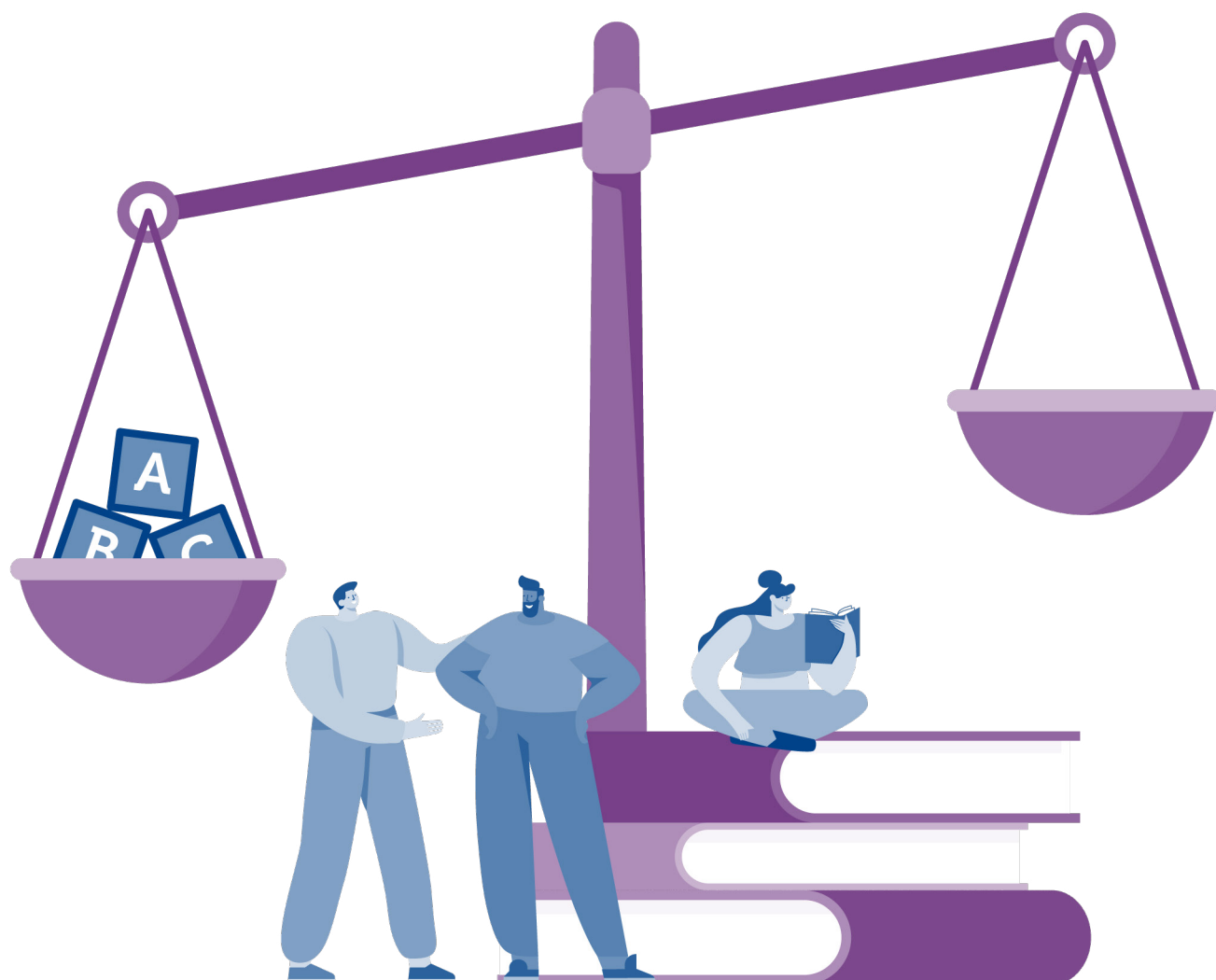


Children's Rights Report 2023

June 2024



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Foreword

All children have the same rights. Public bodies such as the Scottish Social Services Council (SSSC) must set out how we promote the United Nations Convention on the Rights of the Child (UNCRC) in our work. This report summarises our activities over the past three years and our next steps.

Our regulatory role is one of the key ways we promote children's rights. We have more than 170,000 people on our Register. These workers have or are working towards qualifications that support them to deliver critical services for children, young people and their families every day. A small number of workers fall short and we continue to take action where necessary. Most people working in these services support children to grow up loved, safe and respected so that they realise their full potential. They also drive Scotland's wellbeing economy.

We have introduced a National Directory of Continuous Professional Learning for the Early Learning and Childcare (ELC) workforce and we have – jointly with the Care Inspectorate – developed new guidance on safer recruitment. We continue to contribute to key policy priorities such as the expansion of funded ELC. We work closely with several partners such as Disclosure Scotland and NHS Education for Scotland.

'Our Future Proofing Programme is a key part of our drive to modernise regulation and to keep the Promise'

Our Future Proofing Programme is a key part of our drive to modernise regulation and to keep the Promise. In May 2024 we published revised Codes of Practice for Social Service Workers and Employers. We are also updating Continuous Professional Learning (CPL) requirements and introducing return to practice requirements for social workers. All these initiatives respond to key priorities such as the need to promote trauma informed practice. We are also leading work to implement the updated Common Core, the national framework setting out the values, knowledge and skills we expect of everyone working with children and young people.

Alongside this report we publish a separate one setting out how we will put care experience at the heart of what we do over the next three years. That report has an action plan setting out our next steps to support care experienced children, young people and adults and how we will promote children's rights. We have much to do over the lifetime of the plan. We must work in partnership with many people to keep the Promise, meet our corporate parenting duties and reinforce a children's rights based approach which require collaboration and shared ambitions. All these activities are part of our unwavering focus on putting care experienced children, young people and adults and children's rights at the centre of service delivery and our approach.

We welcome your feedback on this report and how we can continue to improve the way we promote children's rights throughout our work.

Maree Allison
Interim Chief Executive



Who we are and what we do

The Scottish Social Services Council (SSSC) is the regulator for the social work, social care and children and young people workforce in Scotland. Our work means the people of Scotland can count on social services being provided by a trusted, skilled, confident and valued workforce.

We protect the public by registering this workforce, setting standards for their practice, conduct, training and education and by supporting their professional development. Where people fall below the standards of practice and conduct we can investigate and take action.

We have a statutory responsibility to:



→ publish the national Codes of Practice for people working in social work, social care and children and young people services and their employers



→ register this workforce and make sure they adhere to our Codes of Practice



→ promote and regulate their learning and development



→ lead workforce development and planning for this workforce in Scotland and provide national and official statistics.



Our Strategic Plan

The Strategic Plan for 2023 to 2026 sets out our strategic themes and outcomes. The work we will deliver through this plan will have a positive impact on the safety and wellbeing of people using social work, social care and children and young people services. We have four strategic themes and each has its own outcome.

Trusted

People who use services are protected by a regulated workforce that is fit to practise.



Skilled

Our work supports the workforce to deliver high standards of professional practice.



Confident

Our work enhances the confidence, competence and wellbeing of the workforce.



Valued

The social work, social care and children and young people workforce is valued for the difference it makes to people's lives.



→ 'We believe in designing our services with you, this is the key to achieving our vision to be a public service that makes a positive and lasting contribution.'

The UN Convention on the Rights of the Child (UNCRC) and the Promise

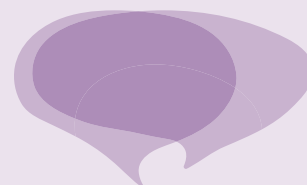
The UNCRC

The UNCRC sets out who children are, their rights and the role of governments. Most countries have signed up to the UNCRC. The UNCRC sets out the rights of children such as the right to:

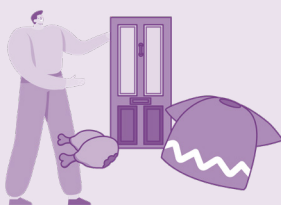
→ not be separated from their parents unless they are not being properly looked after



→ give their opinions freely on issues that affect them



→ food, clothing and a safe place to live



→ use their own language, culture and religion



In Scotland, many public bodies such as the SSSC must report on the steps they are taking to promote the UNCRC in their work. This report covers the SSSC's work between March 2020 and 2023. The Scottish Government is introducing a Bill that will further incorporate the UNCRC into Scots law. One of the Bill's aims is to give key bodies the power to challenge decisions that are not compatible with the UNCRC.

The Promise

The Promise is about making sure that Scotland's care experienced children and young people grow up loved, safe and respected. Keeping the promise is very important to the SSSC. Our role in keeping the promise includes the review of the Codes of Practice for Social Service Workers and Employers and leading a review of the Common Core of skills, knowledge and understanding and values for the children's workforce in Scotland. Further information is included in our separate report on supporting care experienced children, young people and adults.

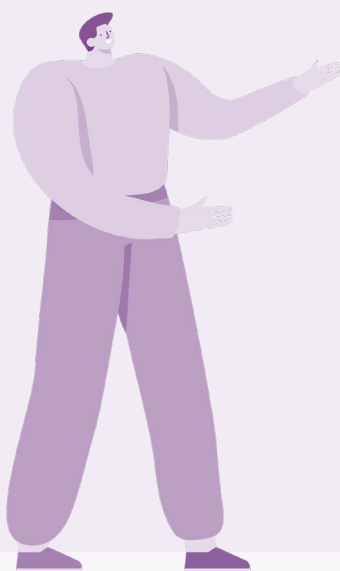


Introduction

The Children and Young People (Scotland) Act 2014 requires the SSSC to sets out the steps that we are taking to promote the UN Convention on the Rights of the Child (UNCRC) in our work.

- We published our previous report in 2021 and set out many of our actions over the previous three years. That report highlighted our ongoing work to register and regulate the workforce and the training our staff receive around taking statements or evidence from vulnerable people. This report sets out the steps that we have taken since then.
- We have developed an action plan setting out the steps that we are taking to promote care experience and children's rights. That action plan is included in the separate report on care experienced children, young people and adults published alongside this one.
- The United Nations Convention of the Rights of the Child (Incorporation) (Scotland) Act 2024 will have implications for our reporting and the way we consider children's rights in our work. We are currently considering the implications for our work.

UN Convention on the Rights of the Child (UNCRC)



UNCRC - Our Rights poster

Reporting on progress

The UNCRC articles are often arranged into nine clusters. We use these clusters to report on progress. This approach is the internationally recognised way of reporting on progress and the Scottish Government recommend it in their guidance on developing UNCRC reports. We refer to the simplified Articles as listed on the Children and Young People's Commissioner Scotland's website:

<http://www.cypcs.org.uk/rights/uncrc/articles/>



There are nine clusters in total, ranging from cluster one (definition of the child) to cluster nine (special protection measures.)

- A list of the nine clusters is in the appendix.
- The appendix also lists the relevant Articles associated with each cluster.

We do not have to report on every cluster and some of our work applies to more than one cluster. To reduce duplication we have combined many of the clusters.

Promoting children's rights at the SSSC 2021-2024

Cluster 1: Definition of the Child

This cluster confirms that a child is anyone under the age of 18.

Cluster 2: General measures of implementation and Cluster 3: UNCRC general principles

- **Cluster two** is about the measures that we use to implement the UNCRC in our work. It includes legal measures such as laws and non-legal measures such as strategies, training and awareness raising. This cluster also covers the role of data in improving outcomes for children.
- **Cluster three** is about the four general principles of the UNCRC.
 - All children have these rights (Article 2)
 - Adults must do what's best for me (Article 3)
 - I should be supported to live and grow (Article 6)
 - I have the right to be listened to and taken seriously (Article 12)

Regulating the workforce

- As of September 2023 we have more than 170,000 people on our Register working across Scotland. These people are in several different roles and functions such as social work, residential care childcare and day care of children services. These people hold or are working towards the qualifications they need to support them to deliver critical services to Scotland's children, young people and families. Further information on qualifications is available from our [Workforce Skills Report \(WSRs\)](#). Further information on our fitness to practise role is under cluster four and five.

Futureproofing our Register


- Our Future Proofing Programme (FPP) aims to make registration simple and easy to understand. We want people to know about the benefits and value of registration and the standards, skills and qualifications needed to deliver high quality care. We are making several changes to simplify the system and to provide better outcomes for children, young people and their families. These include reducing the time that some people have to achieve the qualifications they need for registration. Further information about these changes and wider futureproofing activity is available from our website: www.sssc.uk.com

Reviewing the Codes of Practice for Social Service Workers and Employers

- A key part of our Future Proofing Programme is our review of the **Codes of Practice for Social Service Workers and Employers**. The review of the Codes is a key part of our commitment to keep the promise. We published the new Codes in May 2024. The revised Codes reflect many of the priorities and ambitions set out as part of the Promise such as a focus on relationship-based practice. We are exploring how we can make the Codes more accessible to young people and to promote conversations about their rights.

A new Continuous Professional Learning (CPL) approach and supporting return to practice

- As part of our Future Proofing Programme we have set new requirements for registrants' continuous professional learning (CPL). The new model launched in June 2024 sets out essential skills and knowledge for each register group. We set out proposed pathways for registrants and specialist pathways. Our approach has eight core learning elements and suggested learning topics. Child protection, adult protection and trauma informed practice will be mandatory requirements for all register groups.
- In June 2024 we also introduced Return to Practice (RTP) requirements for social workers who have been out of practice and who have not registered for over two years. We want to make sure that social workers update their knowledge, skills and competence while building their confidence to practise. Social workers will show learning across four themes such as adult and child protection.



→ 'It is the opinion of the Review that the Future Proofing Programme work... has the potential to contribute to more effective registration practices that support the workforce and those using services.'

Independent Review of Inspection,
Scrutiny and Regulation of Social
Care in Scotland, 2023

Promoting trauma informed practice in the social work, social care and children and young people workforce

- We support the Scottish Government and our partners to develop a trauma informed and trauma responsive workforce and services. We continue to promote the **National Trauma Training Programme** resources. We are working with NHS Education for Scotland (NES) and other partners to promote the National Trauma Transformation Programme's learning resources. We want to embed trauma informed practice in qualifications, CPL requirements and programme delivery. We want our learning resources to be accessible to all and to make sure the workforce has increased access to wellbeing support.
- We have an endorsement process which recognises the NES national trauma training and learning resources that support the social work, social care and children and young people workforce to gain the specialist skills and knowledge they need to carry out their role. We monitor and review the resources to ensure they are up to date for current practice. We signpost to these resources in the suggested learning to meet the mandatory CPL requirements and specify the required level of training for different roles. We also highlight trauma informed practice on our **Newly Qualified Social Worker website**.
- We have embedded QR codes into the national trauma training modules so that learners can record learning via our **My Learning App** and the NES Turas platform. We are also supporting the Office of the Chief Social Work Adviser's work on the development of reflective practice resources to support social workers.

Promoting trauma informed practice at the SSSC

- We want to be a trauma informed organisation. We want to use language that is inclusive, welcoming and follows trauma informed practice.
 - Fitness to Practise staff have had trauma informed training and a session on the Trauma Informed Justice Framework.
 - We have set up a Trauma Informed Champions Group. The Group uses a trauma informed lens to consider implications for the SSSC. The group are reviewing our policies and are considering training for our wider workforce.
 - Our Panel members also received training and awareness sessions on trauma informed practice since 2021. Members have recently had bespoke training on trauma informed questioning and Trauma Informed Justice Framework. They have also received training on unconscious bias.
 - We have renovated our office and hearing rooms, using a trauma informed lens to provide calm, suitable spaces.

Revising the Common Core of skills, knowledge, understanding and values

- **The Promise's Change Programme ONE** identifies the need for a national values-based recruitment and workforce development framework which will be adhered to by all organisations and people involved in supporting children and families. As part of that commitment we are leading work to refresh and embed the **Common Core of skills, knowledge and understanding and values for the children's workforce in Scotland**. We will work with partners to make sure that the Core is meaningful and helps to drive values-based recruitment and workforce development.

Assessing our impact

- We use Equality Impact Assessments (EQIA) to help us consider the needs of diverse groups when we make decisions. Our assessment prompts us to consider care experience as part of the development of everything from our continuous education policy to our Future Proofing Programme. We are taking steps to streamline our process and to make sure we think about care experience and children's rights from the start of our work.

Using data to drive improvement

- As the regulator for the social work, social and children workforce we hold authoritative data on the 170,000 people on our Register. Our data helps employers and commissioners to build a sustainable workforce. We publish regular reports and tables on the number of workers on our Register and the wider social work, social care and children and young people workforce. We also publish reports on vacancies and on sectors and areas such as residential childcare. These include the **Movement of Day Care of Children Staff Report 2023**. All reports are available from our **data website**.

Training and awareness of children's rights

- Our **People Strategy 2021-2024** sets out how we will continue to develop the SSSC's workforce. Our priorities include investing in our youngest workers and developing an agile and innovative workforce. We continue to provide opportunities for apprenticeships at the SSSC.
- Our staff conferences have had sessions with The Promise and Who Cares? Scotland. We held a session with Each and Every Child on the need to reframe the way we view care experience. We continue to develop regular briefings for our staff on our Corporate Parenting, how Scotland is keeping the promise, our role and key publications such as The Promise's Plan 21-24.
- We are supporting the Scottish Government's wider work to develop a UNCRC Skills and Knowledge Framework for Scotland. The framework will have a training plan and resources to help everyone to promote a child rights approach.

Cluster 4: Civil rights and freedoms and Cluster 5: Violence against children

- **Cluster four** focuses on children's rights and freedoms and covers several key articles such as the right to freedom of expression, the right to privacy and the right to education.
- **Cluster five** covers several key articles such as protection from all forms of violence and ensuring no child is subject to cruel, inhuman or degrading treatment.

Supporting vulnerable Fitness to Practice witnesses

- We may ask care experienced children and young people to attend a hearing as a witness, although this is rare. We support all vulnerable witnesses – including care experienced children and young people - to attend hearings. We assign a hearings officer to support a witness before, during and after a hearing. All our hearing officers are training mental health first aiders. We put special measures in place to protect vulnerable witnesses when giving evidence in hearings. These can include using a video link, using pre-recorded evidence, or using a screen. We are securing an advocacy and intermediary service for witnesses and members of the public complainants. We are also considering further improvements as part of the Open University's Witness to Harm project examining witnesses' experiences of Fitness to Practise hearings.
- We are making it easier for employers to identify when to raise Fitness to Practise concerns with us. In 2022 we updated our **Fitness to Practise Thresholds Policy** and our **Employer Referral Guidance**.
- We have also published a statement with the Care Inspectorate to remind people about the **Raising concerns in the workplace guidance**. The guidance is for workers, employers and social work students.



Cluster 6: Family environment and alternative care, Cluster 7: Basic health and welfare and Cluster 8: Education, leisure and culture

- **Cluster six** is about the family, ensuring that children receive good quality care when they live away from family and the right to be protected.
- **Cluster seven** is about health and welfare of children and considering the rights of disabled children.
- **Cluster eight** focuses on the rights of children to have an education that will help them to achieve their potential without discrimination.

Identifying the key skills, knowledge and values required to care for children and young people and managing Modern Apprenticeships

- We continue to develop learning resources for social work, social care and children and young people services. Our resources align with the UNCRC and Getting it Right for Every Child (GIRFEC.) Our resources have and continue to support several priorities such as:
 - the National Guidance for Child Protection
 - the Age of Criminal Responsibility (Scotland) Act 2019
 - the Keeping Sisters and Brothers Together sibling national guidance.
- We are working with our partners to do a review of the National Occupational Standards (NOS). The NOS describe the knowledge, skills and understanding that a worker needs to be competent at their job. All qualifications accepted by the SSSC to meet qualification requirements are underpinned by the NOS. The review will identify current skills gaps such as trauma informed practice. The review will revise the language and strengthen elements of the current qualifications to meet ambitions in the Promise such as upholding and promoting rights and compassionate care. We will consider children's views as part of the review. The review will be complete by December 2025.

We continue to develop several learning resources for the workforce.

- In 2023 we developed a **Quality Improvement (QI) learning resource to help improve the equality of outcomes for people who use services** and an **eBook on understanding Positive Behaviour**.
- In 2022 we developed the **23 Things ELC Leadership resource for early learning and childcare services**.
- In 2023 we created the **National Directory of Continuous Professional Learning (CPL) for the Early Learning and Childcare Workforce**. This includes free modules which cover several topics such as supporting parents to be more confident in identifying and responding to additional support needs.
- We supported the development of the National Joint Investigative Interviewing (JII) training programme. This is a comprehensive training programme that underpins the Scottish Child Interview Model for joint investigative interviewing. The training is for police officers and social workers who conduct joint investigative interviews.
- We are developing a Scottish Vocational Qualification (SVQ) in Integrated Health and Social Care at Scottish Credit and Qualifications Framework (SCQF) level 7. The new award responds to the drive to deliver health and social care services in a more collaborative and integrated way. The Award also supports the movement of workers across health, social care and the children and young people workforce. The qualification will complement current SVQs in social services or health care.

Attracting people to work in social work, social care and children and young people services

We work with Scottish Government and others to promote career pathways. We continue to scope graduate apprenticeship routes and new pathways for senior phase pupils. We are supporting the development of a graduate apprenticeship for social work. We are also developing a new integrated qualification which would allow individuals to work across different roles and settings.

In September 2023 the SSSC and Care Inspectorate published **Safer recruitment through better recruitment**. The new guidance has sections on promoting care experience throughout. The guidance also has links to support and advice.

We work with others supporting young people to overcome challenges. For example, we collaborated with the Princes Trust to provide flexible online and in-person employability programmes to young people up to age 30. Our **Career Ambassadors** regularly take part in information sessions with young people completing the Princes Trust's Explore social care courses. A key highlight are celebration events where inspiring young people share what they have learned and talk about their future aspirations.

Our **Careers in Care** website has all the information people need to begin and develop a career in social services. The site includes interactive learning resources, information on qualifications and case studies.

We supported the College Development Network to implement a new online 'Introduction to a career in social care' course. We meet with colleges and umbrella bodies to identify actions we can take to improve communication between colleges and employers to increase recruitment opportunities for those participants who wish to move into employment.

We manage the **Modern Apprenticeship (MA) Frameworks for Social Services and Healthcare (SSH) and Social Services (Children and Young People)** as part of our **Skills for Care and Development** role. Social Service apprenticeships are two of the most popular frameworks across Scotland and account for almost 20% of all MAs in the past year. A number of young people under 18 undertake MAs and we continue to celebrate Scottish Apprenticeship Week every year.



Cluster 9: Special protection measures

- **Cluster nine** focuses on groups of vulnerable and marginalised children who require special protection. They include asylum-seeking and refugee children, victims of trafficking or exploitation.

Supporting refugees and asylum seekers

- We work with the Care Inspectorate and Scottish Refugee Council to develop key resources for the sector. We have developed a guide for **Ukrainian nationals** and a **Pre-Employment and Induction Guide for Employers of Overseas Workers, Refugees and Asylum Seekers**.



Action plan 2024-2026

Our Care experience report – published alongside this report – sets out our plan for 2024-2026.



Appendix: UNCRC Clusters

Reporting

The UNCRC has 54 articles and three optional protocols. These articles cover every aspect of a child’s life and sets out their rights. For example, Article 28 and 31 covers the right to education and the right to relax and play. All rights are equally important.

The United Nations and the [Scottish Government’s guidance on children’s rights reporting](#) recommend using nine clusters of articles to show progress on children’s rights. The following table lists the nine clusters and a brief description of each. This table uses the [UNCRC Simplified Articles on the Children and Young People’s Commissioner Scotland website](#). Listed authorities such as the SSSC can choose which clusters they report on.

Much of what we do applies to more than one cluster. For example, the regulation of the children’s workforce supports several children’s rights including ‘Adults must do what’s best for me’ (Article 3) and ‘I should be supported to live and grow’ (Article 6).

Table: UNCRC clusters, descriptions and articles

Cluster and description	UNCRC Articles
1. Definition of the Child	Article 1 defines a child as anyone under 18 years of age.
2. General measures of implementation – this cluster is about how we can implement the UNCRC through law, policy and decisions. This includes non-legal measures such as strategies, action plans and training.	The Government should make sure my rights are respected (Article 4)
3. UNCRC general principles – this cluster focuses on the four general principles of the UNCRC.	All children have these rights (Article 2) Adults must do what’s best for me (Article 3) I should be supported to live and grow (Article 6) I have the right to be listened to and taken seriously (Article 12)



Table: UNCRC clusters, descriptions and articles

Cluster and description	UNCRC Articles
4. Civil rights and freedoms – this cluster focuses on children's rights and freedoms such as the rights to be protected from inhumane or degrading treatment.	<p>I have a right to a name and to belong to a country (Article 7)</p> <p>I have the right to an identity (Article 8)</p> <p>I have the right to find out and share information (Article 13)</p> <p>I have the right to have my own thoughts and beliefs and to choose my religion with my parent's guidance (Article 14)</p> <p>I have the right to meet with friends and to join groups (Article 15)</p> <p>I have the right to keep some things private (Article 16)</p> <p>I have the right to get information in lots of ways, so long as its safe (Article 17)</p> <p>I have the right to an education (Article 28)</p> <p>I have the right not to be punished in a cruel or hurtful way (Article 37)</p> <p>I have the right to get legal help and to be treated fairly if I have been accused of breaking the law (Article 39).</p>
5. Violence against children – this cluster covers all forms of violence including physical and mental abuse and neglect.	<p>I have the right to be protected from being hurt or badly treated (Article 19)</p> <p>I have the right to an education (Article 28)</p> <p>I have the right not be punished in a cruel or hurtful way (Article 37)</p> <p>I have the right to get help if I have been hurt, neglected or badly treated (Article 39)</p>



Table: UNCRC clusters, descriptions and articles

Cluster and description	UNCRC Articles
6. Family environment and alternative care – this cluster focuses on the primary role of parents. It includes the rights of children not to be separated from parents unless it is in their best interests.	<p>The Government should respect the right of my family to help me know about my rights (Article 5)</p> <p>I have the right to live with a family who cares for me (Article 9)</p> <p>I have the right to see my family if I live in another country (Article 10)</p> <p>I have the right not to be taken out of the country illegally (Article 11)</p> <p>I have the right to be brought up by both parents if possible (Article 18)</p> <p>I have the right to be protected from being hurt or badly treated (Article 19)</p> <p>I have the right to special protection and help if I can't live with my own family (Article 20)</p> <p>I have the right to have the best care if I'm adopted (Article 21)</p> <p>If I'm not living with my family, people should keep checking I'm safe and happy (Article 25)</p> <p>I have the right to have a proper house, food and clothing (Article 27)</p> <p>I have the right to get help if I have been hurt, neglected or badly treated (Article 39)</p>
7. Basic health and welfare – this cluster focuses on health, welfare and consideration of disabled rights.	<p>I should be supported to live and grow (Article 6)</p> <p>I have the right to be brought up by both parents if possible (Article 18)</p> <p>If I have disability, I have the right to special care and education (Article 23)</p> <p>I have the right to good quality health care, to clean water and good food (Article 24)</p> <p>My family should get the money they need to help bring me up (Article 26)</p> <p>I have the right to have a proper house, food and clothing (Article 27)</p> <p>I should be protected from dangerous drugs (Article 33).</p>



Table: UNCRC clusters, descriptions and articles

Cluster and description	UNCRC Articles
8. Education, leisure and culture – this cluster focuses on the right of all children to an education. This includes the right to play, rest and leisure.	<p>I have the right to an education (Article 28)</p> <p>I have the right to an education which develops my personality, respect for others' rights and the environment (Article 29)</p> <p>I have a right to speak my own language and to follow my family's way of life (Article 30)</p> <p>I have a right to relax and play (Article 31).</p>
9. Special protection measures – this cluster focuses on groups of vulnerable and marginalised children who require special protection. They include asylum-seeking and refugee children, victims of trafficking or exploitation.	<p>If I am a refugee, I have the same rights as children born in that country (Article 22)</p> <p>I have a right to speak my own language and to follow my family's way of life (Article 30)</p> <p>I should not be made to do dangerous work (Article 32)</p> <p>I should be protected from dangerous drugs (Article 33)</p> <p>Nobody should touch me in ways that make me feel uncomfortable, unsafe or sad (Article 34)</p> <p>I should not be abducted, sold or trafficked (Article 35)</p> <p>I have the right to be kept safe from things that could harm my development (Article 36)</p> <p>I have the right not to be punished in a cruel or hurtful way (Article 37)</p> <p>I am not allowed to join the army until I am 15 (Article 38)</p> <p>I have the right to get help if I have been hurt, neglected or badly treated (Article 39)</p> <p>I have the right to get legal help and to be treated fairly if I have been accused of breaking the law (Article 40).</p>



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