

Guidance on providing **British Sign Language/English interpreters** under the Disability Discrimination Act 1995

For employers, trade organisations and service providers



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# 1. Introduction

## **Purpose of the Disability Discrimination Act 1995**

The Disability Discrimination Act 1995 (DDA) makes it unlawful to discriminate against disabled people in a range of activities. In particular, the DDA covers:

- Employment.
- The provision of goods, facilities and services.
- The services provided by trade organisations (for example, trade unions and trade associations).
- Education.

Fundamental to the anti-discrimination provisions in the DDA is the duty to make reasonable adjustments and it is as part of this duty that the requirement to provide British Sign Language/English interpreters may arise.

## **About the Guidance**

This Guidance explains what British Sign Language (BSL) is, who uses BSL, and what BSL/English interpreters do. It also provides practical information for employers, trade organisations and service providers about the provision of BSL/English interpreters, and aims to assist such organisations in determining when providing BSL/English interpreting is required under the DDA.

The Guidance does not currently cover Post 16 education and schools (Part V DDA). The 'Code of Practice for Schools' and the 'Code of Practice for providers of Post 16

education and related services' give further information on the duty to provide reasonable adjustments.

However education providers are covered by the employment and service provisions in three main areas:

- employing staff,
- providing non-educational services to the public, and
- publishing information about arrangements for disabled pupils.

Wholly privately-funded Post 16 providers and providers of work-based training are covered by Part III DDA (Goods, Services and Facilities).

Throughout the Guidance 'Deaf' is used with a capital D when it refers to Deaf people who use sign language as their first or preferred language. Deaf people identify themselves as part of a cultural and linguistic community. Their culture is linked to sign language, lifestyle, history, and a sense of belonging. The Deaf community includes Deaf people with visual impairment as well as Deaf people with additional disabilities, minimal language skills and Deaf people who use foreign sign languages.

The term 'deaf people' (with lower case d) is used as a general term to refer to people with all degrees of deafness, including deafened, hard of hearing and Deaf people.

Deaf people have different language and communication preferences. This Guidance only gives information about the provision of BSL/English interpreting to overcome barriers that arise in the communication between Deaf BSL users

and people who do not use BSL. Appendix B lists other types of adjustments for deaf and hard of hearing people.

The Guidance is intended to supplement the existing codes of practice on the DDA:

- the Code of Practice for the elimination of discrimination in the field of employment against disabled person or persons who have had a disability,
- the Code of Practice-duties on trade organisations, and
- the Code of Practice on rights of access to goods, facilities, services and premises.

These Codes contain a more detailed explanation of the DDA, the duty to make reasonable adjustments and the practical implications of the Act for people with a range of deafness and other disabilities. The Codes of Practice have special statutory status – the court must take the provisions into account in determining relevant questions.

Although this Guidance does not have the same status as the Codes it is specifically designed to provide informative, practical guidance in an area where many misunderstandings exist.

Whilst every case should be treated individually, this Guidance explains the extent to which the provision of BSL/English interpreting services may be a reasonable adjustment under the DDA and gives practical advice on providing BSL/English interpreters and how to avoid discrimination against Deaf BSL users.

The Guidance applies to England, Scotland and Wales. For Northern Ireland contact the relevant organisations listed in Appendix C.

The Guidance was drawn up following consultation with organisations representing deaf people and interpreter organisations.

## **How to use the Guidance**

The following chapters of the Guidance seek to explain in more detail how employers, trade organisations and service providers might seek to adopt best practice in the provision of BSL/English interpreting services, and set this advice in the context of the rights and duties created by the DDA.

**Chapter 2** explains what BSL is and who uses it. **Chapter 3** explains what BSL/English interpreters do and gives further information about interpreters. **Chapter 4** explains the provisions of the DDA in relation to the duties on employers, trade organisations and service providers to provide BSL/English interpreting services. **Chapter 5** provides further information on how organisations might ensure compliance with the DDA.

**Appendix A** explains how to find a BSL/English interpreter. **Appendix B** lists other means to access communication with deaf and hard of hearing people. **Appendix C** provides sources of useful information including contact details for relevant organisations. The **Glossary** explains the terms used in the Guidance.

**Examples** of good practice and how the duty to make reasonable adjustments is likely to work in relation to BSL/English interpreters are given in boxes. They are

intended simply to illustrate the principles and concepts used in the Guidance and should be read in that light.

### **Further information**

A wide range of information about the DDA is available from the DRC Helpline in print and alternative formats and languages, and can be viewed on the DRC website. Codes of Practice regarding Part II and Part III of the Act can be purchased from the Stationery Office or downloaded from the DRC website. Codes of Practice relating to Schools and Post 16 Education are available from the DRC Helpline or on the DRC website.

Free information about the DDA can be obtained by contacting:

**DRC Helpline,  
FREEPOST MID 02164,  
Stratford upon Avon,  
CV37 9BR**

**Telephone 08457 622 633  
Fax 08457 788 878  
Textphone 08457 622 644  
Email [enquiry@drc-gb.org](mailto:enquiry@drc-gb.org)  
Web [www.drc-gb.org](http://www.drc-gb.org)**

## **2. British Sign Language and Deaf people**

### **What is British Sign Language?**

British Sign Language (BSL) is a language that is conveyed by means of handshapes, the movement of the hands and body, and the use of facial expressions and lip patterns. BSL has its own grammar, lexicon and idioms. It is distinct from English. It also differs from Irish, American, French and other national sign languages.

On 18 March 2003 the UK Government recognised BSL as a language in its own right.

BSL is a language that is regularly used by a large number of people. For Deaf people and some hearing children who grow up with Deaf parents, BSL is their first or preferred language. Other people who become deaf after they have acquired English may choose to learn BSL and use it as their preferred language. Many hearing people use BSL or are learning it because they like the language or they wish to communicate with Deaf people.

There are no accurate statistics as to the number of Deaf people whose first or preferred language is BSL, but estimates range from 50,000 to 70,000.

People who are deaf, deafened or hard of hearing usually have a spoken language as their first or preferred language. They are likely to prefer other means of communicating. Appendix B lists examples of other communication services and aids for deaf people.

## **British Sign Language and English**

For many Deaf people, spoken and/or written English is their second or even third language. As with all linguistic minorities, members of the Deaf community have varied degrees of access to the majority language of the wider community, i.e., to English.

BSL/English interpreters are therefore essential to make direct interaction possible between Deaf BSL users and people who do not use BSL.

Some Deaf people are fully bilingual in BSL and in English; most Deaf people read and write English, but they may have great difficulty, especially when more complex concepts, grammar or less common words are used. Some Deaf people do not read or write English, for instance if they have minimal language skills or if they come from abroad. A Deaf person's ability to communicate in writing may also depend on the nature of the situation and any stresses and strains they may be under. Also written communication is not as direct a form of communication as spoken or signed communication. For these reasons it should not be assumed that written communication will be an adequate replacement to a verbal conversation.

A Deaf employee is being trained how to use an advanced colour photocopier. The language used is technical. If the training is undertaken via the exchange of notes this is likely to make it very difficult for the hearing trainer to convey adequately the functions of the photocopier and also for the Deaf employee to understand the information and ask questions.

A Deaf man is in hospital after a heart attack. His medical notes show that he is Deaf and uses BSL. The hospital decides that it is not reasonable to expect him to communicate in English, so instead they obtain the services of a BSL/English interpreter.

It is often assumed that all deaf people can lipread. Lipreading skills vary greatly and depend largely on the environment and context in which the conversation takes place.

English is a very difficult language to lipread as many words look the same on the lips. The accent of the speaker, the speed of the conversation, the lighting and the size of the group are all factors that influence a person's ability to lipread and therefore their understanding of the conversation. Also the fact that English is not the first language of Deaf people will affect their understanding of the spoken language.

Many Deaf people are more comfortable with expressing themselves in BSL than in spoken English, which is not their first language and uses a communication mode that is unnatural for them.

Some Deaf people have a visual impairment that may affect the way they use BSL. For example, people who have a restricted field of vision (e.g., Usher Syndrome) may prefer 'visual frame signing', i.e. signing is done within the person's remaining field of vision.

People with cataracts may see everything as through a fog, and prefer the signing close to their eyes 'close signing'. Other Deaf people who have little or no remaining sight, use

'Hands-on BSL'. With this system, the Deaf person places his or her hands over those of the signer and feels the signs formed and the movement of the hands.

Not all Deaf people with visual impairment communicate in the same way. It is also important to realise that their preferred communication method may vary through time. Therefore it is vital to check with the Deaf person how he or she prefers to communicate or to access information.

A Deaf woman with visual impairment has a meeting with the council. The woman and the council require a BSL/English interpreter. After consultation with the woman, the council books a BSL/English interpreter who can use visual frame signing and who is required to wear a plain black top to contrast with the face and hands (or a specific light coloured top to contrast with dark skin).

### **3. British Sign Language/English interpreters**

#### **What does a British Sign Language/English interpreter do?**

A BSL/English interpreter is likely to be useful whenever Deaf BSL-users and people who do not use sign language communicate with each other.

BSL/English interpreting is the process of rendering the meaning and intent given in one source language to another target language (both English and BSL). Interpreting is a complex process that requires a good knowledge of both languages and cultures.

BSL/English interpreting is different from spoken language interpreting, because of the different modes of communication, i.e. spoken/auditory and visual/gestural.

Most BSL/English interpreting takes place nearly simultaneously. As English and BSL are languages with completely different structures, a BSL/English interpreter will always need to wait until the sentence is finished, before starting to interpret into the other language. In some situations the time lag will be greater, for instance, when the terminology is very complex and the BSL/English interpreter has not been given sufficient information in advance so he or she can find cultural and linguistic equivalents in the other language.

A BSL/English interpreter will also translate from written text to BSL when this is required, for instance, when a Deaf BSL user is taking a written test, or when requested to sign a consent form for hospital treatment.

A BSL/English interpreter is a person who has been assessed at or is in the process of meeting the nationally recognised standards in interpreting.

BSL/English interpreters:

- provide a professional and high standard of service,
- are under an obligation to work on professional continued development,
- have agreed to abide by professional Codes of Conduct/Ethics,
- are subject to a complaints and disciplinary procedure, and
- are issued with an ID Card.

BSL/English interpreters in England or Wales should be registered with the Council for the Advancement of Communication with Deaf People (CACDP) via the Independent Registration Panel (IRP), and/or be members of the Association of Sign Language Interpreters (ASLI).

In Scotland BSL/English interpreters should be registered with the Scottish Association of Sign Language Interpreters (SASLI).

There are no hard and fast rules as to the qualification levels required for different interpreting situations. BSL/English interpreters have a responsibility only to accept assignments that they judge to be within their competence,

having taken all the relevant factors into account. It is therefore important that, at the time of the booking, information is given about the nature and content of the interaction (for instance, what is the setting, use of jargon, number of people) and the length of the assignment.

## **BSL/English interpreters registration and membership**

The CACDP Register has three registration categories:

- Member of the Register of the BSL/English interpreters (MRSLI),
- Trainee Interpreter (TI),
- Junior Trainee Interpreter (JTI).

ASLI membership categories are:

- Licensed,
- Associate.

SASLI has two registration categories:

- Qualified BSL/English interpreter,
- Trainee BSL/English interpreter.

SASLI registered BSL/English interpreters and ASLI Licensed and Associate Members have professional indemnity insurance cover. SASLI registered BSL/English interpreters have been vetted through Disclosure Scotland.

Members of the Register/ASLI Licensed Members/SASLI Qualified BSL/English interpreters have completed a recognised interpreter training course, and meet the nationally recognised standards in interpreting. They are full members of the interpreting profession.

Trainee Interpreters/ASLI Associate Members/SASLI Trainee Qualified BSL/English interpreters have a good knowledge of the Deaf community and interpreting issues. These interpreters have achieved the required language skills, but they may not yet have the amount of practical experience of interpreting and interpreting settings required to meet the national standard.

A Junior Trainee Interpreter (JTI) is working through or has completed a recognised Interpreter Training Programme. JTIs should have a good knowledge of the Deaf community and interpreting issues, but they are still developing their language skills, and may not have had a great deal of practical experience of interpreting or of a range of interpreting settings.

Some MRSLI or SASLI Qualified BSL/English interpreters will have received additional training or have built up experience in certain settings, for example child protection cases, mental health cases and court cases.

A Deaf child, whose first language is BSL, is interviewed for a child protection case.

It is essential that the child is provided with a BSL/English interpreter who is a MRSLI/SASLI Qualified BSL/English interpreter and who has knowledge of child protection procedures and issues.

Trainee Interpreters/ASLI Associate Members/SASLI Trainee Qualified BSL/English interpreters and Junior Trainee Interpreters are likely to have less experience, having worked in a narrower range of settings; they will be more restricted to the type of assignment they are able to accept. Legal and mental health settings require fully qualified interpreters. Some authorities have issued guidelines about using interpreters.

Since January 2002, the police, courts and other legal agencies in England and Wales work with a National Agreement on a standardised procedure for arranging interpreters in criminal proceedings. Legal agencies will try, wherever possible, to use only the services of Members of the Register of BSL/English Interpreters, and, in the case of spoken language interpreters, members of the National Register of Public Service Interpreters.

The codes of professional good practice state that a BSL/English interpreter should remain completely impartial. They also agree to keep everything that has been discussed during an assignment 'in confidence'. BSL/English interpreters are also prevented from using the information gained through their work for their own advantage. Further information on the codes of professional good practice can be obtained from the relevant organisations listed in Appendix C.

## **Arrangements**

People with little or no experience of using BSL/English interpreters may believe that a BSL/English interpreter will 'get in the way' or be distracting. This will not be the case if a professional is provided and arrangements made for the interpreting are satisfactory.

The BSL/English interpreter or the agency is likely to ask for details of the assignment, such as nature and length of the meeting and what will be discussed.

Any interpreter needs good preparation. BSL/English interpreters need to know what the assignment is about. Minutes, agendas, copies of presentations, etc., are all useful for preparation. A brief explanation of specific jargon is also helpful.

BSL/English interpreting is a physically and mentally demanding job. A BSL/English interpreter needs regular breaks in order to maintain a high standard.

Sometimes an employer or provider may be required to provide more than one BSL/English interpreter, even if there is only one Deaf person. This is particularly the case where there is a lengthy assignment (e.g. more than two hours), and/or the possibility of taking reasonable breaks is limited. Interpreting is a job that demands concentration and physical effort. A lengthy assignment or a complex situation undertaken without breaks will impair the quality of the interpreting.

A Deaf person attends a seminar that has five speakers on its programme, followed by a panel discussion. The seminar organiser provides two BSL/English interpreters who can take turns. This ensures that the quality of the interpreting remains consistent.

Sometimes the choice of a BSL/English interpreter needs to be gender-specific, for instance a Deaf woman undergoing an internal examination at the hospital will prefer a female

interpreter. Awareness of cultural and religious issues may also be relevant.

## **Interpreters working with Deaf people with visual impairment**

BSL/English interpreters can also interpret between Deaf people with visual impairments and others. There are currently no relevant qualifications for hands-on BSL, visual frame signing or close signing, so BSL/English interpreters need to have some experience of working with Deaf people with visual impairment.

Relay interpreters work with Deafblind people or Deaf people with visual impairment.

They relay BSL to hands-on BSL or visual frame signing or close signing. A relay interpreter can be hearing or Deaf. They will work as a relay from another Deaf person, or from written English or from a BSL/English interpreter who is interpreting for a hearing person.

Interpreters will usually work on a one-to-one basis with a Deaf person with visual impairment, so when there is more than one, it may be necessary to provide a BSL/English interpreter for each person.

A work-related meeting takes place between a Deaf person, two Deaf people with visual impairment and a hearing person. The employer books two BSL/English interpreters. One interpreter interprets the discussion from BSL into English. The other interpreter relays the BSL using visual frame signing and also interprets from English into BSL.

BSL/English interpreters are not to be confused with 'deafblind interpreters (manual)' who spell the Deafblind Manual Alphabet onto the hand of the deafblind person.

### **Interpreters working with Deaf people with specific language or communication requirements**

Some Deaf people have specific language requirements, for instance, they use a foreign sign language or they have learning disabilities. Others may have physical disabilities that affect their ability to sign. In interactions with these people it may not be sufficient or appropriate to provide a BSL/English interpreter. Their services can be complemented or replaced with the services of a 'relay interpreter' who is a native language user (usually a Deaf person).

If a Deaf person uses a foreign sign language (and does not use BSL or English), it is useful to arrange a person who can use 'International Sign', which uses elements from both sign languages and cultures. This person can be Deaf or hearing.

'Relay interpreters' also work with individuals who are not fluent signers of a given sign language, for instance Deaf people with learning disabilities or minimal language skills, or Deaf children. The 'relay interpreter' adapts the BSL to a

different level so that the Deaf person understands it, and 'translates' the signs of the Deaf person to BSL.

A Deaf person with learning disabilities is interviewed at the police station.

The BSL/English interpreter does not have the language and communication skills necessary to interpret directly for that person. In this case a (Deaf) person with skills to communicate with that person can be brought in and then provide a more standard BSL input to the BSL/English interpreter (who interprets it to English).

The services of 'relay interpreters' can be employed in any situation, but most commonly in mental health, social services, police and legal settings.

There is currently no relevant qualification for 'relay interpreters'. It is necessary to arrange a 'relay interpreter' who has some experience of working in the relevant field.

### **Video interpreting**

Video interpreting is the provision of a BSL/English interpreter via videophone as opposed to in person. This service is typically available instantly or at very short notice and does not need to include travel expenses as part of service cost.

Video Interpreting is a simple method of accessing rapid, cost effective BSL/English interpreting services for last minute, short, one-to-one meetings. However it is not suitable for use in sensitive or complex situations.

A Deaf woman goes to a police station because her car has been stolen. The station officer does not understand BSL, so he uses a videophone to contact an 'on-line' interpreter. The 'on-line' interpreter helps to get the basic details (such as registration number, make of car, where and when stolen to allow details to be passed to patrolling officers, as well as the woman's details). The station officer also explains through the BSL/English interpreter that they will now call a qualified interpreter to the police station to allow a written statement to be taken.

### **When a BSL/English interpreter is not available**

Sometimes an employer, service provider or trade organisation has taken all reasonable steps to ensure that a BSL/English interpreter is provided, but there is no interpreter available. If this is the case, it may be possible to arrange a person who is able to facilitate communication with hearing and Deaf people. This should only happen if this is appropriate for the situation, and with the full knowledge and consent of the Deaf person.

A Deaf person may ask to bring a partner, friend or relative to act as a communicator.

This may be an alternative to using BSL/English interpreters, if this is the preferred option of the Deaf person; it overcomes the communication barrier; and it is in line with the statutory or professional duties of the service provider (the service provider may have a professional duty to obtain and to give accurate information). However, these people should not be treated as interpreters.

A group of Deaf and hearing people go to a restaurant. The waiter gives the menu of the day to the group and the hearing people sign this for their Deaf friends. This is likely to be lawful.

A Deaf woman and her hearing husband are buying a new car. They go to the car dealer to look at several cars, take a test drive and negotiate the price of the car. The Deaf woman tells the car dealer that her husband will translate everything and make sure that she is fully involved in the negotiation, so the car dealer does not obtain a BSL/English interpreter.

It is generally desirable to obtain a BSL/English interpreter in situations where clear communication is important.

A man is severely ill in hospital. The consultant meets with the Deaf daughter and the (hearing) brother of the patient. As the nearest relative the consultant needs to discuss further treatment with the daughter. The doctor, however, communicates through the brother of the patient. The brother does not put across the information accurately. Also the brother gives his opinion about treatment, instead of translating what the daughter says. The consultant goes away thinking that he has got the consent of the daughter for further treatment, whereas the daughter is not aware of the seriousness of the condition and does not understand the effects of further treatment. This situation would have been prevented if the doctor had provided a BSL/English interpreter.

Children should not be used as interpreters or as communicators, particularly in complicated situations e.g. medical appointments.

The police are called to an address because of a neighbour dispute and gain basic information from the Deaf householder through their hearing child. Whilst it may be unavoidable to obtain early information in this way, the use of hearing children to 'interpret' is not appropriate. It is imperative that either a police officer who has a BSL qualification of minimum Level 3 deals with the case or that a BSL/English interpreter is obtained to gain further information.

## **Communicating directly with Deaf people using BSL**

In situations where employers, service providers and other staff have a sufficient level of BSL to communicate directly with a Deaf person, there will be no need to arrange a BSL/English interpreter. In fact, Deaf people will usually prefer direct and personal contact in their own language, BSL.

The required level of skill will depend on the nature of the encounter. The hearing person has to be able to sign and to understand BSL to such a level that the communication barrier is overcome.

Qualifications in BSL are available at four levels:

- Level 1 in BSL: basic communication, sufficient to have a short conversation with some Deaf people, answer questions, and give some information about yourself.
- Level 2 in BSL (Stage 2): conversations about everyday issues, family, social or working lives.

- Level 3 NVQ Units in BSL: advanced qualification for people who use BSL for routine purposes.
- Level 4 NVQ Units in BSL: advanced qualification for people who need to use BSL to fulfil complex work tasks.

A Deaf man arranges a visit to a bank to discuss his financial affairs. The bank clerk passes his client on to a colleague who has recently passed his BSL Stage 2 exam rather than booking a BSL/English interpreter. However, the staff member will not have sufficient skills to ensure an accessible service.

A Passport Agency has a notice in the reception area asking deaf and hard of hearing people to let staff know if they need communication support. One member of staff has got a Level 2 qualification in BSL and he assists Deaf people with applications and other routine queries. More complex enquiries are handled through a BSL/English interpreter.

A hearing solicitor, fluent in BSL, is employed by a large firm of solicitors. As a bilingual service provider he is able to provide a direct legal service in those areas in which he is qualified to do so. His colleagues in other areas deal with Deaf clients through a BSL/English interpreter. The solicitor does not interpret for colleagues, except in the most exceptional circumstances. If, for example, an important form needs to be explained to a Deaf client, rather than interpret for his colleague, the solicitor will take over and deal with the matter directly in BSL.

His knowledge of interpreting services has led to guidelines and information being made available to colleagues on how they could obtain the services of BSL/English interpreters

for consultations with Deaf clients and court appearances involving Deaf people. The company encourages staff to learn BSL and has organised classes for members of staff.

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## **Information in British Sign Language**

It is not always necessary for information to be provided 'live' through a BSL/English interpreter. For example, it may be reasonable to provide information leaflets or responses to frequently asked questions in BSL on video, CD-ROM, DVD or on a website. Such recorded information could be presented by a Deaf person who is fluent in BSL and English. In general the message gets across better if a person who shares the same native language presents it rather than a BSL/English interpreter. Some Deaf people have a qualification to translate from written English to BSL for media purposes.

Making information accessible in this way may reduce the need for a service provider or employer) to book a BSL/English interpreter in a face-to-face encounter, and may enable the provider to publicise services to the wider Deaf community.

Contact details of companies with experience in this field can be obtained through the information lines listed in Appendix C. The British Deaf Association (BDA) offers a quality control service for information videos produced in BSL and with subtitles.

An employer is designing a new induction video for all new staff. They decide to include a Deaf in-vision interpreter to ensure that the video will be accessible to any new Deaf staff.

A Trade Union produces a range of leaflets about employment rights. They also have a signed version of the leaflets on video and CD-ROM for Deaf members.

A council decides to develop an information pack for people who come to live in their area. They commission a company that has experience with making productions in BSL. The company develops a CD-ROM that is accessible in different formats such as 'large print', is presented in BSL with a voice-over and has subtitles in various languages.

## 4. Disability Discrimination Act 1995

### Deaf people and communication under the Disability Discrimination Act 1995

Deaf people face many barriers in accessing employment, information and services, etc. This is frequently due to a lack of awareness of their needs and inadequate provision of communication services, such as interpreters. Without proper communication services, deaf people may often not be able to access employment, information and services which hearing people take for granted.

The Disability Discrimination Act 1995 (DDA) offers deaf people protection from discrimination and recognises their need for communication services, including sign language interpreting, in order for them to have full access to services, information and employment.

This chapter explains more about the duty to make reasonable **adjustments in relation to British Sign Language/English interpreters**. For further information about the DDA, including the definition of disability, which employers and service providers are covered by the Act and all the duties under the Act see the Act itself, the Codes of Practice and/or contact the Disability Rights Commission (DRC), RNID or the British Deaf Association (BDA).

### Definition of disability

In order to be covered by the DDA, a deaf person must meet the definition of disability in the Act. The Act defines disability as 'a physical or mental impairment which has a substantial and long term adverse effect on (the person's) ability to carry out normal day-to-day activities'. Guidance

that accompanies the Act says that an 'inability to hold a conversation with someone talking in a normal voice' or an 'inability to hear and understand another person speaking clearly over the voice telephone' counts as a substantial adverse effect under the Act. Deaf people who use BSL are highly likely to meet this definition.

## **Employment**

Section 6 of the DDA states that an employer has a duty to make a reasonable adjustment where an arrangement made by or on behalf of the employer, causes a substantial disadvantage to a disabled person compared with non-disabled people.

Arrangements are likely to include job/promotion interviews, training, team meetings, appraisals and disciplinary hearings.

A substantial disadvantage is one which is more than minor or trivial.

An employer is considering a number of staff members for promotion. He is aware that one of the candidates to interview is a Deaf BSL user, but he does not provide a BSL/English interpreter for that interview. As a result of the failure to provide the BSL/English interpreter, the candidate is placed at a substantial disadvantage in the interview. This is likely to be a failure to make a reasonable adjustment.

An employer is required to take such steps as it is reasonable for him or her to have to take in all the circumstances to prevent the disadvantage – in other words, the employer has to make a 'reasonable adjustment'

(S6(1)). The Act lists 'providing an interpreter' as an example of a reasonable adjustment (S6(3)(k)).

An employer is looking to recruit a new person for a post. One of the candidates who is invited for interview has indicated on the application form that he is deaf. The employer should ask the deaf applicant in advance for the best way to facilitate communication between them, for example a BSL/English interpreter or a lipspeaker.

A Deaf employee is encouraged to follow a training course. The training is aimed at personal development, so that she can apply for a promotion when an opportunity arises. As the employee communicates using BSL, the arrangements made by the employer to provide the training should not place the employee at a substantial disadvantage and therefore it is likely to be a breach of the DDA. The employer should consider the provision of a BSL/English interpreter.

The human resources department of a company issues a new policy on the use of the Internet and e-mail. All employees are expected to agree to the terms of conditions of Internet and e-mail use. The company employs two Deaf people who are not fully bilingual. A BSL/English interpreter is provided to translate the terms of conditions into BSL, so that the Deaf employees know what they are agreeing to.

Employers also need to ensure that not only have they provided the BSL/English interpreter but that adequate arrangements are made to ensure that good communication is facilitated. This means that the BSL/English interpreter has been briefed in advance, that there are good seating/standing arrangements and it may mean that the

Deaf employee and the interpreter meet before the meeting to go through jargon, etc.

A Deaf woman joins a marketing team in an organisation. The manager of the team arranges for someone to teach the marketing team how to work with a BSL/English interpreter. The manager also offers the whole team the opportunity to do a Level 1 BSL course so colleagues can communicate directly with the Deaf woman at a basic level. The employer applies for Access to Work funding for the training.

### **Knowledge of disability**

An employer will not be under a duty to make a reasonable adjustment if they do not know and **could not reasonably be expected to know**, that a person was disabled and may be placed at a substantial disadvantage. However, the employer may still be expected to make a reasonable adjustment from the time that they learn of the disability and the disadvantage. It is therefore in the interests of an employer to make reasonable enquiries of candidates for employment as to any adjustment that might be necessary. Where a Deaf person is an existing employee, it is likely that the employer will be deemed to know of the disadvantage and expected to make any necessary reasonable adjustments.

### **Reasonableness**

When considering whether BSL/English interpreting is a reasonable adjustment, the Act lists a number of factors that should be taken into consideration. The employer may look at:

- the effectiveness and practicability of providing a BSL/English interpreter,
- the financial and other costs of providing the BSL/English interpreter,
- the extent of any disruption caused,
- the extent of the employer's financial and other resources, and
- the availability to the employer of financial or other assistance to help make the adjustment. This will include the availability of the Access to Work Scheme (see below).

The Act also looks at other factors, for example the effect on other employees adjustments already made for other disabled employees, and the extent to which the disabled person is willing to co-operate.

### **Access to Work (Funding)**

Access to Work is a scheme offered by the Government that provides practical advice and support to disabled people and employers. Deaf people are eligible for financial assistance in meeting the costs of communication support and equipment at interviews and in employment.

Communication support includes the cost of BSL/English interpreters, training of colleagues in deaf awareness and basic signs. Access to Work can also be used to provide language support in the workplace. It is usually the employer who arranges and pays for the support and claims back the approved costs from Access to Work. Contact

details for the Access to Work scheme can be found in Appendix C.

## **Reasonable adjustments in recruitment**

When an employer is arranging an interview it is important that they think ahead. This is particularly the case in relation to the provision of BSL/English interpreters, as they are often not available at short notice. An employer should therefore give applicants an opportunity to state whether they require a BSL/English interpreter for the interview.

As well as providing a BSL/English interpreter, an employer should consider changes to the way in which the interview is carried out to ensure that a Deaf person does not continue to be placed at a substantial disadvantage. For example, it may be necessary to schedule a longer interview time because the interaction has to be interpreted. It will also be necessary to provide information to the BSL/English interpreter in advance.

An employer is interviewing people for a vacancy. One of the interviewees requires a BSL/English interpreter. In order to ensure a smooth interview and correct interpretation the employer briefs the BSL/English interpreter in advance about the interview procedures and the questions. The employer also schedules time for the BSL/English interpreter to meet with the Deaf candidate before the interview.

A BSL/English interpreter may not just be required for the interview only. If the employer uses examination or other assessment arrangements as part of the recruitment process then the employer should also consider whether it is necessary to provide a BSL/English interpreter for these.

An employer requires all job applicants to take a qualifying test involving multiple choice questions before they can be interviewed. If the test is in English, this may place a Deaf candidate whose first language is BSL, at a substantial disadvantage. The employer therefore decides to provide a BSL/English interpreter to enable the Deaf person to take the test in his/her first language.

### **Adjustments for existing employees**

The principles that apply in relation to the recruitment of Deaf people will also apply in relation to new and existing Deaf employees. Employers will need to consider whether it is necessary to provide interpreters for staff meetings, induction and training courses, appraisal and disciplinary meetings and for promotion interviews, etc.

A Deaf manager conducts annual appraisals with his staff. The employer provides a BSL/English interpreter. The Deaf manager and the member of staff give a copy of the preparation papers to the BSL/English interpreter. Before the appraisal meeting the Deaf manager and his member of staff each meet separately with the BSL/English interpreter to discuss jargon, etc.

An employer arranges a one-day course for its maintenance staff about the problems associated with working with asbestos. The content of the course is technical and there is important information about safe working practices. One of the employees is Deaf. The employer books two BSL/English interpreters to share the duties of interpreting because of the length of the course and its complex content. The employer ensures that copies of the technical drawings and lectures notes are made available to both interpreters before the course in plenty of time for them to familiarise themselves with the content.

A young Deaf man works in a factory. A large number of staff is to be made redundant. The management team writes to staff, and sets up a meeting to explain the process of redundancy. The team provides a BSL/English interpreter, both to go through the initial letter and for meetings. In this way the management team ensures that the Deaf person receives the same quality of information and at the same time as his colleagues.

## **Trade organisations**

Section 15 of the DDA places responsibilities on trade organisations such as trade unions and professional associations to make reasonable adjustments.

The DDA states that a trade organisation has a duty to make a reasonable adjustment where any arrangements made by or on behalf of the trade organisation causes a substantial disadvantage to a disabled person compared with non-disabled people.

'Arrangements' are likely to include the provision of information to members and potential members, training events, advice and assistance, attendance at conferences and union meetings.

A substantial disadvantage is one which is more than minor or trivial.

A Deaf person attends a conference. There is no interpreter at the registration table. This is likely to be a minor disadvantage.

A Deaf man is told that his position is involved in a redundancy process. He therefore goes to his trade union for advice and support. If no interpreter is provided for these meetings he is likely to be placed at a substantial disadvantage.

A trade union organises an information evening about the maternity rights of female employees. A young Deaf woman wants to attend this meeting. She is likely to be placed at a substantial disadvantage if no interpreter is provided.

### **Knowledge of disability**

A trade organisation will not be under a duty to make a reasonable adjustment if it does not know **and could not reasonably be expected to know**, that a person was disabled and may be placed at a substantial disadvantage. However, the trade organisation may still be expected to make a reasonable adjustment from the time that they learn of the disability and the disadvantage. It is therefore in the interests of the organisation to make reasonable enquiries of members and applicants for membership as to any adjustment that might be necessary.

A trade union offers training courses for members. On the application form for the course the union invites members to specify any special needs they may have including the requirement for a BSL/English interpreter. This ensures that the union is aware of their members' needs.

## **Reasonableness**

When considering whether BSL/English interpreting is a reasonable adjustment, the Act lists a number of factors that should be taken into consideration. The trade organisation may look at:

- the effectiveness and practicability of providing a BSL/English interpreter,
- the financial and other costs of providing the BSL/English interpreter,
- the extent of any disruption caused,
- the extent of the organisation's financial and other resources, and
- the availability of financial or other assistance to make the adjustment.

The Act also looks at other factors, for example the number of members with a similar disability or whether the Deaf person has his own support which he would be willing to use. This means, for example, that the employer of the Deaf person can claim the cost of using a BSL/English interpreter through the Access to Work scheme.

A trade organisation produces an information pack outlining all the details of the role and activities of their organisation, the membership schemes and the benefits for their members. A Deaf woman is interested in the information pack, but upon receiving it, she finds that the language in which it is written is not accessible to her.

She contacts the trade organisation and requests interpretation into BSL. The trade organisation takes advice on the most effective way of providing this information to the Deaf woman and other Deaf (potential) members. The trade organisation weighs up the cost of providing a BSL/English interpreter for individual members against the cost of producing a BSL video with subtitles in relation to the number of deaf members. They decide to provide a BSL/English interpreter for the Deaf woman to solve the immediate problem and then to produce a video with a Deaf presenter, subtitles and a voice-over for future use.

## **Goods, facilities and services**

Under section 21 of the DDA, where a service provider offers services to the general public, it has a legal duty to take such steps as it is reasonable for the service provider to have to take in all the circumstances of the case:

- to **provide an auxiliary aid or service** if it would enable or make it easier for disabled people to make use of its services, or
- to **change a practice, policy or procedure** which makes it impossible or unreasonably difficult for disabled people to make use of the services.

For the purpose of the DDA it does not matter whether the Deaf person acts as an individual or in a professional capacity.

A council plans to build a large cinema in a residential area. A local residents' association is opposed to the plans and wants to present the case at the planning enquiry. The best person to give the presentation is the head of the residents' association who also has a good knowledge of planning. He is also a Deaf BSL user.

The council is informed that the Deaf man will be attending and decide to arrange a BSL/English interpreter so the council can receive the views of the residents' association and can ask questions.

### **Anticipatory duty on service providers**

The duty to make reasonable adjustments is an 'anticipatory duty'. This means that the DDA requires service providers to think in advance about the requirements of disabled people in relation to the adjustments that they may require. In many cases it will therefore be appropriate to ensure that access arrangements have been fully considered with regards to Deaf people's requirements in advance of providing the service, by consulting Deaf people and local or regional Deaf organisations.

Other service providers may be a source for identifying the need to provide BSL/English interpreters. The service provider can pass on relevant information with the consent of the Deaf person.

A Deaf woman is charged with a criminal offence. Her solicitor has a professional duty to ensure access to justice. The solicitor informs the Court Service that they need to provide a BSL/English interpreter for the legal representation and for the court. This is likely to be a reasonable adjustment for the Court Service to make.

A GP refers a Deaf patient to a consultant in a hospital for further examination. In the referral letter the GP writes that the patient is Deaf and that the hospital needs to arrange a BSL/English interpreter. The GP tells the Deaf patient about this note.

If the service provider fails to anticipate the need for communication services, it will inevitably make it too late to provide BSL/English interpreters and therefore to comply with the DDA. Furthermore, the service provider may not be able to justify himself saying that he could not find a BSL/English interpreter at such short notice.

A council is holding a consultation meeting that is open to the general public. All their advertisements state that a BSL/English interpreter will be provided if Deaf people notify the council that they need an interpreter.

A museum for modern art has weekly guided tours of its exhibitions. Twice a month the museum organises interpreted lectures for Deaf people, in the afternoon and in the evening. The museum advertises this service through direct mail and spreading information through Deaf clubs and on teletext pages for Deaf people.

A theatre includes an interpreted performance of a popular play in their programme.

This performance is on a Wednesday afternoon at 2pm. Many Deaf people phone the theatre and ask them to plan an interpreted performance on an evening, as they are not able to take time off work to go to the performance. The theatre decides to have an interpreted performance on a Friday evening and advertises this as widely as possible.

When considering the anticipatory duty in relation to the needs of Deaf people it is particularly important to take into account the notice period for booking a BSL/English interpreter. There is a shortage of BSL/English interpreters and so it may be difficult to book a BSL/English interpreter at short notice. The service provider should book a BSL/English interpreter as soon as they are aware that one may be required.

The duty to make reasonable adjustments is a continuing duty and service providers should keep the duty under regular review in the light of the experiences of Deaf people using the service. In particular it should be remembered that what might previously have been an unreasonable step to take may become reasonable in the light of changed circumstances. For example, technological developments may provide new and better solutions to the problems of inaccessible services. The development of videotelephony and the Internet may provide quicker and cheaper access to BSL/English interpreters (see Chapter 3).

## **Reasonableness and the cost of providing BSL/English interpreters**

The DDA does not permit the additional cost of providing BSL/English interpreters as part of a service to be passed on to Deaf people. Such costs will be part of the service provider's general expenses/running costs.

A Deaf couple goes to the solicitor to discuss bringing a civil case against their neighbours. The meeting lasts longer than normal because the interaction has to be interpreted. If it is a reasonable adjustment for the solicitor to make, the Deaf couple should not have to pay for the cost of providing a BSL/English interpreter. It may not be reasonable to pass the costs of the additional time onto the clients.

The duty is therefore on service providers to consider whether it is reasonable for them to provide a BSL/English interpreter. In doing so they can take account of the type of service being provided, the nature of the service provider and its size and resources, and also the communication requirements of the deaf person.

Without intending to be exhaustive, the following are some of the factors which might be taken into account when considering what is reasonable:

- whether the provision of the BSL/English interpreter would be effective in overcoming the difficulty faced by the Deaf person,
- the extent to which it is practical to provide a BSL/English interpreter,

- the financial and other costs of providing a BSL/English interpreter,
- the disruption the provision of the BSL/English interpreter may cause,
- the extent of the service provider's financial and other resources,
- the amount already spent on making other adjustments, and
- the availability of financial and other assistance.

What might be reasonable for a large service provider (or one with substantial resources) might not be reasonable for a smaller service provider. The resources available to the service provider as a whole are likely to be taken into account as well as other calls on those resources.

Where BSL/English interpreting is an adjustment that the service provider could reasonably put in place and which would make the service accessible, it is not sufficient for the service provider to take some lesser step if that would not result in the service being accessible.

There is no government funding scheme for providing BSL/English interpreters as in employment (Access to Work). Some local authorities have BSL/English interpreters available for public services. Branches of service providers could pool resources to pay for communication services. It is good practice to include the costs of BSL/English interpreters and other communication services in funding applications.

A NHS Trust has established a central interpreting service for the county. All primary and community health care staff can access BSL/English interpreters through this service.

## **What is unreasonably difficult?**

Service providers are only required to make reasonable adjustments if, in the absence of the adjustment, the disabled person would find it impossible or unreasonably difficult to make use of the service. Service providers should take account of whether the time, inconvenience, effort, discomfort or loss of dignity entailed in using the service (without a BSL/English interpreter) would be considered unreasonable by other people if they had to endure similar difficulties.

This area is particularly important when deciding whether a service provider is required to provide a BSL/English interpreter or whether it will be sufficient for a service provider to rely on other alternatives as a reasonable adjustment, for instance the exchange of written notes or lipspeaking. As described above, these methods of communication may easily lead to misunderstandings and are unlikely to be appropriate where clear communication is essential.

## **Providing an auxiliary aid or service**

A service provider must take reasonable steps to provide an auxiliary aid or service if this would enable or make it easier for a Deaf person to access the service. The DDA includes the provision of a 'sign language interpreter' as an example of an auxiliary aid.

Whether a BSL/English interpreter is required will depend on the importance of the transaction, the length, the complexity and the frequency of the communication.

### **Examples of providing BSL/English interpreters as an auxiliary aid or service**

A Deaf couple goes to see their bank manager to arrange a mortgage to buy a house. The bank manager needs to give them information suited to their circumstances. The bank provides a BSL/English interpreter to ensure that the couple obtains the right information and to ensure that the bank informs the couple of the range of services available.

A hearing child of Deaf parents is arrested for shoplifting and is going to be interviewed. The mother attends the police station to act as the 'appropriate adult'. A BSL/English interpreter must be called to enable the mother to fulfil this role and have full access to the process.

A Deaf person goes to the gym for recreation purposes. The gym offers an induction lesson, in which the fitness of the person is assessed, a training program is developed and the use of the equipment is explained. After that the members train by themselves and the trainer walks around to keep an eye on everything. The gym decides to offer BSL/English interpreting at the induction lesson.

A Deaf child is assessed for nursery education. The child psychologist arranges a BSL/English interpreter so he can test the child. The BSL/English interpreter becomes aware that a 'native' BSL user will be more capable of matching the language that is appropriate for the child and mentions this to the child psychologist. The child psychologist then arranges a Deaf person to work as a 'relay interpreter' with the BSL/English interpreter.

A Deaf man witnesses an accident. He goes to the police to make a statement. The police decide to engage a BSL/English interpreter to ensure that the information written down from the signed statement is completely accurate.

An elderly Deaf woman contacts her local authority to discuss her need for social services. When the social worker asks her in writing what her needs are, he finds that they do not fully understand each other. He decides to make an appointment where a BSL/English interpreter will be provided.

### **Changing practices, policies and procedures**

A service provider's duties under the DDA may not be limited to the provision of a BSL/English interpreter as an auxiliary aid or service. Sometimes a service provider may be required to change their policies or practices where their effect is to make it impossible or unreasonably difficult for the Deaf person to access the services.

This can mean altering a policy or practice in order that a Deaf person and the service provider are able to make use of a BSL/English interpreter.

## Examples of changing practices, policies and procedures

A doctor's surgery books appointments for its patients in 10-minute slots. However, the appointments frequently run over and patients can wait anything up to an hour for their appointment. A doctor has booked a BSL/English interpreter for a Deaf person at a certain time and so may have to see the Deaf patient out of turn in order to ensure that the BSL/English interpreter is still available.

A surgeon is to perform an operation on a Deaf woman under a local anaesthetic.

The hospital has a policy that only people with a medical qualification are allowed to be present during operations. The surgeon is concerned about allowing a BSL/English interpreter in the operating theatre on the grounds that the BSL/English interpreter does not have a medical qualification. After the BSL/English interpreter explains to the surgeon that they are trained to interpret in a range of situations, the surgeon decides to allow the BSL/English interpreter into the operating theatre.

A Deaf professional informs the organiser of a meeting that he will bring a BSL/English interpreter with him. He requests that seats are reserved for the BSL/English interpreter and for himself, so the BSL/English interpreter and the Deaf professional can see each other clearly. He also asks the organisation to provide the BSL/English interpreter with all the available material in advance, for instance the minutes, the agenda, speakers notes, a copy of their PowerPoint or OHP presentations.

The materials are not usually available in advance but the organiser decides to change this practice as this will enable the BSL/English interpreter to familiarise himself in advance with the topic of the meeting and the terminology used, which in turn leads to better interpreting.

A theatre provides one interpreted performance of its play every month. However, the bookings system does not distinguish the interpreted performance from other performances. The effect is that on some occasions Deaf people are unable to book tickets for the interpreted performance as it is fully booked. The theatre decides to change its booking policy so that a number of seats in the interpreted performance are reserved for Deaf people until a week before the performance. They also ensure that all patrons are informed that the performance is interpreted when booking and take steps to advertise the interpreted performance to local Deaf people.

The police interview a Deaf suspect. The police have arranged a BSL/English interpreter. The police make a video recording of the BSL/English interpreter as well as the Deaf suspect, so that the recordings can be used as evidence in court, in the event that the quality of interpretation is disputed.

## **5. Ensuring compliance with DDA**

The following steps will help to comply with the DDA.

### **Plan ahead**

Employers, trade organisations and service providers may find it useful to draw up clear guidelines for booking and using BSL/English interpreters. The guidelines need to be kept up to date and employers/service providers, etc should ensure that frontline staff understand them and can access these, eg in a staff handbook. This could be done through staff development sessions, for instance at the induction training.

Some interpreter agencies provide service-level agreements. This is a contract with a BSL/English interpreter agency to provide a BSL/English interpreter for a certain number of hours every year. This means that booking a BSL/English interpreter is facilitated because the cost has already been calculated in the budget.

Public sector services with a responsibility to deal with emergencies (e.g., police, health authority trusts) should enquire with local interpreter agencies or local freelance BSL/English interpreters as to whether they can provide interpreting services in emergency situations.

### **Get feedback**

In order to decide what reasonable adjustments are appropriate, it is sensible to ask the Deaf person about their communication preference. Sometimes a deaf person may not require a BSL/English interpreter, as they may use a variety of communication methods.

Monitoring, preferably by consulting Deaf people, and taking any necessary follow-up action ensures that the guidelines are followed, and adapted when necessary.

### **Advertise the service**

Employers and service providers should also ensure that Deaf staff and members of the general public are aware of the availability of interpreters within the organisation. This can be done through information displayed in public areas, on public information materials, on staff noticeboards and induction materials, etc.

A hospital offers an interpreting service for community languages in their area, including British Sign Language. The hospital advertises this facility in their leaflets and on their noticeboards.

A Deaf couple has to select a secondary school for their child who will start the following year. The schools arrange a rota system so that the schools have a BSL/English interpreter on different information evenings. The schools mention this facility in their advertisements, and they inform all local Deaf clubs and primary schools so they can warn other Deaf parents. The schools also make sure that their administration offices are aware of this.

## **Appendix A - Finding a BSL/English interpreter**

Before booking a BSL/English interpreter check what the Deaf person wants.

BSL/English interpreters can either be booked through an agency, or in the case of a freelance interpreter, directly.

Some interpreting agencies also provide relay interpreters who work with Deaf people with visual impairment, or with other Deaf people with specific language or communication requirements.

Reputable interpreting agencies will usually only provide BSL/English interpreters, but the provider may need to check their qualification status, using the CACDP Register and directory, the ASLI Directory, or the SASLI directory for Scottish interpreters. All registered interpreters and ASLI members are issued with an ID card.

Details for England and Wales of registered BSL/English interpreters and agencies providing interpreters can be obtained from the CACDP Directory. ASLI has a directory of members.

For Scotland, contact SASLI for details of registered qualified and registered trainee interpreters and agencies.

The Royal Association for Deaf people publishes a UK Communication Support Directory on their website: [www.royaldeaf.org.uk/support1.htm](http://www.royaldeaf.org.uk/support1.htm).

Deafblind organisations also provide details of BSL/English interpreters and relay interpreters who work with Deaf people with visual impairment. Contact details for these organisations are in Appendix C.

It is useful to make a list of local providers of BSL/English interpreters and Deaf interpreters. Local providers can be:

- interpreter agencies,
- local authorities,
- regional Deaf organisations,
- education institutions.

Demand for BSL/English interpreters exceeds supply. The person on whom the duty of providing a BSL/English interpreter rests, can take the following steps to ensure availability of one or more interpreters:

- allow plenty of time for booking,
- adapt a flexible approach to making appointments, in order to accommodate the BSL/English interpreter. This is likely to form part of the duties under the DDA.

Some interpreting agencies offer a short-notice booking service. In some areas it is already possible to use interpreters at a distance through the use of videophone technology.

A bank clerk needs to meet with a Deaf client within the next two weeks. It is advisable for the bank clerk and the client to block out three or more dates, which are then submitted to an agency that provides BSL/English interpreters. This means that the likelihood of finding a BSL/English interpreter for any of these dates is greater.

## **Appendix B - Access to communication**

The range of deafness is wide and so is the range of the appropriate means to overcome communication barriers. BSL/English interpreters are only suitable to overcome the communication barrier between Deaf people who use BSL and people who do not use BSL. Many deaf and hard of hearing people have English as their first or preferred language and may prefer a different communication service or communication aid. It is always necessary to discuss the communication preferences with deaf people.

### **Human aids for communication**

A human aid for communication (HAC) is a person who provides a service to overcome communication barriers between deaf and hearing people. CACDP registered HACs have agreed to abide by professional codes of conduct and disciplinary procedures. Most agencies that provide BSL/English interpreters, also provide other HACs or communication services.

It is useful to brief the HACs in advance about the nature and content of the meeting. All HACs need regular breaks (roughly every 30 minutes). For longer assignments it may be necessary to book two HACs. The agency that provides communication services can give advice.

### **Communicator guides**

Communicator guides work with deafblind people and provide high level support to meet a variety of communication and mobility needs.

Communicator guides work informally, for example, they help with writing letters, reading, they go out and about with the deafblind person to help with everyday activities.

Communicator guides are professionally qualified people who have a CACDP Level 3 Certificate in Communication & Guiding Skills with Deafblind people.

### **Communication support workers (CSW)**

Communication support workers support deaf people with their English language. They help with basic communication between Deaf people and hearing people who do not sign. They may take notes or help Deaf people with writing English. CSWs should have a level 3 qualification in BSL and a qualification in providing support to Deaf people (NVQ Level 3 Support for Deaf Learners).

### **Cued Speech Transliterators**

Cued Speech is a sound-based system which uses eight handshapes in four different positions (cues) in combination with the natural mouth movements of speech. A Cued Speech Transliterator (CST) is someone who has attained a high standard of 'cueing' ability and who is able to faithfully repeat and cue all the verbal proceedings in various settings. A Cued Speech Transliterator can cue at the speed of speech. For information about CSTs contact the Cued Speech Association UK.

### **Deafblind interpreters (manual)**

Deafblind interpreters (manual) are trained to use the Deafblind Manual Alphabet: where words are spelt out onto the fingers and hands of a deafblind person. Deafblind interpreters work in more formal settings such as on training

courses. Registered interpreters have a Level 4 Certificate in Interpreting for Deafblind People (manual). CACDP has a registration system in place for Deafblind interpreters (manual).

### **Electronic notetaking**

Electronic notetakers type a summary of what is said, on a computer. This information then appears on a screen for the deaf person to read it. As they use an ordinary qwerty keyboard, they cannot type at the same speed as spoken language. Special software, such as RNID SpeedText®, can be used to allow the deaf person to type a reply which the operator can read to hearing people in the room. (see also: Notetaking). Electronic notetakers work with deaf people who are comfortable reading English as all notes are typed in English. A speech-to-text reporter is more appropriate if a word-for-word transcript of everything is preferred.

### **Lipspeakers**

Lipspeakers work with deaf people who prefer to communicate through lipreading and speech. Lipspeakers repeat what is said, without using their voice. They use natural gesture and facial expression. They will also use fingerspelling if required. Lipspeakers also voice-over for the deaf person, if that person does not have sufficient clear speech. Lipspeakers are qualified at CACDP Levels 2 and 3. Level 2 Lipspeakers can work in informal and social settings. Level 3 Lipspeakers are qualified to work in all contexts, including large conferences, work place training courses and in Courts of Law. CACDP has a registration system in place for lipspeakers.

## **Note-taking**

Notetakers are trained to take notes for deaf people in meetings, on courses or at other events. It is quite common for someone to have a notetaker as well as another communication service. If a deaf person watches a BSL/English interpreter or a lipspeaker, it is impossible to take notes and follow what is being said at the same time. Notes are typically read after the event. (see also: Electronic Notetaking)

## **Palantypists**

See: Speech-to-text reporters.

## **SpeedText**

See: Electronic Notetaking.

## **Speech-to-text reporters (STTR)**

Speech-to-text is a process of computer-aided transcription whereby a trained reporter takes down the spoken word on a special Palantype or Stenograph keyboard. This is then simultaneously translated into English and displayed for the reader to view and follow on a television monitor, or for meetings or conferences, on a large screen. Another benefit of using an STTR is that an unedited disk of the proceedings can be provided. However, this is NOT the primary role of the STTR. Anyone wishing to obtain a transcript will, in the first instance, need to obtain the consent of the STTR and discuss the type of transcript required at the time of booking.

CACDP holds the register for STT Reporters. To become a member of the CACDP STTR Register prospective

members must have passed the British Institute of Verbatim Reporters Membership exam, with further training and assessment.

## **Stenographers**

See: Speech-to-text reporters.

## **Equipment**

### **BT Text Direct**

See: RNID Typetalk

### **Fax machines**

Many deaf and hard of hearing people use fax machines regularly.

### **Hearing induction system**

See: infrared systems and loop systems.

### **Infrared systems**

Alternative to loop systems. Unlike loop systems the sound cannot be carried through walls.

### **Loop systems**

Helps deaf and hard of hearing people who use a hearing aid or loop listener to hear sounds more clearly by reducing or cutting out background noise. A loop system can be set up with a microphone to help hearing aid users hear conversations in noisy surroundings. Loop systems are portable or permanent.

## **Minicom**

A popular brand of textphone (see: Textphone).

## **Mobile telephones (SMS)**

Many deaf people use mobile telephones to send and receive short messages.

## **RNID Typetalk**

The national telephone relay service for people using a textphone who want to call someone with a voice telephone or vice versa. BT TextDirect enables callers using textphones and voice telephones to dial each other directly. People calling from a textphone dial the prefix 18001 to the telephone number they wish to call. People calling from a voice telephone dial the prefix 18002.

## **Subtitles**

Subtitles for deaf people are a printed transcription of the dialogue and sound effects of a programme or film shown at the bottom of the screen. Subtitles produced for hearing audiences (i.e., translations of foreign language films) often do not include a transcription of sound effects but this is vital (particularly those sounds which are off screen) for deaf and hard of hearing people.

## **Textphone**

Textphones offer the opportunity for realtime conversation in English. Textphones have a small display screen and a keyboard. They are more suitable for deaf people whose first or preferred language is English.

## **Videophone**

Videophones can be stand-alone or through the Internet, using a webcam.

Videophones allow people to see and talk or sign to each other at the same time. The picture quality is not yet good enough for lipreading. Deaf people can use the videophone in the same way as hearing people use telephones. For good picture quality, it is necessary to have an ISDN or Internet Protocol connection.

## **Appendix C - Further sources of advice and information**

### **Useful organisations**

#### **England and Wales**

##### **BSL/English interpreters**

###### **Association of Sign Language Interpreters (ASLI)**

PO Box 32152

London N4 2YT

Telephone 020 8809 4353

Textphone 020 8809 4353

Fax 020 8800 3489

secretary@asli.org.uk

www.asli.org.uk

###### **Black and Asian Sign Language Interpreter Network (BASLIN)**

56 Stainton Road

London SE6 1AD

Telephone 020 8697 1580

Fax 020 8697 1580

baslin\_chair@hotmail.com

###### **Council for the Advancement of Communication with Deaf People (CACDP)**

Durham University Science Park

Block 4, Stockton Road

Durham DH1 3UZ

Telephone 0191 383 1155

Textphone 0191 383 7915  
Fax 0191 383 7914  
durham@cacdp.org.uk  
www.cacdp.org.uk

### **Independent Registration Panel (IRP)**

c/o CACDP

Block 4, Stockton Road  
Durham DH1 3UZ

admin@independentregistrationpanel.org.uk

### **Other communication services**

Most organisations listed in this appendix also have information about other communication services for deaf and hard of hearing people.

### **Association of Lipspeakers**

ALS Information Office

5 Furlong Close, Upper Tean  
Stoke on Trent

ST10 4LB

Telephone 01538 722482

Textphone 01538 722442

Mobile 07973 359824

Fax 01538 722442

information@lipspeaking.co.uk

www.lipspeaking.co.uk

### **British Institute of Verbatim Reporters**

Cliffords Inn

Fetter Lane

London EC4A 1LD

sec@bivr.org.uk

[www.bivr.org.uk](http://www.bivr.org.uk)

## **Cued Speech Association UK**

9 Duke Street

Dartmouth

TQ6 9PY

Telephone 01803 832 784

Textphone 01803 832 784

Fax 01803 835 311

[info@cuedspeech.freemove.co.uk](mailto:info@cuedspeech.freemove.co.uk)

[www.cuedspeech.co.uk](http://www.cuedspeech.co.uk)

## **Deafness and general issues**

### **British Deaf Association (BDA)**

1-3 Worship Street

London

EC2A 2AB

Telephone 020 7588 3520

Textphone 020 7588 3529

Videophone 020 7496 9539

Fax 020 7588 3527

[helpline@bda.org.uk](mailto:helpline@bda.org.uk)

[www.bda.org.uk](http://www.bda.org.uk)

### **BDA Wales**

Shand House

2 Fitzalan Place

Cardiff

CF24 0BE

Telephone 029 2046 6300

Textphone 029 2030 2217

Fax 029 2030 2218

[wales@bda.org.uk](mailto:wales@bda.org.uk)

## **National Deaf Children's Society (NDCS)**

15 Dufferin Street

London

EC1Y 8UR

Telephone 020 7490 8656

Textphone 020 7490 8656

Fax 020 7251 5020

[ndcs@ndcs.org.uk](mailto:ndcs@ndcs.org.uk)

[www.ndcs.org.uk](http://www.ndcs.org.uk)

## **RNID for deaf and hard of hearing people (RNID)**

Information Line

19-23 Featherstone Street

London

EC1Y 8SL

Telephone 0808 808 0123

Textphone 0808 808 9000

Fax 020 7296 8199

[informationline@rnid.org.uk](mailto:informationline@rnid.org.uk)

[www.rnid.org.uk](http://www.rnid.org.uk)

## **RNID Cymru**

Tudor House

16 Cathedral Road

Cardiff

CF11 9LJ

Telephone 029 2033 3034

Textphone 029 2033 3036

Fax 029 2033 3035

[cymru@rnid.org.uk](mailto:cymru@rnid.org.uk)

## **UK Council on Deafness (UKCOD)**

Westwood Park

London Road

Little Horkesley  
Colchester  
CO6 4BS  
Telephone 01206 274075  
Textphone 01206 274076  
Fax 01206 274077  
info@deafcouncil.org.uk  
www.deafcouncil.org.uk

### **Wales Council for the Deaf**

Glenview House  
Courthouse Street  
Pontypridd  
CF37 1JY  
Telephone 01443 485687  
Textphone 01443 485686  
Fax 01443 408555  
wcdeaf@freenet.co.uk  
www.wcdeaf.org.uk

### **Deafblind people, including Deaf people with visual impairment**

#### **Deafblind UK**

#### **National Centre for Deafblindness**

John and Lucille van Geest Place  
Cygnet Road  
Hampton  
Peterborough  
PE7 8FD  
Telephone 01733 358100  
Textphone 01733 358858  
Fax 01733 358356  
info@deafblind.org.uk

[www.deafblinduk.org.uk](http://www.deafblinduk.org.uk)

## **Sense**

11-13 Clifton Terrace  
London N4 3SR  
Telephone 020 7272 7774  
Textphone 020 7272 9648  
Fax 020 7272 6012  
[enquiries@sense.org.uk](mailto:enquiries@sense.org.uk)  
[www.sense.org.uk](http://www.sense.org.uk)

## **Deafness and mental health**

### **Sign**

#### **The National Society for Mental Health and Deafness**

5 Baring Road  
Beaconsfield  
HP9 2NB  
Telephone 01494 687 600  
Textphone 01494 687 626  
Fax 01494 687 622  
[info@signcharity.co.uk](mailto:info@signcharity.co.uk)  
[www.signcharity.org.uk](http://www.signcharity.org.uk)

## **Deafness and learning disabilities**

### **Change**

Unity Business Centre  
Units 19 & 20  
26 Roundhay Road  
Leeds  
LS7 1AB  
Telephone 0113 243 0202

Textphone 0113 243 0220  
Fax 0113 243 2225  
change.north@tesco.net  
www.changepeople.co.uk

## **Employers**

### **Access to Work**

Further details of the Access to Work scheme can be obtained either from a Disability Employment Adviser, based at local JobCentres and JobCentre Plus offices, or from local Access to Work Business Centres. See local phonebook for contact details or go to [www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)

### **Employers' Forum on Disability**

Nutmeg House  
60 Gainsford Street  
London  
SE1 2NY  
Telephone 020 7403 3020  
Textphone 020 7403 0040  
Fax 020 7403 0040  
[website.enquiries@employers-forum.co.uk](mailto:website.enquiries@employers-forum.co.uk)  
[www.employers-forum.co.uk](http://www.employers-forum.co.uk)

## **Scotland**

### **BSL/English interpreters**

#### **Scottish Association of Sign Language Interpreters (SASLI)**

Donaldson's College

West Coates

Edinburgh

EH12 5JJ

Tel/Textphone 0131 347 5601

Fax 0131 347 5628

mail@sasli.org.uk

www.sasli.org.uk

### **Deafness and general issues**

#### **Scottish Council on Deafness**

Central Chambers Suite A 1st Floor

93 Hope Street

Glasgow

G2 6LD

Telephone 0141 248 2474

Textphone 0141 248 2477

Fax 0141 248 2479

admin@scod.org.uk

www.scod.org.uk

#### **BDA Scotland**

Princes House

3rd Floor, 5 Shandwick Place

Edinburgh

EH2 4RG  
Telephone 0131 221 2600  
Textphone 0131 229 3833  
Fax 0131 229 4067  
scotland@bda.org.uk

### **RNID Scotland**

3rd Floor  
Crowngate Business Centre  
Brook Street  
Glasgow  
G40 3AP  
Telephone 0141 554 0053  
Textphone 0141 554 5754  
Fax 0141 554 5837  
scotland@rnid.org.uk

### **Deafblind people, including Deaf people with visual impairment**

#### **Deafblind Scotland**

21 Alexandra Avenue  
Lenzie  
Glasgow  
G66 5BG  
Telephone 0141 777 6111  
Textphone 0141 777 6111  
Fax 0141 775 3311  
info@deafblindscotland.org.uk  
www.deafblindscotland.org.uk

#### **Sense Scotland**

5th Fl Clydeway Centre  
45 Finnieston Street

Glasgow  
G3 8JU  
Telephone 0141 564 2444  
Textphone 0141 564 2442  
Fax 0141 564 5443  
[info@sensescotland.org.uk](mailto:info@sensescotland.org.uk)  
[www.sensescotland.org.uk](http://www.sensescotland.org.uk)

## **Northern Ireland**

### **Equality Commission**

Equality House  
7-9 Shaftesbury Square  
Belfast  
BT2 7DP  
Telephone 02890 500600  
Textphone 02890 500589  
Fax 02890 248687  
[information@equalityni.org](mailto:information@equalityni.org)  
[www.equalityni.org](http://www.equalityni.org)

### **BDA Northern Ireland**

3rd Floor  
Wilton House  
5-6 College Square  
Belfast  
BT1 6AR  
Telephone 02890 727400  
Textphone 02890 434755  
Videophone 02890 438796  
Fax 02890 727407  
[northernireland@bda.org.uk](mailto:northernireland@bda.org.uk)

### **RNID Northern Ireland**

Wilton House  
5-6 College Square  
Belfast  
BT1 6AR  
Telephone 02890 239619  
Textphone 02890 312033  
Videophone 02890 438354  
Fax 02890 312032

## **Useful publications**

The organisations listed below provide useful information. Many authorities and professional organisations have developed guidelines on complying with the DDA, providing and using interpreters, and providing information in community languages.

### **Forest Books**

Specialists in books, videos and CD-ROMs, etc on Deafness and Deaf Issues.

Forest Bookshop Warehouse

Unit 2, New Building

Ellwood Road

Milkwall

Coleford

GL16 7LE

Telephone 01594 833858

Textphone 01594 833858

Textphone 01584 833507 (24hrs answerphone)

Videophone 01594 810637

Fax 01594 833446

[forest@forestbooks.com](mailto:forest@forestbooks.com)

[www.forestbooks.com](http://www.forestbooks.com)

### **RNID Library**

The RNID library covers all aspects of hearing, speech and language and specialises in literature on deafness – from academic journals, research reports and student textbooks to children's books and novels with deaf characters. Anyone can visit or contact the library for advice on literature and help in obtaining it.

The Royal National Throat, Nose and Ear Hospital

330-332 Gray's Inn Road  
London  
WC1X 8EE  
Telephone 020 7915 1553  
Textphone 020 7915 1553  
Fax 020 7915 1443  
rnidlib@ucl.ac.uk  
[www.ucl.ac.uk/Library/RNID/](http://www.ucl.ac.uk/Library/RNID/)

## Glossary

**Block Alphabet:** used to communicate with deafblind people. The hearing person uses the tip of their forefinger to spell out each word in block capital letters on the receiver's palm. This method can be used when members of the public, shop assistants and others want to communicate with a deafblind person, as they are unlikely to be familiar with the manual alphabet.

**Cochlear implant:** a special type of hearing aid which is a surgically implanted electronic device that works by stimulating the auditory nerve electrically. It does not restore 'normal' hearing and is therefore only suitable for people who are so deaf that they cannot hear through powerful conventional hearing aids.

**d/Deaf:** 'deaf' with a lower case is used to refer to people with all degrees of deafness. The capital 'D' is used for 'Deafness' in a cultural sense, i.e. people who share a common sign language (BSL in the UK and Irish Sign Language in Northern Ireland too) and who consider themselves part of the Deaf community.

**Deaf with visual impairment:** Deaf people who have visual impairment and who use BSL as their first or preferred language. See also: Deafblind.

**Deafblind Manual Alphabet:** used to communicate with deafblind people. Each word is spelt onto the deafblind person's hand. This is based on the manual alphabet and is easy to learn.

**Deafblind:** Deafblind people have both a sight and hearing loss. The majority have varying degrees of residual hearing and sight. It is uncommon for people to be totally deaf and blind. Deafblind people have various means of communication (See also 'Deaf people with visual impairment').

**Deafened:** People who have lost their hearing after acquiring spoken English. It is usually used to refer to a severe, profound or total loss.

**Dual sensory loss:** loss of hearing and sight (see also 'Deafblind').

**Fingerspelling:** The letters of the alphabet can be spelt out on the fingers. It can be used to spell out English words and names. It is also a feature of British Sign Language. See 'Manual alphabet'.

**Hard of hearing:** can mean anything from a mild to severe hearing loss. It is often used when referring to older people.

**Hearing aid:** A hearing aid is used to amplify sounds so that they are loud enough. A hearing aid does not restore hearing, it simply acts as an aid to hearing. Hearing aids are most useful in quiet surroundings, as background noise such as music and other people talking will tend to interfere with what the person is trying to hear.

**International Sign:** International Sign is used when (Deaf) people with two or more languages come into contact and do not already have a shared language. People use signs, grammar and features that are linked to their own sign languages and culture.

**Lipreading:** the use of vision instead of hearing to understand speech by 'reading' the lip shapes, facial expression and body language used by a speaker.

**Manual alphabet:** See: Fingerspelling.

**Partially deaf:** a general term used to describe someone with some degree of hearing loss, usually moderate or severe.

**Profound deafness:** little or no useful hearing.

**Relay interpreting:** 'Relay interpreters' pass on BSL to another person (usually Deaf people with visual impairment), or make adjustments to BSL for other people with specific language or communication requirements, or 'translate' their use of BSL to a more standard form of BSL.

**Sign Supported English:** Sign Supported English (SSE) often uses many BSL signs, but with the grammatical structure of English. SSE may be used either by deaf people who have learned English as a first language and then learned to sign, or by deaf people who have learned English supported with signs at school. Some Deaf people will ask for SSE interpreters. Usually BSL/English interpreters are able to use SSE.

**Usher Syndrome:** a restricted field of vision paired with deafness (hard of hearing or deaf).

**Video interpreting service:** Video interpreting is the provision of a BSL/English interpreter via videophone. It may be accessible via a video link, using an ISDN or Internet Protocol (IP) connection. Specialist telecommunication or videoconferencing companies can

give advice and supply appropriate equipment. There is a choice of video interpreting service providers whose interpreting staff operate under the same code of professional good practice via video as during in person assignments. Currently most agencies operate during daytime hours.

## **Acknowledgments**

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- Association of Sign Language Interpreters (ASLI)
- Council for the Advancement of Communication with Deaf People (CACDP)
- Scottish Association of Sign Language Interpreters (SASLI)
- Independent Registration Panel (IRP)
- Sense

...and the people and organisations who took part in the consultation process.

## **Acronyms**

**ASLI** Association of Sign Language Interpreters

**BSL** British Sign Language

**CACDP** Council for the Advancement of Communication with Deaf People

**DDA** Disability Discrimination Act 1995

**IRP** Independent Registration Panel

**JTI** Junior Trainee Interpreter

**MRSLI** Member of Register of Sign Language Interpreters

**SASLI** Scottish Association of Sign Language Interpreters

**SSE** Sign Supported English

**TI** Trainee Interpreter

**RNID's vision is of a world where deafness and hearing loss are not barriers to opportunity and fulfilment.**

RNID is the largest charity representing the 9 million deaf and hard of hearing people in the UK. As a membership charity, we aim to achieve a radically better quality of life for deaf and hard of hearing people. We do this by campaigning and lobbying vigorously, by raising awareness of deafness and hearing loss, by providing services and through social, medical and technical research.

**Please remember RNID in your Will and make a real difference.**

19-23 Featherstone Street  
London  
EC1Y 8SL  
Telephone 0808 808 0123  
Textphone 0808 808 9000  
Fax 020 7296 8199  
informationline@rnid.org.uk  
www.rnid.org.uk

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Fax 01525 850030  
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Web [www.adept-uk.org](http://www.adept-uk.org)