BSL users can access their out-of-hours services. The Scottish Council on Deafness asked a question about accessibility of service provision following the 2008 Annual Review. NHS 24 and SCoD worked together to look at what could be put in place to ensure equality of access for all deaf people, especially since technology offered solutions that had not been available previously. It is proposed that some form of “Webchat” is also put in place to ensure all people with a hearing loss can access the services without having a textphone. The NHS 24 pilot **online interpreting service** is being used by several NHS Health Boards - NHS Lanarkshire, NHS Grampian, NHS Tayside, NHS Borders, NHS Orkney, and the Scottish Ambulance Service - to provide language support for patients in a number of settings – Accident and Emergency, GP appointments, out-of-hours face-to-face services, outpatient appointments, and other areas where it is difficult to access BSL/English Interpreters in the short term.

<http://www.nhs24.com/ContactUs/OtherLanguages/videointerpretingservice>

Three NHS 24 staff have been seconded as full-time students to Heriot-Watt University’s BSL/English Interpreting degree course.

Deafblind Scotland has a project that is working in partnership with NHS 24 to ensure that services are accessible to Deafblind people.

The Scottish National **Blood Transfusion** Service is looking at online interpreting services for their main centres so that Deaf people have the same options as their hearing peers as to whether or not they donate blood. The Scottish **Breast Screening** Programme – which underwent a 10 year review in 2012 – is also looking at online interpreting in its hospital and clinic based services so that Deaf and Deafblind women and men have a better screening experience. It will not help Deaf and Deafblind women who live in more rural and remote areas and need to be screened in mobile units, but hopefully in time, these too will have access to online services.

The Scottish Ambulance Service is looking at an SMS service (mobile phones) for booking the **Patient Transport Service**. At a stakeholder engagement session especially for deaf people, this was identified as the easiest and most widespread way of making sure that deaf people can access this service for themselves if eligible or for other family members.

The BDA has **Deaf Health Challenge Project** that is working in conjunction with health providers and professionals to ensure Deaf people have equal and direct

access to all forms of health care and health promotion across the whole of Scotland. A report on this work - Health Services Provision to BSL Users in Scotland – has been published.

## **Mental Health Services**

Since the Roadmap was written, the Scottish Government has set up the Scottish Mental Health Service for Deaf People, hosted by NHS Lothian and based in St John's Hospital in Livingston. <http://www.nhslothian.scot.nhs.uk/Services/A-Z/mhdeafservice/Pages/default.aspx>

The Scottish Council on Deafness campaigned for many years for such a service – by petitioning the Scottish Parliament (Petition PE808 – **Appendix 16**) in 2005. Several members of SCoD's Mental Health Task Group gave evidence at the Scottish Parliament's Health and Sport Committee on the need for a specialist service, including SCoD's Policy and Research Officer who had written the report – Making the Case for Specialist Mental Health Services for Deaf People in Scotland. <http://archive.scottish.parliament.uk/s3/committees/hs/or-08/he08-1602.htm>

The service, which opened in **2011**, is committed to providing specialist support in Scotland for deaf people with mental health problems across Scotland. They provide a high quality service for people who are deaf and are suffering from mental ill-health. In the main, they are a consultancy and liaison service providing the following:

- Advice on local management of deaf people with moderate or severe mental health problems which present challenges in assessment and/or treatment across Scotland;
- Assessment and/or treatment of patients at request of or in liaison with local clinicians on an outreach basis;
- Advice/assessment of the possible requirement for specialist inpatient treatment; and
- Provision of training in deaf awareness and deaf mental health issues for mental health professionals.

In 2009, a pilot project to give Mental Health Officers deaf awareness training was carried out by a deaf organisations partnership. This was a one-off that has not been repeated due to lack of funding.

There continues to be a lack of information about the Mental Health (Care and Treatment) (Scotland) Act 2003 in BSL. The Scottish Government's Communications Working Group that was set up in **2004** to produce the "purple booklets" had the production of all the booklets in BSL on its agenda until the group was disbanded, but as yet, apart from the CD produced by the **Mental Welfare Commission for Scotland**, there has been little information produced in BSL. With the publication of the **Principles of Inclusive Communication** -

<http://www.scotland.gov.uk/Publications/2011/09/14082209/0> - and the completion of the review of the Mental Health Act, this situation may change.

**NHS Inform** is the new national online **health information** service. This service has brought together many pieces of health information in BSL -

<http://www.nhsinform.co.uk/search-results.aspx?q=BSL&t=entiresite>.

**Breathing Space** is a free, confidential phone and web based service for people in Scotland experiencing low mood, depression or anxiety. The service provides a safe and supportive space by listening, offering advice and information. There is a BSL service available two evenings per week -

[http://www.breathingspacescotland.co.uk/bspace/controller?p\\_service=Content.show&p\\_applic=CCC&pContentID=822](http://www.breathingspacescotland.co.uk/bspace/controller?p_service=Content.show&p_applic=CCC&pContentID=822)

**The Patient Rights (Scotland) Act 2011** was passed by the Scottish Parliament on 24 February 2011. The Act gives all patients the right that the health care they receive will:

- consider their needs
- consider what would most benefit their health and wellbeing
- encourage them to take part in decisions about their health and wellbeing, and
- provide them with the information and support to do so.

It also gives patients a right to give feedback, comments, raise concerns or complaints about the care they have received. The Act required Scottish Ministers to publish a **Charter of Patient Rights and Responsibilities** which summarises the existing rights and responsibilities of patients using the NHS in Scotland and of people with a personal interest in such patients' health care.

<http://www.scotland.gov.uk/Resource/0040/00407723.pdf> One of the rights within the charter is

“You have the right to request support when making decisions about your health care.

If you need an interpreter or a sign-language interpreter, or other communication support, you can ask in advance for a member of staff to arrange this for you.” **Page 8.**

Although work has been done to ensure health services are accessible to deaf people, there is still much to be done. In March **2013**, the **Scottish Public Services Ombudsman** found against NHS Tayside in a case where

“The complainant (Mrs C) raised concerns about the failure by Tayside NHS Board (the Board) to provide a British Sign Language (BSL) interpreter for a patient (Ms A) in Ninewells Hospital (the Hospital).

The complaint which has been investigated is that it was unacceptable for the Board not to provide a BSL interpreter during Ms A's 12-day in-patient admission to the Hospital in July 2011 (upheld)."

<http://www.spsso.org.uk/investigation-reports/2013/march/tayside-nhs-board-0>.

For the result of the ruling, go to **Appendix 17**.

### **Re-ablement and Rehabilitation**

In **2013**, eleven new **Lip Reading** tutors completed a one-year course which was designed by Scottish Course for Training Teachers of Lipreading (**SCTTL**) and resourced by the Scottish Government-funded **Scottish Lipreading Strategy Group**. This brings the number of qualified tutors in Scotland up to 31. SCTTL has launched its updated website with more information about the Lip Reading classes. <http://www.scotlipreading.org.uk/>

The Minister for Public Health, Michael Matheson, said: "The Scottish Government recognises that learning to lipread plays an important role in helping people to better manage their hearing loss as well as improving their communication, health and wellbeing. The work of these new tutors will help to significantly reduce social isolation currently experienced by many people with hearing loss." <http://www.actiononhearingloss.org.uk/news-and-events/scotland/news/newly-qualified-lipreading-tutors-ready-to-teach-life-changing-skill.aspx>

The Lip Reading Strategy Group is supported by a social researcher employed by AoHL who will produce a report based on the research being carried out into the significance that lip reading plays in the re-ablement of people with a hearing loss in Scotland.

## Safer and Stronger

**Aim: Help local communities to flourish, becoming stronger, safer place to live, offering improved opportunities and a better quality of life.**

The Scottish Government's focus for safer and stronger communities is that

“We live our lives safe from crime, disorder and danger

We live in well-designed, sustainable places where we are able to access the amenities and services we need

We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.”

<http://www.scotland.gov.uk/About/Performance/scotPerforms/objectives/safeAndStronger>

In June 2010, the **Justice Disability Steering Group** report was published.

**Appendix 18** Capability Scotland had been tasked with consulting with disabled people and the organisations that support and work with them to establish what barriers disabled people face when involved in all aspects of the justice system in Scotland. From August to October 2009, Capability Scotland worked with seven equality organisations to hold seven involvement events, including one it ran itself, for disabled people to raise concerns about the justice sector and make suggestions for improvement to access. The deaf organisation involved was Deaf Connections.

At the involvement events, five key topic areas were discussed:

- Physical access
- Access to legal advice
- Information barriers
- Communication barriers
- Attitudinal barriers and rights.

The information gathered from deaf people was fairly negative – Deaf BSL users arrested for being violent and under the influence of alcohol when in actual fact, they were upset and trying to make themselves understood in BSL. A deaf prisoner was interviewed and reported how he was not given support in order to understand what was happening throughout the justice process and that he was concerned that he was being seen as difficult or obstructive in the prison when, in fact, he struggled to understand what was being said to him.

There is an ongoing issue about deaf people accessing language/communication support when they need to see a solicitor in both criminal and civil circumstances. If the person is entitled to **Legal Aid**, then the solicitor can apply for financial support to pay for language/communication support for all appointments. But the problem is who pays for the language/communication support before the application for Legal



Aid is processed and who pays if the person is not entitled to Legal Aid. Several deaf organisations/partnerships, including SCoD and the BSL and Linguistic Access Working Group have met with the **Law Society for Scotland** and the Scottish Legal Aid Board (SLAB) to look at this issue, but no concrete decisions have been made re initial access. SCoD has joined a working group that is looking at this and other justice matters – the Law Society for Scotland and SLAB are members of the group. In **2011**, the Governor of HMP Glenochil approached SCoD to have a discussion about **deaf people and access in prison**. This discussion resulted in the Governor working with Deaf Action to ensure all his staff received basic BSL training, deaf awareness training and communication skills training.

SASLI has worked closely with the **Scottish Court Service, the Judicial Institute for Scotland and Scotland's Crown Office & Procurator Fiscal Service** with the aim of raising Deaf and BSL/English interpreting awareness with legal staff. SASLI has also organised specialist training for SASLI registered interpreters to learn and practise court procedures. The aim of this was to **increase the number of registered, suitably experienced interpreters** able to work in court settings and increasing accessibility and equality for Deaf people.

The Crown Office and Procurator Fiscal Service chairs a Working Group on Interpreting and Translation, which includes members from a number of the main criminal justice organisations. The working group aims to establish common standards for interpreting and translation in the justice system and has produced a code of practice for working with interpreters. <http://www.copfs.gov.uk/in-your-community/equality-diversity>

A number of deaf organisations, on their own or in partnership with other organisations, have worked with the police and/or fire and rescue services to make sure local services are accessible for deaf people. One of the most pressing issues is that this learning is not lost now that both services are national – **Police Scotland** and the **Scottish Fire and Rescue Service**. Prior to Police Scotland's inception, SCoD worked with the Communications Team on how contact with the new force could continue to be accessible for deaf people and others who cannot use a telephone. All **local accessible options** remain in place – including SMS contact and email contact. Police Scotland made a commitment to looking at how to make the **101 non-emergency service** accessible once they have updated their telephony platforms. Deaf people can access the **999 emergency service** by registering their mobile numbers so that in an emergency, they send a text asking for the police, fire and rescue, ambulance or coastguard. <http://www.emergencysms.org.uk/>

Research by the Centre for Translation and Interpreting Studies in Scotland at Heriot Watt University on face-to-face interpreting in police investigations has promoted equal access to justice, changes to policy, practice and training for police officers and legal professionals across Europe. Sign language access has consistently been included in this work. <http://ctiss.hw.ac.uk/>

SCoD continues to be involved in the Scottish Government **Building Safer Communities** Learning Network. This network gives an ongoing opportunity to work with the Police and Fire and Rescue services to ensure they become fully accessible for all deaf people.

[http://www.buildingsafercommunities.co.uk/uploads/1/9/0/5/19054171/building\\_safer\\_communities\\_programme\\_-\\_learning\\_network\\_event\\_7\\_-\\_event\\_note.pdf](http://www.buildingsafercommunities.co.uk/uploads/1/9/0/5/19054171/building_safer_communities_programme_-_learning_network_event_7_-_event_note.pdf)

Several deaf organisations throughout Scotland have become third party reporting centres for reporting **hate crime**. **Appendix 19** This means that deaf people get the support they need when reporting a crime against them.

Heriot-Watt University has carried out work on access to legal processes for non-English users, including BSL users.

The BDA has the **Empowerment and Campaigns Project** which provides opportunities for Deaf people to develop their own personal, social and community skills and knowledge, so enabling participation in wider society. The project also involves the Deaf Community in consultations by the Scottish Government and Westminster.

### **Access to Independent Advocacy**

The Scottish Independent Advocacy Alliance (SIAA) has been a member of the SCoD Mental Health and Deaf People Task Group for a number of years and is fully aware of the issues.

SCoD and the SIAA are in talks re partnership working to ensure advocacy organisations are deaf aware and deaf organisations understand what independent advocacy is. Advocacy money has been made available to Deaf Links and BDA Scotland to provide advocacy for deaf people Dundee, the Highlands and the South of Scotland. Some independent advocacy organisations in Scotland are providing advocacy for deaf people. <http://www.siaa.org.uk/>

Greener

**Aim: Improve Scotland's natural and built environment and the sustainable use and enjoyment of it.**

Many deaf people miss out on the ability to influence the work done to improve Scotland's natural and built environments because without information that is both accessible and timely they are unaware of what is being done and what is going on.

For example, one of the **national indicators** is the proportion of adults making one or more visits to the outdoors per week. This indicator is important because “**outdoor recreation** is beneficial for health and well-being. It also provides opportunities for people to come into contact with, and increase their understanding of, the natural environment.”

<https://alpha.scotland.gov.uk/government/indicators/increase-peoples-use-of-scotlands-outdoors> The Government wants to increase accessibility, education and awareness. **Scottish Natural Heritage** (SNH) has a responsibility for promoting understanding of the opportunities for outdoor recreation, including promotion of the Access Code. Scottish National Heritage is reviewing its website and SCoD took part in an interview (September 2014) to look at how accessible the website is for deaf people – it is not accessible at the present time and although SNH has taken the decision to have film clips on the website, it did not realise that the clips would have to have closed captions and a BSL translation to make them fully accessible for deaf people.

The Scottish Government's **Planning System** -

<http://www.scotland.gov.uk/Topics/Built-Environment/planning> - has no accessible information on it neither do **strategic planning authorities** – for example, Glasgow and the Clyde Valley - <http://www.gcvsdpa.gov.uk/sdp>.

The Scottish Government consulted on and has now lodged the **Community Empowerment (Scotland) Bill** with the Scottish Parliament. The purpose of this Bill is to help local communities to develop the places they want to live and work in – it will help everyone in Scotland to get involved in the decision-making processes at a local level. The government has published the Bill's policy memorandum in an Easy Read version and all the other papers including the Bill in English, but has not published anything in BSL as yet. <http://www.scotland.gov.uk/Topics/People/engage>.

On the government website, there is a number of publications relating to community engagement -

<http://www.scotland.gov.uk/Topics/People/engage/HowToGuide/Publications#a3>.

This page does not list the Principles of Inclusive Communication, but does have a link to the Australian Government Department of Social Services – nor does it have a link to the **National Standards for Community Engagement** - which were

- “commissioned by the Minister for Communities, through Communities Scotland

- developed by SCDC from the experience of communities and agencies with extensive participation of over 500 community and agency representatives
- published in 2005 with endorsement by the Scottish Executive, the Convention of Scottish Local Authorities, Scottish Enterprise and Highlands and Islands Enterprise, NHS Health Scotland, the Association of Chief Police Officers and many others.”

<http://www.scdc.org.uk/what/national-standards/> **Appendix 20**

The **Scottish Accessible Information Forum** (SAIF) was funded by the government to provide guidance on how to produce accessible information for the people of Scotland. <http://www.saifscotland.org.uk/> Accessible information is not just for health and possibly social services. Public bodies and government itself need to be smarter when producing information for the people in Scotland. Without information on the environment, recycling, energy efficiency, public health, planning, and land and environmental services at a local level, deaf people cannot become **greener citizens** who are fully engaged with their local communities and communities of interest.

## The Third Sector and “mainstream support” for Deaf, Deafblind and Deafened people

One of the recommendations that came from the Independent Living in Scotland (ILiS) Working Group that write the Principles of Inclusive Communication was that Scottish Government departments that fund the third sector should include guidance on why organisations should be applying for funding for language/communication support. This need would also be shared with the Funders Forum so that all funders of projects would be aware of the need to include this in application packs. This continues to be an issue as many third sector organisations are not deaf aware and so do not fully understand the need for linguistic access for Deaf, Deafblind and Deafened people who may want or have to access information and support from the services they provide.

## The See Hear - Joint Sensory Impairment Strategy

The See Hear – Joint Sensory Impairment Strategy was published in April **2014**. It is a framework document produced by the government in partnership with local authorities, health boards and third sector organisations.

The Strategy covers **all people in Scotland** who have or are at risk of developing a sensory loss, including children, older people, people who have a learning disability or who have had a stroke or have dementia. The term “sensory impairment” includes all levels of hearing loss, visual loss and also deafblindness.

The Strategy recognised that there is a rising prevalence of both hearing loss and visual loss as people get older, but also recognises and acknowledges the work that is being done to support **children and young people** who are deaf, have a sight loss or are deafblind with GIRFEC and the Children and Young People (Scotland) Act 2014 - <http://www.legislation.gov.uk/asp/2014/8/section/1/enacted>

It is set against a background of increasing demand, the requirement for greater efficiency and effectiveness, and Health and Social Care Integration.

The Strategy will achieve:

“The seamless provision of assessment, care and support to children and adults with a sensory impairment.

Children and adults with a sensory impairment should expect the same access to education, employment, healthcare, social care and leisure as everyone else.

People who have or develop a sensory loss understand what this loss will mean for them.

People who have or develop a sensory loss are able to access information and be supported to take the maximum possible control over living as independently as possible, while also getting direct assistance when needed: appropriate communication is critical to this.

Children and young people with a sensory impairment should expect appropriate and timely intervention in the early years and for as long as is required.” **Page 8**

The Strategy contains the following recommendations:

1. Local partnerships should consider options for the introduction of basic sensory checks for example for people of a certain age, and at agreed times in their care pathway.
2. At a national level, the Scottish Government should scope out the range of formal and informal training opportunities around sensory impairment awareness, and work with the relevant education, training and qualification bodies to explore opportunities to increase awareness and expertise in the area of sensory impairment awareness, building appropriate content into the core training regimes of different professional groups.
3. Local partnerships should audit their skills base in relation to awareness of sensory impairment in the workforce and take steps to address any deficits identified, targeted in the first instance at older people’s services.
4. Local partnerships (in this instance local statutory and third sector agencies) should be able to evidence that their service planning reflects the need in their area, and reflects appropriate responses to the hierarchy of need outlined earlier.
  - i. They should audit current spend and service patterns on sensory impairment, including for carers, in relation to specialist provision and also to those elements of other service provision that impact on people with a sensory impairment. In the light of the findings, consideration should be given to options for service redesign as appropriate;
  - ii. They should develop care pathways for people with a sensory impairment, which confirm the component parts of the individual’s journey. In so doing they should assess performance against the care pathway and the key factors for effective pathways outlined earlier, and use this as the basis for service improvement, and identify the relevant responsibilities across agencies for the delivery of this;
  - iii. Accessible local information strategies should be developed to include preventative measures and good self-care in retaining sensory health, but also providing information on how to access services.

5. There should be robust systems for maintaining information locally, and sharing this between agencies, in relation to people who have received a diagnosis of a sensory impairment at any time from birth onwards.
6. Agencies should review their compliance with the Equalities Act 2010 and the UNCRPD Article 9 in relation to sensory impairment, particularly in relation to communication, and give consideration to whether any future action may be required.
7. The Scottish Government should issue further guidance in relation to children and young people following the conclusion of work on the implications of the Doran review and the eventual enactment of the Children and Young People (Scotland) Bill.

The recommendations and areas for action will be taken forward by the Scottish Government and local partnerships which will be made up of local authorities, health boards and third sector organisations. Scottish Government funding is available to local authorities on behalf of these local partnerships. It is intended that the local partnership funding will provide resource to facilitate discussion, planning and action at local level.

### **Economic Mapping and Preventative Spend**

This is an area that requires research. There has been little research carried out on the deaf sector in Scotland. We know that the government has spent £2,100,629 in Section 10, Section 16b and Equality grants to a number of deaf organisations working with or supporting deaf people in Scotland. See **Appendix 21**. What we do not know is what impact this spending has had on the lives of deaf people in Scotland. We also do not know what the preventative spend has been in the deaf sector in Scotland and the impact of this.

## **What are the similarities to the recommendations in the See Hear: Joint Sensory Impairment Strategy?**

1. Local partnerships should consider options for the introduction of basic sensory checks for example for people of a certain age, and at agreed times in their care pathway.

This would help to add to the data collection for all deaf people, especially those who are losing their sight or hearing as they age. When compared to other data collected, it could also help to identify adult Deaf BSL users who are in good health and do not use social services.

2. At a national level, the Scottish Government should scope out the range of formal and informal training opportunities around sensory impairment awareness, and work with the relevant education, training and qualification bodies to explore opportunities to increase awareness and expertise in the area of sensory impairment awareness, building appropriate content into the core training regimes of different professional groups.

The Roadmap identified the need for deaf awareness and linguistic access training for employers as well as service providers. Although some work has been done on this – SQA review, for example, there is still a need to audit what is available and by which awarding body and to develop appropriate training for different work streams and professionals. There is also a need to look at how BSL is taught and what career pathways are open tutors. A further training regime needs to be clarified and that is for professionals working in schools as teachers of the deaf and communication support workers. Alongside this is a need to look at registration and CPD for those who are providing training especially to children and young people.

3. Local partnerships should audit their skills base in relation to awareness of sensory impairment in the workforce and take steps to address any deficits identified, targeted in the first instance at older people's services.

Again, this is something that the Roadmap identifies as a need – see point above. This is wider than covering service provision in that it should also cover mainstream workplaces as, hopefully, in the future, there should be more mainstream employment opportunities for Deaf and Deafblind BSL users, Deaf people whose first language is a spoken language, and Deafened people. This wider employment awareness can also help those who start to lose their hearing as a result of age or illness to retain their employment for longer.

4. Local partnerships (in this instance, local statutory and third sector agencies) should be able to evidence that their service planning reflects the need in their area, and reflects appropriate responses to the hierarchy of need outlined earlier.



- i) They should audit current spend and service patterns on sensory impairment, including for carers, in relation to specialist provision and also to those elements of other service provision that impact on people with a sensory impairment. In the light of the findings, consideration should be given to options for service redesign as appropriate;

There has been little mapping of the deaf sector in Scotland and little or no evaluation on the central/local government spend on deaf projects, including those that have been funded to ensure increased engagement and participation by deaf people in policy development at a national and local level. There needs to be more research carried out on whether or not deaf people are fully engaged in the local planning partnerships and other bodies.

- ii) They should develop care pathways for people with a sensory impairment, which confirm the component parts of the individual's journey. In so doing they should assess performance against the care pathway and the key factors for effective pathways outlined earlier, and use this as the basis for service improvement, and identify the relevant responsibilities across agencies for the delivery of this;

This care pathway development should be able to show how BSL and linguistic access is being achieved at a local level, including access to information and services.

There also needs to be more done to ensure the necessary rehabilitation services are put in place to ensure that people who become Deafened (have an acquired hearing loss) are cared for using a rehabilitative approach. This would ensure that all people who are diagnosed with a hearing loss have access to all the information they need about language/communication support and how to access this.

- iii) Accessible local information strategies should be developed to include preventative measures and good self-care in retaining sensory health, but also providing information on how to access services.

If local information strategies follow the Principles of Inclusive Communication than they will be able to evidence how they ensure BSL and linguistic access for deaf people. This would then "fit" with the Roadmap's expectation on access to information that is fully accessible to those who need it.

5. There should be robust systems for maintaining information locally, and sharing this between agencies, in relation to people who have received a diagnosis of a sensory impairment at any time from birth onwards.

Too often the linguistic and communication needs of Deaf, Deafblind and Deafened people are not recorded and so do not proceed them. For example, GPs refer people onto specialist services in hospital and when the person goes to their appointment, no language/communication support has been booked as their

needs have not been passed on. Communication is a two way process and it is important that the health professionals can communicate properly with all their patients, more especially in times of cuts in services. With better electronic systems as well as the Public Bodies (Joint Working) (Scotland) Act 2014, it should be much easier for agencies to share this basic level of information – what language/communication support do I as a professional have to make sure is in place so that I can communicate properly with my Deaf, Deafblind and Deafened clients and service users.

6. Agencies should review their compliance with the Equalities Act 2010 and the UNCRPD Article 9 in relation to sensory impairment, particularly in relation to communication, and give consideration to whether any future action may be required.

The Roadmap makes several references to the need to plan so that the linguistic/communication needs of deaf people are considered at the start of processes rather than left to chance. For example, when planning physical access in new health settings, the same consideration should be given to visual call systems in waiting areas as is given to the installation of ramps and lifts. But it goes further than looking at health and social care settings, all public buildings should be as easy for a deaf person to access as it is for a hearing person. More deaf people should be involved in the planning and design of public buildings so that they are deaf-compliant.

7. The Scottish Government should issue further guidance in relation to children and young people following the conclusion of work on the implications of the Doran review and the eventual enactment of the Children and Young People (Scotland) Bill.

This ties in with the recommendations made in the Roadmap for deaf children and young people and reflect many of the actions asked for by children's services that work with deaf children and young people, and NDCS.

## Areas of the Roadmap that are still to be addressed

1. There does not appear to have been any audit carried out on accessible information in Scotland, including the use of technology to increase the accessibility of websites. As the Digital Participation strategy is rolled out across Scotland there needs to be a baseline from which to start to ensure that Deaf, Deafblind and Deafened people and their families and carers are not left behind and left out.

The Scottish Government website is under review as information is transferred to scotland.gov.uk. This website is being populated by information in plain English, but does not appear to be using the SAIF guidance. This is something that needs more promotion. Other public bodies, including local authorities and health boards – all have websites that are WC3 accessible. Some do have some information in Easy Read and/or BSL but these are not the norm. Too often video clips do not have captions.

The Scottish Government now has a contract in place that allows consultations and other public documents to be translated into BSL and to be published at the same time as the documents are in English. There is little evidence of this facility being put into practice.

Some local authorities and health boards have accessible parts to their websites – information in BSL, English captions on video clips. But more could be done.

2. There is still a lack of statistical data. There has been no systematic approach to the collection of data in Scotland. There is work to be done with the “Beyond 2011” project (this project is looking at how government should gather statistical data in the future) to look at what questions should be asked to gather the necessary information about deaf people and their lives. More negotiation is needed on the questions used in the Scottish Household Surveys as well as the Scottish Attitudinal Surveys.
  - Work has been done by NHS National Services Scotland Information Services Division on capturing data from primary care sources. The momentum on this has possibly slipped somewhat since the lead person retired.
  - Individual Health Boards have been looking at how they capture data on patients and staff.
  - Local authority sensory impairment strategy leads will be of particular importance in the gathering of data at a local level.

3. There are few public bodies in Scotland that have taken responsibility for the linguistic access for Deaf and Deafblind people whose first language is BSL. The BSL and LA Working Group Consortium Project – Equality and Access for Deaf

and Deafblind People in Scotland – is starting to address this within Education and Health settings. MSP Mark Griffin’s BSL (Scotland) Bill should address this across all areas of government at a national and local level if it is successfully enacted.

4. Again there appear to be few public bodies that have effective mechanisms in place for effective consultation and communication with Deaf, Deafblind and Deafened people to inform policy development and service planning. More needs to be done to show how public bodies are developing direct and stronger links with deaf people in their own communities, and how representative these deaf people are of their communities. Younger deaf people should be encouraged to become the community leaders of the future.
5. There is more work to be done on access for Deaf, Deafblind and Deafened people who are immigrants to Scotland and/or who come from BAEM communities. There is a specific issue with access to financial support through the welfare benefit system that is specific to immigrants at the present time, but may be extended to others, including Deaf and Deafblind BSL users. The UK Government has introduced an English “test” where immigrants need to prove they are learning to speak English. Does this mean that Deaf, Deafblind and Deafened immigrants cannot access the benefits system; and so cannot access employment search support?
6. There needs to be more capacity-building in the Deaf Community to enable more people to become fully-qualified teachers as well as BSL tutors. This would enable more deaf children to learn BSL in schools and with further investment, enable their hearing peers to learn BSL at the same time. BSL could then be taught in the same way that English, Gaelic and community languages (modern languages) are taught which would go a long way to making BSL accessible to more people and increasing the opportunities for linguistic access for Deaf and Deafblind people.
7. There is a lack of research being carried out on the deaf sector and how it supports both the private and public sector in providing opportunities for deaf people to access employment through volunteering and work placement, internships and apprenticeships; and how individuals get the support they need to develop their own businesses and enterprises.
8. Little work has been carried out in the deaf sector on the language used to define deafness, BSL and linguistic access and how this “fits” with the language used in government policy, at a national and local level. This can lead to misunderstandings and exclusion rather than inclusion across the sector as well as across the Third, Public and Private sectors as a whole. There needs to be a move towards a more person-centred, rights-based use of language that is

inclusive of all deaf people in Scotland including those with other disabilities and protected characteristics.

## **Recommendations from the Review of the Roadmap**

### **Audit, Monitoring and Evaluation**

- A. The work of the BSL and Linguistic Access Working Group has not been evaluated since the Roadmap to see if the group remains “fit for purpose” and to see if the membership should remain as it is. This evaluation could be done by the group with an external facilitator or by an independent evaluator.
- B. Website and Information Audit – Both the Roadmap and the See Hear Strategy call for more planning to ensure that information is fully accessible for all those who need it. Without an audit trail on what has been discussed and then put into practice, it is difficult to see where improvements have been made and how policies are being put into practice. It may be possible to audit some of the work done by local authorities and other public bodies who have signed up to the Public Services Improvement Framework (PSIF) and so should be using the Principles of Inclusive Communication. This could give a baseline for others to measure against.
- C. Mapping of the deaf sector in Scotland and evaluation of central/local government spend on deaf projects, including those that have been funded to ensure increased engagement and participation by deaf people in policy development at a national and local level.
- D. Audit of policies across all government – central and local - to show the impact the Roadmap has made to the inclusion of BSL and Linguistic Access for deaf people in Scotland.

### **Data Collection**

- E. There needs to be more planning on how and what data will be collected on deaf people and their linguistic access needs in Scotland. There have been many small pieces of good practice that have been allowed to disappear as the responsible personnel have changed jobs or retired. A more strategic approach needs to be taken across government to ensure that this good practice is not lost and is replicated throughout all areas of the public sector.
- F. The work begun by the deaf sector to change the way that Census and other government survey information is collected should continue. Consideration should continue to be given to the introduction of a deaf register for adults once the pilot register for children and young people has been completed.

### **Engagement, Involvement and Participation**

- G. There needs to be a clearer picture of what community empowerment and personalisation means for deaf people, their families and carers in Scotland, and

how this increases the engagement, involvement and participation in community decision-making processes and planning.

- H. More public bodies need to use the co-production model to ensure deaf people, their families and carers are fully involved in the planning and design of local and national services, including those that involve increasing BSL and linguistic access. This needs to happen across all areas of government, not solely in the more traditional areas such as health and social care.
- I. More needs to be done to increase the inclusion across the deaf sector, which should identify those who are on the margins and not fully active in the design and development of the sector; and who by default are also on the margins of other services and sectors. The deaf sector needs to be fully inclusive of all deaf people, their families and carers so that good practice can be shared and other sectors can learn lessons. This may involve looking at the language used across the sector as a whole, including definitions and what is meant by linguistic access.

## **Sector Development**

### **Deaf Sector**

- J. The deaf sector should lead the way in asking for an independent audit of awareness training – deaf, communication skills and BSL. This has been identified as a gap from the Roadmap and in the See Hear Strategy.

Any audit of awareness training should include an audit of the career pathways for those who deliver training along with registration, supervision and CPD.

Deaf organisations should lead the way in training needs analysis to show what level of training their staff and volunteers have; including hearing awareness for their deaf staff.

- K. Market development – the deaf sector should be working with government and the private sector to move away from a grants-based culture to one of social investment. This may mean that the sector will have to work to look at possible duplication of work and greater partnership working between organisations to share skills sets and knowledge.

### **Private and Public Sectors**

- L. Training Needs Analysis (TNA) – for all front facing staff in the first instance. This could be similar to the “Social Work Skills Audit” that SCoD carried out on Social Work Services in Scotland in 2009/10. This will show the extent of awareness and BSL training that has taken place throughout the sectors as well as how it was delivered. From this, the deaf sector and government can put in place a comprehensive awareness raising programme.

There is also a need to carry out a TNA for strategic planners and those whose remit it is to design physical spaces and the delivery of services.

## **Linguistic Access**

M. There needs to be a full and frank discussion across all the government departments that work to support deaf children and young people as well as those who work in the deaf sector doing similar work on what we mean by bilingualism and how this can be achieved for deaf children and young people. From this discussion, there needs to be a strategic plan in place which allows this to become a reality if this is what is decided.

# Appendices

## Appendix 1

### Original members of the BSL & LA Working Group - 2000

Association of Directors of Social Work (ADSW) - <http://www.socialworkscotland.org/>

**British Deaf Association** (BDA Scotland) - <http://www.bda.org.uk/>

CACDP – now **Signature** - <http://www.signature.org.uk/>

**Deafblind Scotland** - <http://www.deafblindscotland.org.uk/>

Forum of Providers of Social Work Services – contact was Liz Scott Gibson (ex Deaf Action) and Gordon Chapman (ex Deaf Connections)

Heriot-Watt University School of Management & Languages, **Department of Languages & Intercultural Studies** - <http://www.hw.ac.uk/schools/management-languages/departments/languages-intercultural-studies.htm>

LINK – now **Hearing Link** - <http://www.hearinglink.org/>

RNID – now **Action on Hearing Loss** - <http://www.actiononhearingloss.org.uk/about-us/scotland.aspx>

Scottish Association of Sign Language Interpreters – **SASLI** - <http://www.sasli.co.uk/>

Scottish Council on Deafness (**SCoD**) – [www.scod.org.uk](http://www.scod.org.uk)

Scottish Course for Teaching Teachers of Lipreading (SCTTL) - <http://www.scotlipreading.org.uk/>

University of Edinburgh – Moray House - <http://www.ed.ac.uk/schools-departments/education> now the **Scottish Sensory Centre**

2015 - Current members are highlighted in **bold**.



## **Appendix 2**

### **Consortium Bid - 2013**

#### **Project Outcome 1:**

Produce a 'Statement of Intent' and use this as a starting point to seek consensus and adoption of this by public authorities on priorities for improvement and a commitment to change.

#### Activities

- Establish a "statement of intent" for BSL & linguistic access. This Statement will ensure the aims, objectives and priorities of the Deaf community are included.
- Use the Statement of Intent as a promotional document to raise awareness and improve understanding of the needs of both BSL users & those who use other means of linguistic access.
- Work in partnership with public authorities to develop a consensus on principles and priorities for improvement.

#### **Project Outcome 2:**

The consortium will proactively and continuously engage with public authorities at a strategic level to seek improved equality of opportunity for deaf people, their families and their communities.

#### Activities

- Consider the impact of existing and emerging policy development and service improvement (for example the Sensory Impairment Strategy, Children and Young People Legislation and Independent Living, Older People, Learning Disability Strategy, consultation findings on a proposed BSL Bill ).
- Work in collaboration across deaf and deafblind organisations to maximize opportunities and consider priorities.
- Raise awareness at a national and local level of the needs and priorities of deaf people.
- Provide evidence to support effective and lasting change.
- Work with deaf children, young deaf people and deaf adults with hearing impairment across Scotland to consider key issues and priorities for change.
- Consider local need and demand; support public authorities to seek viable solutions which complement existing and emerging legislation to improve service delivery at a local level.
- Encourage public authorities to consider communication support costs in their budget management and demonstrate the benefits that can be derived from this.

- Develop and provide training to improve the understanding of public authorities of the specific needs of deaf people.
- Engage deaf people to help and support delivery of the training.

### **Project Outcome 3:**

The participation and contribution of deaf people at a local and national level will increase. Policy development and local service delivery will have improved by means of positive engagement and consideration of sustainable solutions.

#### Activities

- Develop the necessary skills and awareness in deaf people through training and participation at a local level.
- Support and increase deaf people's involvement with public authorities and the Third Sector and build the capacity of local networks.
- Consider methods and solutions which will enable the sustainability of national and local participation and contribution to enable continued improvement.

### **Project Outcome 4:**

Through an established method of evaluation, monitoring and reporting - demonstrate and evidence the positive improvements that have been achieved throughout the funding period. Make recommendations for continued improvement across the public and third sector.

#### Activities

- Work with deaf people to collate information and gather results of national and local activity and outcomes to evidence the positive change achieved throughout the funding period.
- Provide evidence of increased participation at a national and local level of deaf people and how this will be sustained.
- Provide the Scottish Government with a final report at the end of the funding period (March 2015) making recommendations for continued improvement at a local and national level.

## Appendix 3

### Equality and Access for Deaf People Project (BSL and LA Working Group Consortium) Statement of Intent - 2014/15

#### Overview

Scottish Council on Deafness (SCoD) states:

- 79% of school aged deaf children attend mainstream schools.
- The number of Deaf children in Scotland has increased by 11% over the last two years, to 2,842.
- 23% decline in the number of Teachers of Deaf in services across Scotland, with approximately only 259 now in post across Scotland.
- There are an estimated 2,400 Deafblind people in Scotland – this would fill 340 double decker buses.
- In Scotland it is estimated there are around 1 registered interpreter for every 200 Sign Language users.
- Every year in Scotland around 75 children are born Deaf, around 5 of them with a severe to profound hearing loss- this is one double decker bus full every year.
- There are an estimated 3,000 children and young people under 25 with severe to profound deafness in Scotland.
- Around 84% of Deaf children communicate using spoken English only. Around 1% speak another spoken language, either on its own or in combination with another language. Around 14% use sign language in some form, either on its own or alongside another language.

Scotland aims to be wealthier and fairer, smarter, healthier, safer and stronger and greener, for everyone.

Our vision is for a socially just and inclusive Scotland where the talents of all our people are recognised; where our diversity is valued; where our differences are respected and where individuals, families and communities are treated fairly, empowered to achieve their aspirations and enabled to play a full part in society.

The Scottish Government aspires to ensure that:

1. Our young people are successful learners, confident individuals, effective contributors and responsible citizens.
2. Our children have the best start in life and are ready to succeed.
3. We have tackled the significant inequalities in Scottish society.

To deliver this vision the Scottish Government's policy development has and is being informed by the principles of human rights and an approach that focuses on early intervention and prevention. This means a significant focus on children and young

people for example with the development of 'The Early Years Framework' and 'Getting It Right For Every Child' (GIRFEC).

The Scottish Government is seeking to deliver this for Deaf and Deafblind people in recognition that as public services improve their performance this will enable Deaf and Deafblind people to be empowered and enjoy equality of opportunity and access.

In November 2013, the Equality and Access for Deaf People Project was established by the British Sign Language & Linguistics Access Working Group (BSL&LAWG Consortium) hosted by Scottish Council on Deafness (SCoD) on behalf of the BSL&LAWG Consortium, and financially supported by The Scottish Government Equality Unit.

This particular project is focused on those Deaf and Deafblind people who use British Sign Language (BSL) and sign systems. This means that an essential element of the project is to support a broader understanding within the hearing majority that, for hearing, Deaf and Deafblind people who use British Sign Language, this is a linguistic access issue where there is a lack of a common language.

One important difference between minority language speakers and sign language users is that Deaf and Deafblind people who use BSL are less likely to be bilingual with English and this has real implications for policies and for the effective delivery of services. It is not simply that Deaf and Deafblind people prefer BSL to English, as many Scots Gaelic or Irish speakers may prefer their own languages to English; it is that Deaf and Deafblind people are not in a position to acquire English in the usual way and therefore need to be able to communicate in BSL or use a sign system, such as hands on signing.

## **The Legal Context**

The UK Government ratified the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD 2007) and the United Nations Convention on the Rights of the Child (UNCRC 1991), both of which have specific relevance to Deaf and Deafblind people. The Scottish Government and all public bodies are therefore bound within the current legal framework to be informed by the underlying principles and consider how they can support the realisation of the fundamental rights that are enshrined in these conventions.

A written Declaration on the rights of Deafblind people was formally adopted by the European Parliament on 1st April 2004 and has been accepted by the UK. The Written Declaration is a 200 word statement about the fact that deafblindness is a distinct disability. It lists the rights to which Deafblind people should be entitled.

The Equality Act and specifically, the Public Sector Equality Duty (s.149) provide a clear legal framework for the Scottish Government and those organisations where

the duty applies. (Public sector organisations and all those that receive finance from them to provide services on their behalf.

## **Vision**

We envision Deaf and Deafblind people in Scotland being able to learn, work, achieve and play in the same way as hearing people, enjoying the same access to services and opportunities.

To achieve this Deaf and Deafblind people will be enabled to participate in all aspects of life, including having access to all services that support their health and well-being, their education, and their capacity to be able to self-determine and make informed choices.

The hearing majority will benefit from the talent, experience and knowledge that Deaf and Deafblind people have to contribute in every part of our society.

## **Achieving the Project Objective**

This project seeks to be a catalyst to the Scottish Government and funded organisations to assist them in developing their understanding, knowledge and consequently performance in relation to services accessed by Deaf and Deafblind people across Scotland.

The project's Statement of Intent (SOI) is designed to motivate Scottish Government and other funded organisations to deliver Equality and Access for all Deaf and Deafblind people by:

- Supporting organisations and service providers to develop their understanding that Deaf and Deafblind people who use British Sign Language are disabled through a lack of linguistic access.
- Engaging with people who design policy and services enabling them to build their capacity to improve their standards and performance of accessibility, so offering equality of opportunity for Deaf and Deafblind people.
- Facilitating the increase of Deaf and Deafblind awareness training.
- Identifying where there is potential for discrimination or where there is evidence it has been occurring, by facilitating the integration of human rights impact assessments into the design, planning and delivery cycle.
- Supporting organisations and service providers to agree on what data and information on people who are Deaf and in particular use British Sign Language and sign systems can be collected and anonymously used so that emergent patterns of their experiences and outcomes can be collected.
- Raising awareness of the rights of Deaf and Deafblind people and how this is impacted by the application of making 'reasonable adjustments' within a compliance approach, associated with the Equality Act 2010.

- Supporting the mapping of the current provision of Sign Language Interpreters (SLI), Communication Support Workers (CSW) or Guide Communicators (GC), Palantypists, Speech to Text Reporters, Electronic Note-takers (ENT), as assessed specifically by local authorities, awarding and registered bodies.
- Supporting the mapping of the numbers of BSL and other sign systems and the current provision in relation to Deaf and Deafblind children and young people using BSL and sign systems and communication methods within Education.
- Facilitating the development of a community of practice for project workers within the third sector and specifically within the Deaf Sector, that will facilitate more effective collaboration, a reduction in the duplication of efforts and greater sharing of knowledge and information.
- Empowering Deaf and Deafblind people to develop their capacity to engage with the current decision makers and systems so as to influence constructive changes and developments that remove existing barriers.

## **Values and PANEL Principles**

This project recognises that people who are Deaf, Deafblind (deafened or hard of hearing) have the same human rights as their hearing peers. We will use the following framework to lead and model effective practice that meets the standards used when taking a rights based approach. We will negotiate with those we work with on a shared approach that will, at least be informed by, the PANEL principles as set out below:

**P**articipation of individuals in decision-making is a core procedural component of the human rights framework and helps ensure that systems are responsive to the particular needs of disadvantaged groups. Everyone has the right to participate in decisions which affect their human rights. A human rights based approach to policy development and review requires a high degree of participation, including from civil society and minorities, specifically in this case those who are Deaf or Deafblind. Participation must be active, free and meaningful and give due attention to barriers to participation such as issues of accessibility, including access to information in a form and a language which can be understood. Decision-making which is informed by the involvement of those who will be directly affected will be more person-centred, more responsive to people's needs.

**A**ccountability is central to the realisation of human rights requiring both effective monitoring and effective remedies. A human rights based approach (HRBA) focuses on raising levels of accountability by identifying rights-holders (and their entitlements) and corresponding duty-bearers (and their obligations). Accountability is commonly understood to take into account the duties of the full range of relevant factors, including individuals, states, local organisations and authorities, private companies. It

is also a key principle supporting transparent decision making and the right to information.

It is the Scottish Commission Human Rights' experience from developing integrated equality and human rights impact assessment, that mainstreaming equality and human rights into policy and practice at local authority level is best achieved with strategic leadership and commitment, rather than designated to one individual.

**Non-discrimination and equality** – according to the Human Rights Act and International Human Rights law, all forms of discrimination in the realisation of rights must be prohibited, prevented and eliminated. This is embedded in our national legal framework for equality in the Equality Act 2010.

**Empowerment of rights holders** – a human rights based approach requires a focus on individuals and communities as rights holders to know their rights and to be supported to participate in the development of policy and programmes that affect their rights, and to claim their rights where necessary. People affected should be at the centre of public authority action and policy development (directly, or with the support of advocates and through organisations of civil society). A human rights based approach suggests giving people the capability and access needed to improve their own communities and influence their own futures and fulfilment of rights.

**Legality of rights** – a human rights based approach requires the recognition of rights as legally enforceable entitlements. Linkages should be made to international, regional and domestic human rights instruments.

## Appendix 4

### Human Rights Act 1998

<http://www.legislation.gov.uk/ukpga/1998/42>

There is a duty placed on public authorities (Chapter 42, Section 6 (1) – health board, local authorities and “any person certain of whose functions are functions of a public nature” – to ensure that they do not act in any way that is incompatible with a Convention right. The Human Rights Act 1998 is directed by the European Convention of Human Rights 1950.

The Human Rights Act states that a person has the right to

- “be informed promptly, in a **language which he understands**” when arrested. Article 5: Right to liberty and security. And
- “(a)to be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him” when charged with a criminal offence; and “to have the free assistance of an interpreter if he cannot understand or speak the language used in court. Article 6: Right to a fair trial.

And Article 14: **Prohibition of discrimination** states

“The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, **language**, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.”

<http://www.legislation.gov.uk/ukpga/1998/42/schedule/1>

Deaf and Deafblind BSL users should not be discriminated against on the basis of linguistic access and their own language. In the interests of good community relations and equality, information is available in many community languages; and immigrants and visitors from other countries whose first language is not English are given access to interpreters in situations where informed consent is required and in the justice system. Children are also given language support in schools until they learn to speak English.

Deaf and Deafblind BSL users do not have the same opportunity to receive information in BSL, and in many cases are not afforded the same access to interpreters in order to give informed consent across all aspects of their lives. More needs to be done to ensure discrimination on the grounds of language for Deaf and Deafblind people becomes a thing of the past.



## Appendix 5

### The United Nations (UN) Convention on the Rights of Persons with Disabilities - 2008

“The Convention on the Rights of Persons with Disabilities and its Optional Protocol was adopted on 13 December 2006 at the United Nations Headquarters in New York, and was opened for signature on 30 March 2007. There were 82 signatories to the Convention, 44 signatories to the Optional Protocol, and 1 ratification of the Convention. This is the highest number of signatories in history to a UN Convention on its opening day. It is the first comprehensive human rights treaty of the 21st century and is the first human rights convention to be open for signature by regional integration organizations. The Convention entered into force on 3 May **2008**.”

<http://www.un.org/disabilities/default.asp?navid=12&pid=150>

The Convention was signed after years of work by the UN to change the attitudes to people with disabilities. The move signified a change in attitude from treating people with disabilities as needing to be looked after and protected from themselves and others to being people who have rights, can make decisions about how they live their lives based on free and informed consent and are active members of society. The Convention endorses that everyone with a disability must enjoy all human rights and fundamental freedoms. The Convention identifies barriers, including historical ones, and how these need to be overcome to ensure people with disabilities can exercise their rights and where the protection of those rights must be reinforced.

“The States Parties to the present Convention,

p) Concerned about the difficult conditions faced by persons with disabilities who are subject to multiple or aggravated forms of discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national, ethnic, indigenous or social origin, property, birth, age or other status,

(v) Recognizing the importance of accessibility to the physical, social, economic and cultural environment, to health and education and to information and communication, in enabling persons with disabilities to fully enjoy all human rights and fundamental freedoms, Have agreed as follows:

#### **Article 2**

Definitions: For the purposes of the present Convention:

“Communication” includes languages, display of text, Braille, tactile communication, large print, accessible multimedia as well

as written, audio, plain-language, human-reader and augmentative and alternative modes, means and formats of communication, including accessible information and communication technology;

“**Language**” includes spoken and **signed languages** and other forms of non spoken languages.”

<http://www.un.org/disabilities/documents/convention/convoptprot-e.pdf>

The general principles of the Convention are laid out in **Article 3**:

Respect for natural dignity, individual independence which includes the freedom to make your own choices without interference;  
Non-discrimination;  
Full and effective participation and inclusion in society;  
The respect for difference and acceptance of people with disabilities as part of human diversity and humanity;  
Equal opportunities for all;  
Accessibility;  
Gender equality; and  
Respect for how children with disabilities grow in society and for the right of children with disabilities to their own identity.

**Article 9** is about **Accessibility** and refers especially to the provision of professional sign language interpreters and other communication support to help deaf people access buildings and other places open to the public.

**Article 21** is about freedom of expression and access to information. This article says that the State will take

“all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice...by:

(a) Providing information intended for the general public to persons with disabilities in accessible formats and technologies appropriate to different kinds of disabilities in a timely manner and without additional cost;

(b) Accepting and facilitating the use of **sign languages**, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication of their choice by persons with disabilities in official interactions;

(c) Urging private entities that provide services to the general public, including through the Internet, to provide information and services in accessible and usable formats for persons with disabilities; and

(e) **Recognizing and promoting the use of sign languages.**”

Page 14,

<http://www.un.org/disabilities/documents/convention/convoptprot-e.pdf>

**Article 24** is about **access to education**. This article states that

“States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:

(a) Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;

(b) **Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community;**

(c) Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.”

Page 17,

<http://www.un.org/disabilities/documents/convention/convoptprot-e.pdf>

## Appendix 6

### UN Convention on the Rights of the Child - 1990

Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989 entry into force 2 September 1990, in accordance with article 49

#### Part 1

**Article 1:** For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

**Article 2:** 1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, **language**, religion, political or other opinion, national, ethnic or social origin, property, **disability**, birth or other status.

2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

**Article 4:** States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, **social and cultural rights**, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

**Article 6:** 1. States Parties recognize that every child has the inherent right to life.

2. States Parties shall ensure to the maximum extent possible the survival and **development** of the child.

**Article 12:** States Parties shall assure to the child who is capable of forming his or her own views **the right to express those views freely in all matters** affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

**Article 13:** The child shall have the **right to freedom of expression**; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

**Article 14:** States Parties shall respect the right of the child to freedom of thought, conscience and religion.

**Article 17:** States Parties recognize the important function performed by the mass media and shall ensure that the **child has access to information and material from a diversity of national and international sources**, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health.

**Article 23:** States Parties recognize that a mentally or **physically disabled child** should enjoy a full and decent life, in conditions which **ensure dignity, promote self-reliance and facilitate the child's active participation** in the community.

3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed **to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities** in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development

**Article 27:** States Parties recognize the right of every child to a standard of living adequate for the child's **physical, mental, spiritual, moral and social development**.

**Article 28:** States Parties recognize the **right of the child to education**, and with a view to achieving this right progressively and **on the basis of equal opportunity**, they shall, in particular:

- (a) Make primary education compulsory and available free to all;
- (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
- (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
- (d) Make educational and vocational information and guidance available and accessible to all children;
- (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

**Article 29:** States Parties agree that the education of the child shall be directed to:

- (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

(c) The development of respect for the child's parents, **his or her own cultural identity, language and values**, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;

**Article 30:** In those States in which ethnic, religious or **linguistic minorities** or persons of indigenous origin exist, **a child belonging to such a minority or who is indigenous shall not be denied the right**, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, **or to use his or her own language**.

**Article 31:** States Parties recognize the right of the child to **rest and leisure**, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

<http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

## Appendix 7

### The Equality Act 2010

The Equality Act 2010 (**Specific Duties**) (Scotland) Regulations 2012 require Scottish Ministers to publish its proposals to enable public bodies to implement the public sector duty that focuses on the elimination of discrimination, advancing equality of opportunity and developing good relations.

<http://www.legislation.gov.uk/ssi/2012/162/regulation/12/made>

“...the public sector equality duty is a key strategic lever for change. There are clear indications, for example, that the creation of new equality outcomes is helping raise understanding of the fundamental role of equality in improving outcomes for people. This is contributing to the creation of more effective, efficient public services shaped around people and communities.” **Scottish Ministers’ proposals to enable the better performance of the Public Sector Equality Duty 2013-2017**

<http://www.scotland.gov.uk/Resource/0044/00440910.pdf>

The Guidance that the Equality and Human Rights Commission produced to accompany the Equality Act 2010 asks the question:

#### **“Are disabled people at a substantial disadvantage?”**

The question for an organisation is whether:

- the way it does things
- any physical feature of its premises, or
- the absence of an auxiliary aid or service
- puts disabled people at a substantial disadvantage compared with people who are not disabled.

Anything that is more than minor or trivial is a substantial disadvantage.

If a substantial disadvantage does exist, then the duty to make reasonable adjustments applies.

The aim of the adjustments an organisation makes is to remove the substantial disadvantage.”

<http://www.equalityhumanrights.com/your-rights/service-users/adjustments-for-disabled-people/are-disabled-people-at-a-substantial-disadvantage>

It follows that with

#### **“The continuing duty on organisations**

The duty to make reasonable adjustments is a continuing duty. It is not something that needs simply to be considered once and once only, and then forgotten.

If a disabled person wants to use an organisation's services but finds barriers, then the organisation needs to think about reasonable adjustments. This applies whether or not it has already made any adjustments.

If the organisation changes what it does, the way that it does it or moves premises or makes changes to its existing premises, then it needs to review the adjustments it has made. What was originally a reasonable step to take might no longer be enough.

But an organisation only has to make adjustments that are reasonable for it to make.

Equally, a step that might previously have been an unreasonable one for an organisation to have to take could become a reasonable step because circumstances have changed. For example, technological developments may provide new or better solutions to the problems of inaccessible services."

<http://www.equalityhumanrights.com/your-rights/service-users/adjustments-for-disabled-people/the-continuing-duty-on-organisations>

And

### **"The three requirements of the duty**

The duty contains three requirements that apply in situations where a disabled person would otherwise be placed at a substantial disadvantage compared with people who are not disabled. The duty is slightly different for associations, in relation to management of premises, and for transport services. These differences are explained at the end of this section.

For most organisations and in most situations:

The first requirement involves changing the way things are done (equality law talks about where the disabled service user is put at a substantial disadvantage by a provision, criterion or practice of the service provider).

An organisation may have rules or ways of doing things, whether written or unwritten, that present barriers to you as a disabled person.

They may stop you using the service altogether, or make it unreasonably difficult for you to use it.

Unless the practice can be justified, it might be reasonable for the organisation to drop it completely, or to change it so that it no longer has that effect.

The second requirement involves making changes to overcome barriers created by the physical features of an organisation's premises, if these are open to the public or a section of the public.



Where a physical feature puts disabled people using a service at substantial disadvantage, an organisation must take reasonable steps to:

- remove the feature
- alter it so that it no longer has that effect
- provide a reasonable means of avoiding the feature, or
- provide a reasonable alternative method of making the service available to disabled people.

It is better for an organisation to look at removing or altering the physical feature or finding a way of avoiding it (such as replacing steps with a ramp or, if it is reasonable for it to do this, a lift) before it looks at providing an alternative service. An alternative service may not give you a similar level of service.

Exactly what kind of changes are needed will depend on the kind of barriers the premises present. An organisation needs to look at the whole of the premises that are open to the public or a section of the public, and may have to make more than one change.

The third requirement involves providing extra aids and services like providing extra equipment or providing a different or additional service (which equality law calls auxiliary aids or auxiliary services).

An organisation must take reasonable steps to provide auxiliary aids or services if this would enable (or make it easier for) disabled people to make use of any of its services.

A leisure centre has a regular booking by a group of deaf people. The leisure centre makes sure that the members of staff who have had basic training in British Sign Language (BSL) are rostered to work on that day to make sure that the deaf customers get the same level of service that other people would expect.

The kind of equipment or service will depend very much on the individual disabled person and what the organisation does. However organisations may be able to think in advance about some things that will help particular groups of disabled people.

Technological solutions may be useful in overcoming communication barriers, but sometimes a person offering assistance will be what is needed.

For example:

If someone is being asked to make a major decision, providing a disabled person who uses British Sign Language (BSL) with a BSL to English interpreter, if it is reasonable for the organisation to do this.

If an organisation does provide equipment, the equipment must work and be maintained. It is also important that staff know how to use the equipment.”

<http://www.equalityhumanrights.com/your-rights/service-users/adjustments-disabled-people/three-requirements-duty>

## **Public Sector Equality Duties in Scotland**

- Duty to report progress on mainstreaming the equality duty
- Duty to publish equality outcomes and report progress
- Duty to assess and review policies and practices
- Duty to gather and use employee information
- Duty to publish gender pay gap information
- Duty to publish statements on equal pay, etc.
- Duty to consider award criteria and conditions in relation to public procurement
- Duty to publish in a manner that is accessible, etc.
- Duty to consider other matters
- Duty of the Scottish Ministers to publish proposals to enable better performance.

## **The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 -**

<http://www.legislation.gov.uk/ssi/2012/162/contents/made>.

The list of the public bodies that these regulations apply to can be found here -

<http://www.legislation.gov.uk/ssi/2012/162/schedule/made>.

## Appendix 8

### Scottish Government's Strategic Objectives

Delivery of the Purpose requires the development of a country that engenders individual and collective success. This is encapsulated in a set of five Strategic Objectives (set out below) which map a Scotland that is wealthier and fairer, smarter, healthier, safer and stronger, and greener.

**WEALTHIER & FAIRER** - Enable businesses and people to increase their wealth and more people to share fairly in that wealth.

**SMARTER** - Expand opportunities for Scots to succeed from nurture through to life long learning ensuring higher and more widely shared achievements.

**HEALTHIER** - Help people to sustain and improve their health, especially in disadvantaged communities, ensuring better, local and faster access to health care.

**SAFER & STRONGER** - Help local communities to flourish, becoming stronger, safer places to live, offering improved opportunities and a better quality of life.

**GREENER** - Improve Scotland's natural and built environment and the sustainable use and enjoyment of it...

The Strategic Objectives, therefore, play a key role in focusing all the activity of Government, and, indeed the public sector in its widest sense, on increasing sustainable economic growth:

- by making Scotland wealthier and fairer we will generate wider opportunities for work, increase our competitiveness and make Scotland a more attractive place to live, work and invest;
- by making Scotland smarter, we will lay the foundations for the future growth and well-being of our children, increase skill levels and better channel the outputs of our universities and colleges into sustainable wealth creation;
- by making Scotland healthier through more anticipatory, timely and effective services and encouraging healthier lifestyles, we will increase the productivity of Scotland's workforce, reduce absenteeism, improve public sector efficiency and increase participation by reducing the numbers of workers on Incapacity Benefit;
- by making our communities safer and stronger, we will increase the attractiveness of Scotland as a place to live and work, attract talented migrants and high quality businesses, reduce out-migration and secure the productive engagement in proactive activity of an even higher proportion of the population; and

- by making Scotland greener, we will improve the natural and built environment, valued by those living and working in Scotland and underpinning many of our businesses and key sectors.  
<http://www.scotland.gov.uk/Publications/2007/11/12115041/3>

## **Scottish Government's 16 National Outcomes**

1. We live in a Scotland that is the most attractive place for doing business in Europe.
2. We live our lives safe from crime, disorder and danger.
3. We realise our full economic potential with more and better employment opportunities for our people.
4. We live in well-designed, sustainable places where we are able to access the amenities and services we need.
5. We are better educated, more skilled and more successful, renowned for our research and innovation.
6. We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.
7. Our young people are successful learners, confident individuals, effective contributors and responsible citizens.
8. We value and enjoy our built and natural environment and protect it and enhance it for future generations.
9. Our children have the best start in life and are ready to succeed.
10. We take pride in a strong, fair and inclusive national identity.
11. We live longer, healthier lives.
12. We reduce the local and global environmental impact of our consumption and production.
13. We have tackled the significant inequalities in Scottish society.
14. Our people are able to maintain their independence as they get older and are able to access appropriate support when they need it
15. We have improved the life chances for children, young people and families at risk.
16. Our public services are high quality, continually improving, efficient and responsive to local people's needs.

<http://www.scotland.gov.uk/About/Performance/scotPerforms/outcome>

## Appendix 9

### Public Bodies (Joint Working) (Scotland) Act 2014

<http://www.legislation.gov.uk/asp/2014/9/contents/enacted>

#### Integration planning principles

(1) The integration planning principles are—

(a) that the main purpose of services which are provided in pursuance of integration functions is to improve the wellbeing of service-users,

(b) that, in so far as consistent with the main purpose, those services should be provided in a way which, so far as possible—

(i) is integrated from the point of view of service-users,

(ii) takes account of the particular needs of different service-users,

(iii) takes account of the particular needs of service-users in different parts of the area in which the service is being provided,

(iv) takes account of the particular characteristics and circumstances of different service-users,

(v) respects the rights of service-users,

(vi) takes account of the dignity of service-users,

(vii) takes account of the participation by service-users in the community in which service-users live,

(viii) protects and improves the safety of service-users,

(ix) improves the quality of the service,

(x) is planned and led locally in a way which is engaged with the community (including in particular service-users, those who look after service-users and those who are involved in the provision of health or social care),

(xi) best anticipates needs and prevents them arising, and

(xii) makes the best use of the available facilities, people and other resources.

(2) In subsection (1), “service-users” means persons to whom or in relation to whom the services are provided.

#### Power to prescribe national outcomes

(1) The Scottish Ministers may by regulations prescribe outcomes in relation to health and wellbeing (the “national health and wellbeing outcomes”).

(2) Before making regulations under subsection (1), the Scottish Ministers must consult—

(a) each local authority,

(b) each Health Board,

(c) each integration joint board at the time established,

(d) in respect of each group mentioned in subsection (3), such persons appearing to be representative of the group as the Scottish Ministers think fit.

(3) The groups mentioned in subsection (2)(d) are—

(a) health professionals,

(b) users of health care,

(c) carers of users of health care,

(d) commercial providers of health care,

(e) non-commercial providers of health care,

(f) social care professionals,

(g) users of social care,

(h) carers of users of social care,

(i) commercial providers of social care,

(j) non-commercial providers of social care,

(k) such persons having functions in relation to housing as the Scottish Ministers think fit.

## Appendix 10

### Early day motion 1167 - 2013

10<sup>th</sup> Anniversary of Recognition of British Sign Language

Session: 2012-13 Date tabled: 11.03.2013

Primary sponsor: Bruce, Malcolm

Sponsors: Cooper, Rosie; Dodds, Nigel; Lloyd, Stephen; Smith, Robert; Sanders, Adrian

That this House joins the British Deaf Association, the Royal Association for Deaf People and Signature in celebrating the 10th anniversary of the Government's official recognition of British Sign Language (BSL) on 18 March 2003; notes that BSL is used by many thousands of deaf people as their first or preferred language alongside English; further notes that BSL users still find it hard to access health, education and other services as well as employment due to a lack of public awareness and interpreters; further notes that some good work is being done by different Government departments to support BSL users but that this is piecemeal and not co-ordinated; urges the Government to renew its efforts in this direction in 2013; and calls on the Government to prepare a short, cross-departmental report which pulls together all that it is currently doing to support BSL users and to identify the barriers that still remain to BSL users' full participation in, and contribution to, British society.

Total number of signatures: 122

<http://www.parliament.uk/edm/2012-13/1167>

# Appendix 11

## British Sign Language (Scotland) Bill as introduced - 2014

### CONTENTS

#### Section

- 1 British Sign Language National Plan for Scotland
- 2 Special responsibility
- 3 Listed authorities' British Sign Language Plans
- 4 Publication by listed authority
- 5 Performance Review
- 6 Special provision where early dissolution of the Parliament
- 7 Alteration of date of publication of plan or review in exceptional circumstances
- 8 "Listed authority" and other expressions
- 9 Commencement
- 10 Short title

---

Schedule 1—Special provision where early dissolution of the Parliament

Schedule 2—List of public authorities

#### British Sign Language (Scotland) Bill [AS INTRODUCED]

An Act of the Scottish Parliament to promote the use of British Sign Language including by making provision for the preparation and publication of a British Sign Language National Plan for Scotland and by requiring certain authorities to prepare and publish their own British Sign Language Plans in connection with the exercise of their functions; and to provide for the manner in which such plans are to be prepared and for their review and updating.

#### 1 British Sign Language National Plan for Scotland

##### (1) The Scottish Ministers—

(a) are to promote, and facilitate the promotion of, the use and understanding of the sign language known as British Sign Language, and

(b) in the exercise of their functions under paragraph (a), are to prepare, in each session of the Parliament, a plan to be known as a British Sign



Language National Plan for Scotland (in this Act referred to as a “National Plan”).

(2) In a National Plan the Scottish Ministers are to set out their strategy for such promotion and facilitation.

(3) The first National Plan is to be published no later than 12 months after the commencement of the session of the Parliament which next follows the session in which this Act receives Royal Assent.

(4) Each subsequent National Plan—

(a) is to be published no later than 6 months after the commencement of the session of the Parliament in which it is prepared, and

(b) is to have regard to such comments of any relevance as are contained in the most recently published Performance Review.

(5) In preparing a National Plan the Scottish Ministers are to publish, and consult on, a draft of the plan and are to take into account any representations received by them by virtue of such consultation.

(6) The persons consulted are to be those who, the Scottish Ministers consider, are likely to be directly affected by the National Plan or otherwise to have an interest in that plan and in particular are to include—

(a) persons who use British Sign Language, and British Sign Language (Scotland) Bill

(b) persons who represent users of British Sign Language.

(7) This section is subject to sections 6 and 7.

## 2 Special responsibility

The Scottish Ministers are to assign to a member of the Scottish Government or a junior Scottish Minister special responsibility in relation to the exercise of their functions under this Act.

### Listed authorities’ British Sign Language Plans

(1) Each listed authority (see section 8) is, in each session of the Parliament, to prepare a plan to be known as a British Sign Language Plan (in this Act referred to as an “Authority Plan”).

(2) But subsection (1) does not require an authority to prepare an Authority Plan in a session of the Parliament if the authority is not a listed authority as at the commencement of the session.

(3) An Authority Plan is—

(a) to set out measures to be taken by the listed authority in relation to the use of British Sign Language in connection with the exercise of the authority's functions,

(b) to set out timescales by reference to which any such measures are to be taken,

(c) where the listed authority has previously published at least one Authority Plan, to state how, when and to what extent measures to be taken by the authority by virtue of the most recently published such plan were taken, and

(d) to contain such other information (if any) as the Scottish Ministers may by order require.

(4) A listed authority, in preparing an Authority Plan—

(a) is to try to achieve consistency between that plan and the most recently published National Plan, and

(b) is to have regard—

(i) to the extent to which the authority's functions are exercisable using British Sign Language,

(ii) to the potential for developing the use of British Sign Language in connection with the exercise of those functions,

(iii) to any representations made to the authority in relation to using British Sign Language in that connection,

(iv) where the authority has previously published at least one Authority Plan, to such comments as are contained in any Performance Review which relates to the most recently published such plan, and

(v) to such guidance, relevant to the preparation (or revision) of Authority Plans, as may be issued by the Scottish Ministers.

(5) In preparing an Authority Plan a listed authority is to publish, and consult on, a draft of the plan and is to take into account any representations received by it by virtue of such consultation.

(6) The persons consulted under subsection (5) are to be those who, the authority considers, are likely to be directly affected by the Authority Plan or otherwise to have an interest in that plan and in particular are to include—

(a) persons who use British Sign Language, and

(b) persons who represent users of British Sign Language.

(7) A listed authority may revise its current Authority Plan at any time.

(8) Subsection (4) applies in relation to the revision of an Authority Plan as that subsection applies in relation to the preparation of such a plan.

(9) An order under subsection (3)(d) is subject to the negative procedure.

(10) This section is subject to sections 6 and 7.

#### 4 Publication by listed authority

(1) A listed authority's first Authority Plan is to be published as soon as reasonably practicable after (and in any event no later than 12 months after) the publication of the first National Plan.

(2) A subsequent Authority Plan of the listed authority is to be published as soon as is reasonably practicable after (and in any event no later than 6 months after) each National Plan subsequent to the first National Plan.

(3) Subsections (1) and (2) are subject to subsection (7).

(4) As soon as reasonably practicable after a listed authority has revised an Authority Plan, the authority is to publish that plan in a form in which the changes made are clearly indicated.

(5) Subject to subsection (6), publication under this section is to be in such manner as the authority thinks fit.

(6) In publishing an Authority Plan (or a revised Authority Plan) under this section, a listed authority is to have regard to any guidance issued for the purposes of this section by the Scottish Ministers.

(7) In the case of a body which becomes a listed authority after the commencement of the session of the Parliament in which the first National Plan is published—

(a) subsections (1) and (2) do not apply,

(b) the body's first Authority Plan is to be published as soon as reasonably practicable after (and in any event no later than 12 months after) the publication of the National Plan in the first session from the beginning of which the body is a listed authority, and

(c) a subsequent Authority Plan of the body is to be published as soon as reasonably practicable after (and in any event no later than 6 months after) each National Plan subsequent to the National Plan mentioned in paragraph (b).

(8) This section is subject to sections 6 and 7.

#### 5 Performance Review

(1) A report, to be known as a British Sign Language Performance Review (in this Act referred to as a “Performance Review”) —

(a) is to be prepared, and laid before the Parliament, by the Scottish Ministers, and British Sign Language (Scotland) Bill

(b) following that, is to be published by them.

(2) The first Performance Review is to be published no later than 12 months before the date mentioned in subsection (3).

(3) That date is the date on which the session of the Parliament which next follows the session in which this Act receives Royal Assent would end were the Parliament, in that following session, dissolved by virtue of section 2(3)(a) of the 1998 Act.

(4) A Performance Review is to be published—

(a) in each subsequent session of the Parliament, and

(b) no later than 6 months before the date on which that session would end were the Parliament dissolved as mentioned in subsection (3).

(5) A Performance Review is to include, by reference both to the National Plan and to the Authority Plans of the individual listed authorities—

(a) an account of measures taken and outcomes attained,

(b) examples of best practice (and in the case of such an example by reference to the Authority Plan of an individual listed authority, is to identify that authority and to describe the best practice in question), and

(c) examples, if there are any, of poor performance (and in the case of such an example by reference to the Authority Plan of an individual listed authority, is to identify that authority and to describe the poor performance in question).

(6) This section is subject to sections 6 and 7.

## 6 Special provision where early dissolution of the Parliament

Schedule 1 makes special provision for circumstances in which there is early dissolution of the Parliament.

## 7 Alteration of date of publication of plan or review in exceptional circumstances

(1) The Scottish Ministers may, in circumstances which they consider to be exceptional (being circumstances other than those in which there is early dissolution of the Parliament) provide by order for a National Plan, an Authority Plan or a Performance Review to be published by a date other than provided for in this Act.

(2) An order under subsection (1) is subject to the affirmative procedure.

## 8 “Listed authority” and other expressions

(1) In this Act, any reference to a “listed authority” is to a public authority for the time being listed (or described) in schedule 2.

(2) In this Act, references to “the 1998 Act” are to the Scotland Act 1998 (c.46).

(3) The Scottish Ministers may by order modify schedule 2—

(a) by adding a public authority, or description of public authorities, to the list of authorities in that schedule,

(b) by removing a public authority, or description of public authorities, from that list, or

(c) by modifying an entry in that list. British Sign Language (Scotland) Bill 5

(4) An order under subsection (3) is subject to the affirmative procedure.

## 9 Commencement

This Act comes into force on the day after Royal Assent.

## 10 Short title

The short title of this Act is the British Sign Language (Scotland) Act 2015.

[http://www.scottish.parliament.uk/S4\\_Bills/British%20Sign%20Language%20\(Scotland\)%20Bill/b55s4-introd.pdf](http://www.scottish.parliament.uk/S4_Bills/British%20Sign%20Language%20(Scotland)%20Bill/b55s4-introd.pdf)

**The BSL version of the Bill and its accompanying documents can be found at <http://www.scottish.parliament.uk/help/82866.aspx>**

For information on its passage through the parliamentary process, go to <http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/83760.aspx>

## Appendix 12

### Arrangements Document: Professional Development Award in British Sign Language Studies at SCQF level 8

(GE6Y 48) 1

#### 1 Introduction

This is the Arrangements Document for the Professional Development

Award (PDA) in British Sign Language Studies (BSL) at Scottish Credit and Qualifications Framework (SCQF) level 8. This is a new award within SQA's portfolio of qualifications. It has been designed to develop skills in BSL at SCQF level 8 as well as developing knowledge and skills in the Linguistics of British Sign Language at SCQF level 8, Scottish Deaf History: 1750 to the Present at SCQF level 8 and The Community and Culture of Deaf People at SCQF level 8. The award is aimed at a variety of individuals who may work or aspire to work in an environment that requires the use of BSL skills at an advanced level and therefore where an understanding of the linguistics of BSL and of the history and culture of the deaf communities would be beneficial. The award is also appropriate for those with an interest in developing knowledge and skills in these areas for social purposes. The award is appropriate for hearing and d/Deaf individuals.

This document includes: background information on the development of the Group Award, its aims, guidance on access, details of the Group Award structure, and guidance on delivery.

#### 2 Rationale for the development of the Group Award

##### 2.1 Background

The development of the proposed PDA in BSL Studies at SCQF level 8 was initiated as a result of the Government's establishment of a Linguistic Access Working Group in 2000. The primary aim of this group is to improve access for deaf people so that they can fully contribute to a prosperous and dynamic Scotland.

This group's remit is:

1 to develop a strategy for improving linguistic access for deaf people in Scotland.

2 to raise awareness of deaf issues among policy makers, professional, service providers, deaf people and the general public.

3 consider how best to support British Sign Language and Deaf awareness.

4 consider how best to support education and training provision in British Sign Language, Deaf studies and linguistic access.

Further details can be found on the Scottish Government's website on the following link:

<http://www.scotland.gov.uk/Topics/People/Equality/disability/remit/Access-Working-Group>

The development of this proposed PDA in BSL Studies at SCQF level 8 supports objectives 1, 3 and 4.

SQA's role in helping to improve access is that of providing a Scottish qualification's framework that provides for the development of knowledge and skills in the area of BSL and related areas from SCQF level 3 upwards, but not including degrees.

SQA's provision at present in this area is in the form of National Qualification Units from SCQF level 3 through to SCQF level 6.

To read the full document, go to

[http://www.sqa.org.uk/sqa/files\\_ccc/PDABritishSignLanguageStudies.pdf](http://www.sqa.org.uk/sqa/files_ccc/PDABritishSignLanguageStudies.pdf)

## Appendix 13

### Getting it Right For Every Child (GIRFEC) - 2014

The Getting it right for every child approach ensures that anyone providing that support puts the child or young person – and their family – at the centre.

Getting it right for every child is important for everyone who works with children and young people – as well as many people who work with adults who look after children. Practitioners need to work together to support families, and where appropriate, take early action at the first signs of any difficulty – rather than only getting involved when a situation has already reached crisis point.

<http://www.scotland.gov.uk/Topics/People/Young-People/gettingitright/introduction>

#### What getting it right for every child means

For children, young people and their families:

They will feel confident about the help they are getting

They understand what is happening and why

They have been listened to carefully and their wishes have been heard and understood

They are appropriately involved in discussions and decisions that affect them

They can rely on appropriate help being available as soon as possible

They will have experienced a more streamlined and co-ordinated response from practitioners

For practitioners:

Putting the child or young person at the centre and developing a shared understanding within and across agencies

Using common tools, language and processes, considering the child or young person as a whole, and promoting closer working where necessary with other practitioners

For managers in children's and adult services:

Providing leadership and strategic support to implement the changes in culture, systems and practice required within and across agencies to implement Getting it right for every child

Planning for the transition as staff in agencies move from the current working processes to the new child-centred processes



## **Foundations of Getting it right for every child**

The Getting it right for every child approach is based on solid foundations. There are ten core components and a set of values and principles which bring meaning and relevance at a practice level to single-agency, multi-agency and inter-agency working across the whole of children's services. They can be applied in any setting and circumstance where people are working with children and young people.

### **Core components**

Getting it right for every child is founded on ten core components which can be applied in any setting and in any circumstance.

A focus on improving outcomes for children, young people and their families based on a shared understanding of wellbeing

A common approach to the proportionate sharing of information where appropriate

An integral role for children, young people and families in assessment, planning and intervention

A co-ordinated and unified approach to identifying concerns, assessing needs, and agreeing actions and outcomes, based on the wellbeing Indicators

Streamlined planning, assessment and decision-making processes that lead to the right help at the right time

Consistent high standards of co-operation, joint working and communication where more than one agency needs to be involved, locally and across Scotland

A Named Person for every child and young person, and a Lead Professional (where necessary) to co-ordinate and monitor multi-agency activity

Maximising the skilled workforce within universal services to address needs and risks as early as possible

A confident and competent workforce across all services for children, young people and their families

The capacity to share demographic, assessment, and planning information - including electronically - within and across agency boundaries

### **Values and principles**

The Getting it right for every child values and principles build from the Children's Charter and reflect legislation, standards, procedures and professional expertise:

Promoting the wellbeing of individual children and young people

This is based on understanding how children and young people develop in their families and communities, and addressing their needs at the earliest possible time.

Keeping children and young people safe

Emotional and physical safety is fundamental and is wider than child protection

Putting the child at the centre

Children and young people should have their views listened to and they should be involved in decisions that affect them

Taking a whole child approach

Recognising that what is going on in one part of a child or young person's life can affect many other areas of his or her life

Building on strengths and promoting resilience

Using a child or young person's existing networks and support where possible

Promoting opportunities and valuing diversity

Children and young people should feel valued in all circumstances and practitioners should create opportunities to celebrate diversity

Providing additional help that is appropriate, proportionate and timely

Providing help as early as possible and considering short and long-term needs

Supporting informed choice

Supporting children, young people and families in understanding what help is possible and what their choices may be

Working in partnership with families

Supporting, wherever possible, those who know the child or young person well, know what they need, what works well for them and what might be less helpful

Respecting confidentiality and sharing information

Sharing information that is relevant and proportionate while safeguarding children and young people's right to confidentiality

Promoting the same values across all working relationships

Recognising respect, patience, honesty, reliability, resilience and integrity are qualities valued by children, young people, their families and colleagues

Making the most of bringing together each worker's expertise

Respecting the contribution of others and co-operating with them, recognising that sharing responsibility does not mean acting beyond a worker's competence or responsibilities

Co-ordinating help

Recognising that children, young people and their families need practitioners to work together, when appropriate, to provide the best possible help

Building a competent workforce to promote children and young people's wellbeing

Committed to continuing individual learning and development and improvement of inter-professional practice.

<http://www.scotland.gov.uk/Topics/People/Young-People/gettingitright/background>

## **The Early Years Framework**

Covering pre-natal to 8 years old, the framework outlines an approach "which recognises the right of all young children to high quality relationships, environments and services which offer a holistic approach to meeting their needs" (Scottish Government, 2009). The framework identifies four principles of early interventions:

(1) We want all to have the same outcomes and the same opportunities;

(2) We identify those at risk of not achieving those outcomes and take steps to prevent that risk materialising;

(3) Where the risk has materialised, we take effective action;

(4) We work to help parents, families and communities to develop their own solutions, using accessible, high-quality public services as required.

[http://www.educationscotland.gov.uk/publications/e/publication\\_tcm4618757.asp](http://www.educationscotland.gov.uk/publications/e/publication_tcm4618757.asp)

## Appendix 14

### **Adept/NATED: New Regional Colleges – finding and training tutor assessors to work with d/Deaf students - 2014**

**College name**

**Address**

#### **JOB DESCRIPTION**

**Post Title:** Tutor / Assessor of deaf students

**Main purpose of job:** To provide assessments and teaching / tutorial support to deaf students

**Line Manager:**

**Grade:** e.g. £27,167 - £35,254 per annum.

(Bar point £31,198, candidates holding TQFE will commence on £30,115 per annum).

**Full/Part-Time:** Full time, 35 hours per week

#### **Main Activities and Responsibilities**

##### **A. Teaching**

1. To provide 1 to 1 tutorial support to deaf students enrolled on College courses through language modification, explanation and revision.
2. To teach groups of deaf students as required, e.g. literacy taught through British Sign Language.
3. Work with students to ensure that they have opportunities to learn from mistakes, achieve success and advocate for themselves.

##### **B. Administration**

1. Initiate initial screening and assessment for / with deaf students, monitoring and reviewing as they progress through college.
2. Calculate predicted costs of supporting deaf students and keep records updated as they progress through college.
3. Supervise educational interpreters & notetakers in the planning and following up of work.
4. Liaise with College tutors about deaf students' progress on College courses, including part-time, evening and off-site provision.

5. Liaise with exam boards where necessary to ensure appropriate assessment methods are used with deaf students.
6. Work with students and Skills Development Scotland / Local Authority school services for deaf children to ensure appropriate progression into and beyond college.
7. Work with colleagues to maintain College administrative systems.
8. Attend staff meetings when required.

### **C. Professional Development**

1. Develop and deliver training programmes for college tutors and other staff, to raise awareness of deafness and inform them of suitable educational and communication strategies.
2. Take advantage of professional development opportunities, e.g. National Association of Tertiary Education for Deaf People, attend the local Children's Hearing Services Working Group, etc.
3. Work supportively with colleagues in Learning Support to develop new initiatives in order to meet the needs of all deaf students.
4. Liaise with other professionals concerning deaf students in a sensitive and confidential way.
5. Represent the College to a high standard in all aspects of the work.
6. Undertake any other such duties as the Principal may reasonably direct from time to time.

### **D. Other**

1. To be fully aware of and understand the duties and responsibilities arising from the Children's Act 2004 in relation to child protection and safeguarding children and young people as this applies to the worker's role within the organisation.
2. To be also fully aware of the principles of safeguarding as they apply to vulnerable adults in relation to the worker's role.
3. To ensure that the worker's line manager is made aware and kept fully informed of any concerns which the worker may have in relation to safeguarding and/or child protection.

It is implicit that these duties are carried out in accordance with College policies on equal opportunities.

<http://natedscotland.wordpress.com/page/2/>

## Appendix 15

### NDCS Statement of Intent - 2014

Strand One: Promoting positive emotional health and well-being and peer support. Deaf young people should be able to access a structured programme to allow them to develop a positive sense of self and emotional health and well-being. After extensive research and consultation, NDCS has developed the Healthy Minds programme, a resource for professionals working with deaf young people aged 8 to 18 years which allows these themes to be addressed.

Through the Statement of Intent NDCS is keen to support local authorities to roll out Healthy Minds training to deaf young people. This will involve:

- NDCS training local authority educational professionals to deliver Healthy Minds training
- the local authority establishing an appropriate programme for rolling out Healthy Minds training to deaf young people in the area, with support from NDCS if required.
- the local authority, with support from NDCS if required, establishing ongoing peer support opportunities for deaf young people in the area.

Strand Two: Supporting effective transitional planning It is crucial that deaf young people benefit from person-centred transitional planning which starts early and allows access to accessible information, guidance and support. NDCS, in partnership with Skills Development Scotland and Donaldson's School, has developed the Template for Success resource, to support professionals working with deaf young people throughout their post-school transition including those in schools, Job Centre Plus and other careers advisory roles. In addition NDCS welcomes NHS Scotland's forthcoming Quality Standards for Transitions in Audiology.

Through the Statement of Intent NDCS is keen to support local authorities and health boards to roll out use of the Template for Success and NHS Scotland's Quality Standards for Transitions in Audiology. This will involve:

- professionals in a range of settings adopting the Template for Success into their practice when working with deaf young people
- health boards implementing the NHS Scotland Quality Standards for Transitions in Audiology
- NDCS working towards a transitions resource for young people to accompany the Quality Standards for Transitions in Audiology as well as some of the wider issues around transitions.

Strand three: Facilitating effective partnership working NDCS Scotland endorses the Scottish Transition Forum's recommendation that local transition forums should be set up in local authorities to facilitate networking and partnership working among relevant professionals.

As part of the Statement of Intent, NDCS is keen to support the set-up of these forums and the need to include Teachers of the Deaf and other professionals working with deaf young people.

This will involve:

- the local authority identifying professionals to be part of a local transitions forum, with support from NDCS if required
- establishing terms of reference and objectives for the forum which are relevant to the specific local area
- the sharing of knowledge, best practice and building relationships across the forum
- addressing specific challenges pertinent to the local area such as deaf awareness or work experience opportunities.

### **Rolling out the NDCS Statement of Intent**

East Ayrshire, North Ayrshire and South Ayrshire have committed to implementing the Statement of Intent in 2014. NDCS will be working in partnership with the three authorities on a pilot basis to implement real change for deaf young people.

Learning and outcomes from this pilot will be crucial in rolling out the Statement of Intent across other local authorities later this year.

## Appendix16

### Petition PE808 - 2005

Petition by Lilian Lawson, on behalf of the Scottish Council on Deafness, calling for the Scottish Parliament to urge the Scottish Executive to develop and establish a specialist inpatient mental health unit for deaf and deafblind people and to provide resources (e.g. training) for mainstream psychiatric services in the community to make them more accessible to deaf and deafblind people in Scotland.

Petitioner: Lilian Lawson

On behalf of: Scottish Council on Deafness

Number of signatures: 1

Date lodged: 17 January 2005

Summary:

Written Submissions for PE808

23 February 2005 : The Public Petitions Committee heard from Michael Davis, Drena O'Malley and Lilian Lawson of the Scottish Council on Deafness and agreed to write to the Scottish Executive, the John Denmark Centre in Manchester and the Royal National Institute for Deaf People.

28 June 2005 : The Public Petitions Committee agreed to write to the Deputy Minister for Health.

18 January 2006 : The Public Petitions Committee agreed to invite the views of the petitioner on the responses received.

15 June 2006 : The Public Petitions Committee agreed to seek the views of the Deputy Minister for Health on the response from the petitioner and submissions from the CPG on Mental Health and the Royal College of Psychiatrists.

31 January 2007 : The Public Petitions Committee agreed to seek the views of the petitioner on the response received from the Deputy Minister for Health. [Link to Official Report 31 January 2007](#)

2 October 2007 : The Public Petitions Committee agreed to seek a further response to this petition from the Scottish Government and, in particular, on the Community Care and Mental Services for Adults with Sensory Impairment in Scotland research and on the funding available for support services for deaf and deafblind people with mental health problems. [Link to Official Report - 2 October 2007](#)

4 December 2007 : The Committee agreed to refer the petition to the Health and Sport Committee for further consideration as part of its inquiry work on mental health services, health inequalities and balance of care and to write to the Scottish



Government inviting it to keep the petitioner fully informed of the progress it is making in developing services for deaf and deafblind people. Link to Official Report 4 December 2007

11 June 2008 : The Committee agreed to write to the Scottish Government outlining the main issues to have arisen from the evidence taken on mental health services for deaf and deafblind people and return to the issue when the Scottish Government has considered the forthcoming proposal for specialist in-patient services in Scotland, which is anticipated to be submitted in autumn 2008. On this basis, the Committee agreed to close the petition. Link to Official Report 11 June 2008

<http://archive.scottish.parliament.uk/business/petitions/docs/PE808.htm>

Scottish Parliament Health and Sport Committee took oral evidence from members of the SCoD Mental Health and Deaf People Task Group on June 4<sup>th</sup>, 2008 -

<http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=1826&mode=html#.VA86DvldUmM>

## Appendix 17

### Tayside NHS Board - 2013

Report number: 201104213 Date: March 2013

Body: Tayside NHS Board Sector: Health

#### Overview

The complainant (Mrs C) raised concerns about the failure by Tayside NHS Board (the Board) to provide a British Sign Language (BSL) interpreter for a patient (Ms A) in Ninewells Hospital (the Hospital).

#### Specific complaint and conclusion

The complaint which has been investigated is that it was unacceptable for the Board not to provide a BSL interpreter during Ms A's 12-day in-patient admission to the Hospital in July 2011 (upheld).

#### Redress and recommendations

The Ombudsman recommends that the Board:

- (i) consider amending their Interpretation and Translation Policy to highlight the legal duties staff have and to explain that using families, lipreading and pen and paper is not likely to be an adequate or reasonable response to the needs of a BSL user. This should make clear that BSL is a registered language and not simply signed English;
- (ii) produce further guidance for staff on: what the protocol is once a patient makes staff aware that they need a BSL interpreter; who is responsible for arranging this and how the interpreter's availability is to be coordinated with that of the health professionals involved; and how reassurance and progress on getting an interpreter should be communicated back to the patient;
- (iii) consider providing further training to staff on deaf culture, language and legal rights;
- (iv) consider seeking input from deaf people on the Board's Interpretation and Translation Operational Group to review the effectiveness of the implementation of the Interpretation and Translation Policy; and
- (v) offer to meet with Ms A and a BSL interpreter to answer any questions she has about her treatment and to apologise, explain and feedback how her complaint has helped them to develop their service.

The Board have accepted the recommendations and will act on them accordingly.

<http://www.spsso.org.uk/investigation-reports/2013/march/tayside-nhs-board-0>

## Appendix 18

[http://www.capability-scotland.org.uk/media/63459/jdsg\\_final\\_report\\_rh\\_21898\\_26908.pdf](http://www.capability-scotland.org.uk/media/63459/jdsg_final_report_rh_21898_26908.pdf)

**The Justice Disability Steering Group (JDSG)** was set up in 2007 by the organisations representing the justice sector in Scotland. It comprises:

- The Association of Chief Police Officers in Scotland (ACPOS)
- The Crown Office and Procurator Fiscal Service (COPFS)
- The Law Society of Scotland
- The Scottish Court Service
- The Scottish Government
- The Scottish Legal Aid Board (SLAB)
- The Scottish Prison Service

The JDSG is keen to develop ways in which disabled people can be involved in helping to improve access to services across the justice system in Scotland and to draw on their skills and experience to improve the Scottish justice sector for all.

The JDSG recognises that, whilst much of the work of the justice system is delivered fairly and in an accessible way, some physical, attitudinal and procedural barriers do still exist for disabled people and more needs to be done to remove them.

To achieve this aim, the JDSG has formed a collaborative partnership with leading disability organisations interested in the justice process.

This collaboration will offer a wider perspective and enable the JDSG members to identify what changes are required in each specific organisation.

As part of this partnership the JDSG launched a six month involvement programme with disabled people aimed at eliminating discrimination and promoting equal opportunities. The JDSG appointed Capability Scotland to manage this programme on their behalf.

### **2. A programme of involvement**

The Justice and Disability Steering Group contracted Capability Scotland to manage a programme of involvement with disabled people from June to December 2009.

This project aimed to establish a multi-agency approach to long-term involvement of disabled people that will improve effectiveness and efficiency across the justice sector in the future.

This model for engaging, consulting and involving disabled people can then be taken forward by Justice Sector agencies, either individually or collaboratively, in order to fulfil their public sector duty to involve disabled people in policy making.

Capability used a four-stage process to engage and involve disabled people:

1. A paper and web-based survey exploring access to justice
2. Public involvement events with disabled people
3. Involvement events with disabled prisoners
4. National Conference attended by disabled people and justice practitioners

The process of involvement at each stage was designed to ensure that the widest range of disabled people were given the opportunity to share their own experiences of the justice system and offer their views as to how barriers to accessing justice might best be removed.

## **Appendix 19**

### **Hate Crime - 2013**

Hate crime involves any criminal offence motivated by malice and ill-will towards a social group. Hate crime can be motivated by disability, sexual orientation, race, religion or faith.

Hate crime has no place in Scotland and will not be tolerated. Our justice system is equipped to effectively deal with hate crimes to give victims the confidence to report them and bring those responsible to justice.

We are supporting work in communities, making sure laws to deal with hate crimes are in place and supporting rehabilitation for those who perpetrate hate crimes. This includes work to tackle prejudice motivated by race, religion and belief, sexual orientation, disability, age, gender and gender reassignment.

#### **Action**

We have set up an Advisory Group on Tackling Sectarianism in Scotland to explore the issue and advise Scottish Ministers. The group published its independent report in December 2013 and we published our response in February 2014. The work of the group has been extended until March 2015 to build on its work to date.

Significant levels of investment over 2012-15 through Equality Funding (£63 million) and Tackling Sectarianism Fund (£9 million) are supporting 44 community based organisations:

- work in communities to ensure that those experiencing prejudice, discrimination and hatred are at the centre of interventions to prevent such behaviour, improve the lives of those from minority ethnic and religious backgrounds and build safer and stronger communities for all of our people
- education programmes which build on the Curriculum for Excellence, the national curriculum for Scottish schools, and provide the right environment to enable young people to develop as informed, responsible, confident and inclusive citizens
- new laws which give police and prosecutors appropriate powers to deal with those who indulge in anti-social and violent prejudice, including sectarianism
- rehabilitation of offenders through the use of, amongst other legislative tools, the Community Payback Order which is designed to assist offenders to achieve change in their offending behaviour, and to reintegrate into communities.

#### **Who we are working with**

We work with a number of bodies including: Equality and Human Rights Commission, Age Scotland, Scottish Human Rights Commission, Equality Advisory and Support Service, Equality Network, Scottish Refugee Council, Sense Over Sectarianism, Nil by Mouth, Show Racism the Red Card, the Iona Community and Education Scotland.

## **Bills and legislation**

Our courts have long-standing powers to punish someone more severely for committing a hate crime through common law powers to take into account aggravating factors when sentencing. In recent years, new statutory hate crime powers have been provided to our courts by Parliament to complement these common law powers.

The Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 criminalises behaviour which is threatening, hateful or otherwise offensive at a regulated football match including offensive singing or chanting. It also criminalises the communication of threats of serious violence and threats intended to incite religious hatred, whether sent through the post or posted on the internet.

The Public Order Act 1986 which introduced offences relating to the incitement of racial hatred. In addition, the Crime and Disorder Act 1998 introduced offences of pursuing a racially-aggravated course of conduct which amounts to harassment of a person. The 1998 Act also provides for any offences to be racially aggravated where it can be demonstrated they were a racially motivated, requiring courts to take this into account when determining sentence. Similar provision for religiously aggravated offences is provided in the Criminal Justice (Scotland) Act 2003.

The Offences (Aggravation by Prejudice) (Scotland) Act 2009 provides for statutory aggravations for crimes motivated by malice and ill will towards an individual based on their sexual orientation, transgender identity or disability. Where offences are proven to be as a result of such malice or ill-will, the court must take that into account when determining sentence. The Criminal Justice and Licensing (Scotland) Act 2010 further strengthened statutory aggravations for racial and religiously motivated crimes.

<http://www.scotland.gov.uk/Topics/Justice/policies/reducing-crime/tackling-hate-crime>

Third Party Hate Crime Reporting Centres -

<http://www.scotland.police.uk/assets/pdf/205073/hate-crime-3rd-party-reporting-centres>

## Appendix 20

### National Standards for Community Engagement

#### PRINCIPLES

The standards are based on following principles:

- Fairness, equality and inclusion must underpin all aspects of community engagement, and should be reflected in both community engagement policies and the way that everyone involved participates.
- Community engagement should have clear and agreed purposes, and methods that achieve these purposes.
- Improving the quality of community engagement requires commitment to learning from experience.
- Skill must be exercised in order to build communities, to ensure practise of equalities principles, to share ownership of the agenda, and to enable all viewpoints to be reflected.
- As all parties to community engagement possess knowledge based on study, experience, observation and reflection, effective engagement processes will share and use that knowledge.
- All participants should be given the opportunity to build on their knowledge and skills.
- Accurate, timely information is crucial for effective engagement.

In summary, these principles highlight the importance of equality and recognising the diversity of people and communities; a clear sense of purpose; effective methods for achieving change; building on the skills and knowledge of all those involved; commitment to learning for continuous improvement.

#### NATIONAL STANDARDS FOR COMMUNITY ENGAGEMENT

1. INVOLVEMENT: we will identify and involve the people and organisations who have an interest in the focus of the engagement
2. SUPPORT: we will identify and overcome any barriers to involvement
3. PLANNING: we will gather evidence of the needs and available resources and use this evidence to agree the purpose, scope and timescale of the engagement and the actions to be taken

4. METHODS: we will agree and use methods of engagement that are fit\_for purpose
5. WORKING TOGETHER: We will agree and use clear procedures that enable\_the participants to work with one another effectively and efficiently
6. SHARING INFORMATION: we will ensure that necessary information is communicated between the participants
7. WORKING WITH OTHERS: we will work effectively with others with an interest in the engagement
8. IMPROVEMENT: we will develop actively the skills, knowledge and confidence\_of all the participants
9. FEEDBACK: we will feed back the results of the engagement to the wider community and agencies affected
10. MONITORING AND EVALUATION: we will monitor and evaluate whether the engagement achieves its purposes and meets the national standards for\_community engagement\_

<http://www.scotland.gov.uk/Resource/Doc/94257/0084550.pdf>



## Appendix 21

Spend on BSL/Linguistic Access Projects from the Scottish Government:

### Section 10

#### 2012/13

Deafblind Scotland (core)	£ 20,000
Deafblind Scotland (project)	£ 30,000
Hearing Link	£ 50,000
SASLI	£ 30,000
SCoD	£ 60,000
Signature	£ 18,540

#### 2013/14

Deafblind Scotland (core)	£ 20,000
Deafblind Scotland (project)	£ 40,000
Hearing Link	£ 50,000
SASLI	£ 50,000
SCoD	£ 50,000
Signature	£ 19,000

#### 2014/15

British Deaf Association	£ 60,000
Deafblind Scotland (core)	£ 20,000
Deafblind Scotland (project)	£ 40,000
Hearing Link	£ 50,000
SASLI	£ 50,000
SCoD	£ 50,000
Signature	£ 19,700
<b>Total</b>	<b>£ 727,240</b>

## **Section 16b**

### **2012/13**

British Deaf Association	£ 32,000
Deafblind Scotland	£ 35,000

### **2013/14**

British Deaf Association	£35,000
Deafblind Scotland	£32,000
Deaf Connections	£26,000
SCoD	£20,000

### **2014/15**

British Deaf Association	£ 6,250
<b>Total</b>	<b>£ 186,250</b>

### **2013-2015**

National Deaf Children's Society	£183,944
----------------------------------	----------

### **Equality Unit – 2012/15**

#### **2012-15**

British Deaf Association	£180,000
BSL and LA Working Group Consortium Project	£301,000
Deaf Connections (Ishara)	£150,000
Donaldson's School	£225,000
SCoD	£147,195
<b>Total</b>	<b>£1,187,139</b>

**Total spend: £2,100,629**

## Appendix 22

### Projects Supported by the Scottish Government

<http://www.scotland.gov.uk/Topics/People/Equality/remit/projects>

The Scottish Government has funded several projects in the area of BSL and Linguistic Access. Below is a brief description of the projects that have been supported recently.

#### 1. Scottish Association of Sign Language Interpreters (**SASLI**) (2008-11)

Project: Building Bridges

Aim: to increase the number of British Sign Language (BSL)/English interpreters in Scotland, and to support and increase the teaching of BSL, particularly at advanced levels. One of the main aspects of this three year project is developing a new work based route to interpreter training. You can find out more about the Building Bridges project and the work of SASLI on their website.

#### 2. Scottish Council on Deafness (**SCoD**) (2008-15)

Project: Effecting Change for Deaf People in Scotland

Aim: To support the greater participation of Deaf sign language users, Deafened, Deafblind and Hard of Hearing people from across Scotland in shaping policy and service delivery.

#### 3. **British Deaf Association** (Scotland)

Project: Cultural Awareness Project

Aim: Better engagement with BSL users across Scotland to reposition BSL as a language within Scotland for both deaf and hearing people, and to raise cultural awareness of the Deaf community in Scotland. A report of the outcomes of this project can be accessed at the following link: Cultural Awareness Project.

Project Aims

- Better engagement with BSL users across Scotland.
- To reposition BSL as a language within Scotland for both deaf and hearing people.
- To raise cultural awareness of the Deaf community in Scotland.

Recommendations

- Development of further opportunities for additional training provided for the Deaf community about Citizenship and how to set up BSL Forums.

- Greater provision of events/workshops to assist learners in developing their signing skills, such as quizzes, a BSL club for interaction with Deaf people.

#### Lessons learned

- The BSL and LA Working Group should recruit appropriate Deaf representatives from Deaf forums in Inverness, Dundee, Inverclyde, South Lanarkshire, etc, as they represent Deaf communities in these areas and can, with the support of the Scottish Government, have a closer relationship with them.
- Next time the Friendship Cup runs, a BSL taster session should be provided to participants before the event.

#### 4. Deaf Connections (2007-08)

Project: Online Interpreting Pilot

Aim: A short pilot project to see if an online interpreting service could be delivered successfully and to give feedback which could be used to help shape further long-term developments in this area. An evaluation of this project has now been undertaken, and can be accessed at the following link: [Online Interpreting Evaluation](#).

#### 5. Scottish Association of Sign Language Interpreters (**SASLI**) (2007-08)

Project: To enable SASLI to continue as an organisation

Aim: To develop its role as the body for registering BSL interpreters and supporting training and continuing professional development of BSL interpreters.

#### 6. Scottish Deaf Association (**BDA**) (2007)

Project: BSL Cultural Development in Scotland and Accredit and Align the British Deaf Association Qualifications on to the SCQF Framework

Aim: To promote Deaf culture throughout Scotland through their Cultural Development in Scotland Project. Funding will also accredit the British Deaf Association (BDA) three core units (BSL Awareness, Introduction to BSL and Foundation BSL) in their BSL Level 1 qualification and align them to the Scottish Credit and Qualifications Framework (SQCF).

#### 7. Deaf Connections (2007)

Project: BSL Public Information Kiosk

Aim: To establish a pilot project to provide a fully accessible information point to showcase public information video resources in BSL to people in the Deaf

Community living in the West central belt. Funding would also support Deaf Connections to produce and showcase three demonstration public information productions in a fully accessible BSL format and to monitor and evaluate their effectiveness.

8. The Council for the Advancement of Communication with Deaf People (now **Signature**) (2007)

Project: Credit Rating and Levelling CACDP Qualifications to the SCQF and CACDP Scotland Fair "Communication for All" 2007

Aim: To credit rate and level their three key qualifications in Scotland (i.e. those awards that have the highest number of candidates in Scotland) on to the Scottish Credit and Qualifications Framework (SCQF) and to support CACDP Scotland Fair 2007.

9. National Deaf Children Society (**NDCS**) (2007)

Project: Supporting Scottish Black and Minority Ethnic Families of Deaf Children

Aim: Supporting Scottish Black and Minority Ethnic Families of Deaf Children to ensure that NDCS services are relevant to the particular needs of BME families with deaf children in Scotland.

10. Scottish Association of Sign Language Interpreters (**SASLI**) (2007)

Project: Furthering Access to College Education for Deaf Students: Guidelines for Best Practice

Aim: For SASLI, in partnership with the Furthering Access to College Education (FACE) for Deaf Students Group, to develop their draft electronic resource 'Furthering Access to College Education for Deaf Students: Guidelines for Best Practice' to a professional standard.

11. Scottish Course to Train Tutors of Lip-reading (**SCTTL**) (2006-07)

Project: Reinstate and Develop a Scottish Course to Train Tutors of Lip-reading

Aim: To reinstate the Scottish Course to Train Tutors of Lip-reading to more effectively meet the needs of an increasingly diverse group of people with hearing loss, including people from ethnic minorities and children.

## Appendix 23

### Heriot Watt University School of Management & Languages

#### Report on the MA British Sign Language Programme 2013-14

This report describes progress in delivery of the MA British Sign Language programme, reflecting developments and implications of the initiative to date.

##### 1) Application Statistics

Number of...	Applicants				Offers Made				Students Entering Programme			
	Scot	RUK	EU	OS	Scot	RUK	EU	OS	Scot	RUK	EU	OS
2012 entry	36	5	13	1	14	2	2	1	11	2	1	0
2013 entry	28	18	21	0	21	10	11	0	8	1	4	0
2014 entry	48	8	14	0	X	X	X	X	X	X	X	X

- 2) Whilst it is too early to see clear patterns in the applications yet, it is encouraging to see notably strong demand from Scottish students for 2014 entry.
- 3) The University is very proud to have reached an agreement – the very first of its kind in the BSL field in the UK – with NHS24 to second staff full-time into the programme. Two students progressed successfully into 2<sup>nd</sup> year in 2013-14. Up to four places are being made available by NHS24 for 2014 entry. The long-term aim is to ensure continuity of access to NHS24 (see <http://www.nhs24.com/contactus/otherlanguages/bsl>) for BSL users.
- 4) Performance of the first year cohort in academic year 2012/13 was acceptable with 12 students, from a cohort of 14, progressing to 2<sup>nd</sup> year. Two students were required to repeat 1<sup>st</sup> year (one as a result of mitigating circumstances).
- 5) An interim analysis of student performance in academic year 2013/14, following the semester 1 examination board held in Jan. 2014, showed good performance by both the first and second year cohorts.

- 6) In each cohort to date, one or more students has chosen to transfer from a pathway including BSL and a foreign spoken language to concentrate solely on BSL.
- 7) New modules delivered for the first time in 2013-14 are:
- BSL Advanced 1+2
  - BSL Studies Advanced 1+2
  - Deaf People in Society and Comparative Studies
  - Sign Linguistics
  - General Linguistics
  - Working with Deaf Communities
- 8) Programme innovations in 2013-14 include:
- Introduction of Deaf panel discussions once per semester. These are BSL-only events featuring Deaf people discussing current 'hot topics' in society, giving students the opportunity to observe BSL in a rich, communicatively real context, and to participate by posing questions in BSL to the panel.
  - Introduction of service learning projects, where student have to develop projects that benefit the Deaf community and then reflect on their experience, learning and position in the community. Projects in 2013-14 ranged from the establishment of a Signing Society – bringing together Heriot-Watt students, other BSL learners, and Deaf community members (eg retired people welcoming the opportunity to interact with eager learners and to share their linguistic expertise and community knowledge) – to the offer of a flamenco dancing workshop for Deaf people with all explanations of the dances and their cultural significance delivered in BSL.
  - Field trip to evaluate 'real world' sign language translation: students visited the Royal Yacht Britannia to evaluate the venue's own BSL 'translation tablet' of the tour.
  - International visibility and therefore scope for liaison has steadily increased, which has enabled us to attract guest lecturers from Finland and the USA as well as all parts of the relevant UK academic community.
  - The development of community placements (to commence in 2014-15) enhances already very close co-operation with Deaf organisations across Scotland, ensures a high degree co-production of the

programme, and engages the community in taking 'ownership' of the graduates it produces.

- 9) SFC support for BSL provision at Heriot-Watt University has facilitated consolidation of our work in the following ways:
- The appointment of a second Professor, Jemina Napier, formerly at Macquarie University, strengthens the programme significantly, bringing additional expertise and extending the range of research, teaching and learning, and knowledge exchange initiatives.
  - The PhD programme now offers one of the highest concentrations of sign language doctoral research in the UK, and has attracted students from the USA and China, as well as three Scottish students, two of whom are Deaf.
  - The globally-unique EUMASLI MSc programme, delivered in partnership with Finnish and German Universities of Applied Sciences, has flourished with a strong cohort of 23 students from three continents, including six Deaf students.
  - Ongoing R&D projects have been successfully completed (eg Medisigns [http://www.medisignsproject.eu/MEDISIGNS/2013\\_ELL\\_Award.html](http://www.medisignsproject.eu/MEDISIGNS/2013_ELL_Award.html)), and innovative new projects have begun (eg Insign [http://eud.eu/Insign\\_Project-i-716.html](http://eud.eu/Insign_Project-i-716.html))
  - Our impact upon policy relating to BSL has been strengthened. For example, we have contributed significantly to the British Deaf Association's substantial discussion paper on enhancing legal recognition of BSL (<http://www.bda.org.uk/News/155>)
  - Knowledge exchange work with industry has been able to grow: Sign Video (<http://www.signvideo.co.uk/>) is a partner in the Insign project mentioned above; we are currently in discussion with Civic Computing (<http://www.civicuk.com/>) on co-production of improvements in website useability for Deaf people.
  - Finally, our public engagement activities have been augmented to include such innovations as a show at the Edinburgh Fringe (<http://www.bbc.co.uk/programmes/p01jvctb>); the highly successful EdSign open lecture series (<https://sites.google.com/site/edsignlectures/>), now live-streamed globally by popular demand; the most-read and -viewed contributions to the Department's blog (<http://lifeinlincs.wordpress.com/>) and talks in schools from Bristol to Dingwall.

Professor G. H. Turner, Head of BSL Section, Department of Languages & Intercultural Studies

C. Powrie, Director of Administration, SML



## **For more information:**

The Long and Winding Road: A Roadmap for BSL and Linguistic Access in Scotland  
- <http://www.scotland.gov.uk/Publications/2009/07/01102537/0>

Scottish Council on Deafness – [www.scod.org.uk](http://www.scod.org.uk)

Scottish Government Equality Unit BSL and LA Working Group page –  
<http://www.scotland.gov.uk/Topics/People/Equality/remit/Access-Working-Group>

Reviewer (on behalf of the BSL & Linguistic Access Working Group):

Mandy Reid

Policy & Research Officer

Scottish Council on Deafness

March 2015