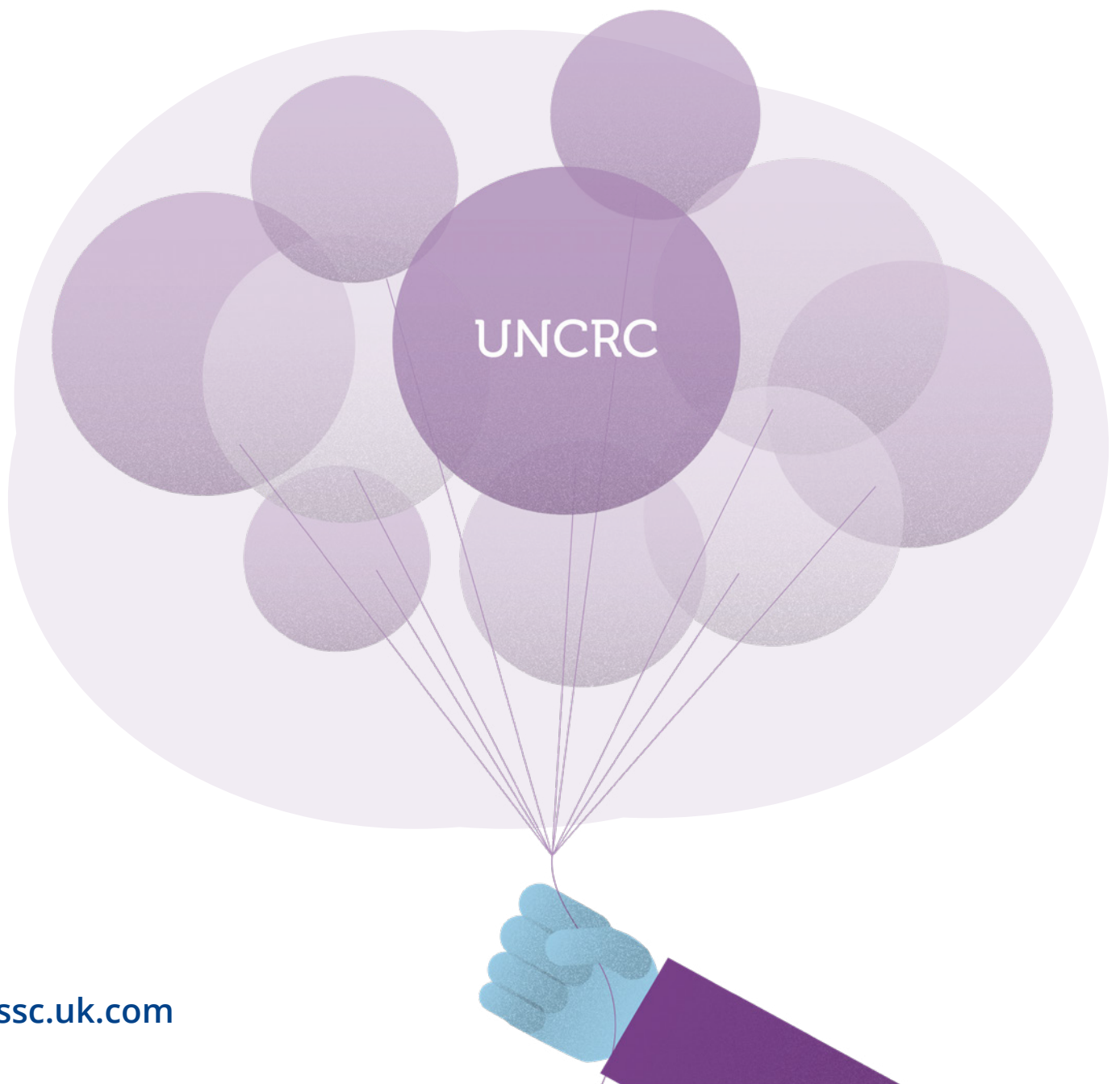


# Children's Rights Report 2020-2023

United Nations Convention on the Rights  
of the Child (UNCRC) Report 2020-2023



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# Foreword

**Our Children's Rights Report sets out our approach to putting Scotland's children and young people at the heart of everything we do. We do this, not because we have an obligation to, but because it is the right thing to do.**

The report by the Care Review sets out the compelling and profound need to transform the care system for children and young people in Scotland. The review highlights our collective role in a vision where we grow up 'loved, safe and respected so that we realise our full potential.' The focus now is on keeping the promise that has been made to Scotland's children and young people.

We contribute to The Promise by making sure that Scotland can count on social services that are provided by a trusted, skilled and confident workforce. Every day, people working in social services across Scotland support millions of people of all ages to improve their life chances and to access the care and support they need.

The Care Review notes that the purpose of the workforce must be to put caring above anything else. We are identifying implications across the full range of our work including the Codes of Practice for Social Service Workers and Employers, Fitness to Practise and the qualifications required to work in this sector.

We cannot achieve the grand ambitions in The Promise on our own. We work closely with key partners including regulators and the sector who deliver these critical services. We support formal and informal partnerships between services which work together to meet the needs of children and young people. We also do what we can to make sure our workforce recognises the challenges for children and young people and our contribution to improving outcomes.

We will continue monitoring the progress of the UNCRC (Incorporation) Bill as it makes its way through parliament and ensure that we continue working towards the goal of making Scotland the best place in the world to grow up.

We would welcome your feedback on this approach and how we can improve the way we care for and support Scotland's care experienced children and young people.



Lorraine Gray, Chief Executive



# Who we are

The Scottish Social Services Council (SSSC) is the regulator for the social service workforce in Scotland. Our work means the people of Scotland can count on social services being provided by a trusted, skilled and confident workforce. We protect the public by registering social service workers, 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 publish the national codes of practice for people working in social services and their employers.**



→ **We register people working in social services and make sure they adhere to the SSSC Codes of Practice.**



→ **We promote and regulate the learning and development of the social service workforce.**



→ **We are the national lead for workforce development and planning for social services in Scotland.**



→ **We are also part of Skills for Care and Development, the Sector Skills Council for adult social care and children and young people's services in the UK. Sector Skills Councils are employer-led organisations that have responsibility for skills and workforce development in the UK.**

# Our Strategic Plan

Our Strategic Plan for 2020 to 2023 sets out our plans for the next three years. It also sets out our three strategic outcomes.

## Outcome 1

People who use services are protected by ensuring the regulated workforce is fit to practise.

## Outcome 2

The SSSC supports and enhances the development of the regulated workforce to deliver high standards of practice and drive improvement.

## Outcome 3

Our workforce planning activities support employers, commissioners and policy makers to deliver a sustainable, integrated and innovative workforce.

### Other SSSC commitments

We are subject to the public sector equality duty (PSED) and we are also a corporate parent. We are committed to making sure the work we do has the best possible impact, both inside and outside our organisation.



# The United Nations Convention on the Rights of the Child

The United Nations Convention on the Rights of the Child (UNCRC) is an international human rights treaty. Unlike other human rights treaties, the UNCRC is all about children.

**The convention ensures that childhood is a time for growth and development and that governments support children to reach their full potential.**

There are 54 articles and three optional protocols in the UNCRC. The UNCRC articles define what is meant by a child (UNCRC Article 1) and provide protection to all children regardless of their race, sex, religion or origin or that of their parents or guardians. The protections in the convention include, among many others, the right to life (UNCRC Article 6), freedom of expression (UNCRC Article 13), privacy rights (UNCRC Article 16), the right to healthcare (UNCRC Article 24), the right to education (UNCRC Article 28) and the freedom from torture (UNCRC Article 37).

The three optional protocols are separate from the main convention but add extra protection for children. The first two optional protocols, introduced in 2000, aim to offer extra protection for children in armed conflict and protection from sale, prostitution and pornography. The third optional protocol, introduced in 2014, allows children to bring complaints directly to the Committee on the Rights of the Child if they feel their rights have been violated. The UK has not, at the time of writing, ratified the third optional protocol.

The UNCRC is the most widely ratified human rights treaty in history, with 196 parties. The UK ratified the UNCRC on 16 December 1991 and the first and second optional protocols in 2003 and 2009 respectively.

## Incorporating the UNCRC in Scots law

Scotland is a party to the UNCRC through its membership of the UK. However, the Children and Young People (Scotland) Act 2014 shows that the Scottish Government is committed to leading the way in terms of upholding the UNCRC. The Children and Young People (Scotland) Act 2014, for example, created the duty for public bodies to report on how they put the UNCRC rights into action. That duty was the starting point of this report.

At the time of writing, the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill has been introduced to the Scottish Parliament. This bill looks to fully incorporate the UNCRC into Scots law and put power in the hands of Scotland's children and young people. The United Nations Convention on

**'This bill looks to fully incorporate the UNCRC into Scots law and put power in the hands of Scotland's children and young people.'**

the Rights of the Child (Incorporation) (Scotland) Bill reaffirms the government's commitment to making Scotland the best place in the world to grow up and will shape the way we report on children's rights in the future. We will monitor the progress of the Bill to make sure we continue to meet our statutory obligations.

# Purpose of this report

The Children and Young People (Scotland) Act 2014 requires listed public authorities to publish a report every three years that shows what steps they have taken to put the UNCRC into practice within their field of work.

This is our first Children's Rights Report and we hope that it shows our commitment to making sure that the children of Scotland can rely on social services being provided by a skilled, trusted and confident workforce, that they have opportunities to flourish and that consideration for the rights of children influences everything we do. Each SSSC department is responsible for a different function, but each works to meet our obligations under the UNCRC in the work they carry out.

This report shows some of the things we have been doing over the past three years and how these actions contribute to the advancement of children's rights in Scotland. However, it is not only about what we have achieved to date. We recognise that putting the UNCRC rights into practice is something that requires continued effort on our part, and on the part of all public bodies in Scotland. This report also commits to actions for the future with clear goals and timelines for their achievement.

## Developing the Children's Rights Report

We developed our Children's Rights Report with feedback and support from our Council, managers and wider staff. The guidance and materials made available by the Equality and Human Rights Commission have been instrumental in directing the way we have written this report.

We also consulted with external stakeholders with an interest in children's rights in Scotland including:

- The Scottish Government
- COSLA
- Social Work Scotland
- The Care Inspectorate

The actions highlighted in this report will evolve over time as our understanding of how we contribute to the realisation of the UNCRC rights develops, and how the status of the UNCRC changes in Scotland.

## The structure of the report

The UNCRC is comprised of 54 articles and three optional protocols. To make reporting on children's rights easier, the United Nations recommend using clusters. The clusters approach groups the rights and protocols under nine headings, depending on their subject matter.

The clusters allow us to address articles that deal with related children's rights issues under one heading. The Scottish Government use the clusters approach in their reporting on the UNCRC, so we feel it is the correct format for us to use in our Children's Rights Report. Our regulatory role contributes to several articles under each cluster which this report will show. This report begins with a case study on regulation, it then provides examples of our activity under each cluster and highlights the actions we are taking that address them.

The report will conclude with a list of actions we aim to carry out over the next three years with details of how we will complete them.



# Case study: a regulated social service workforce

The SSSC regulates the social service workforce in Scotland. We are responsible for the regulation of approximately 204,000 individuals working in the social service sector, including social workers, social care workers and early years workers.

Our regulatory role spans several rights clusters such as general principles, violence against children and special protection measures. Because the work of our Regulation Directorate touches on so many children's rights and works to safeguard all those who use social services, including children and young people, we will treat this directorate separately from the rest of the report.

## Registration of workers

Social service workers who are registered with us, who make up approximately 8% of Scotland's total workforce, are required to adhere to the **SSSC Codes of Practice** ([sssc.uk.com/knowledgebase/article/KA-02412/en-us](https://www.sssc.uk.com/knowledgebase/article/KA-02412/en-us)) for Social Service Workers and their Employers. Section one of the SSSC Code of Practice for Social Service Workers requires that workers protect and promote the rights and interests of people who use services, and carers. The Code of Practice requires that workers treat people as individuals, respect their views, support their rights and respect their dignity (UNCRC Article 4).

All workers registered with the SSSC are expected to uphold the values of the Code of Practice, this includes those working with children and young people. Section one of the Code of Practice is consistent with the general principles of the UNCRC.

To register with the SSSC, workers must hold the required qualifications or be working towards them. The educational requirements mean that Scotland has a skilled and competent workforce that is committed to promoting and upholding children's rights. The qualifications required for registration on the day care of children and residential child care parts of the Register, for example, include mandatory elements relating to child protection (UNCRC Article 3).

## Fitness to Practise

When workers fall below the standards of practice and conduct expected of them, our Fitness to Practise team can investigate.

Some of the workers we investigate care for and are directly responsible for children and young people. For example, workers on the day care of children and residential child care parts of the Register. When we investigate concerns about workers from these parts of the Register, our focus is on the safety of the children which has to be balanced against the need to be fair and proportionate in our investigation and our decision.

In November 2018, staff in the Fitness to Practise department trained in trauma and adverse childhood experiences to gain a better understanding of the effect trauma can have on survivors and how it may affect their ability to give evidence and its quality. Health in Mind provided the training.

The Fitness to Practise department also supported one of our senior solicitors to attend a joint investigative interview masterclass in January 2020. This masterclass provided high level insight and training into carrying out joint investigative interviews to get the best possible evidence from children and vulnerable witnesses without causing undue stress or anxiety. →



## Hearings

Following an investigation, the SSSC may decide that a worker's fitness to practise is impaired which may lead to an impairment hearing. We generally hold impairment hearings in public however it may be the case that evidence needs to be heard from vulnerable witnesses such as children.

The Hearings department has recently developed and implemented rules for involving vulnerable witnesses in hearings as well as gathering evidence from them. We treat any person under the age of 18 as a vulnerable witness and may arrange for evidence to be taken by video link, pre-recorded evidence, the use of screens or the use of interpreters. Where the allegations against the worker are of a sexual or violent nature, the worker is prohibited from cross-examining a vulnerable witness who has made an allegation or who has been subject to the alleged behaviour.

Our rules on vulnerable witnesses recognise the need to gather evidence in relation to allegations against registered workers while also ensuring that the rights of children and young people are respected.

The work carried out by the Regulation directorate which encompasses our Registration, Hearings and Fitness to Practise departments makes sure all people who use social care services in Scotland are safe, including children and young people. Over the last three years we have carried out 2,236 investigations concerning workers in child social services, this equates to approximately 24% of the cases we investigated over this period.

In 2017-18 we investigated 873 cases involving workers in children's social services which saw 14 workers removed from the Register and 22 workers receiving other sanctions. In this period removals from Register parts relating to children amounted to 22% of all removals and those receiving other sanctions accounted for 15% of all such outcomes.

In 2018-19 we carried out 623 investigations, leading to 21 removals and 29 other sanctions. The number of removals amounts to 41% of the removals from our Register for that period while the cases resulting in other sanctions account for 16% of such outcomes across all Register parts.

In 2019-20 we carried out 740 investigations which led to 17 removals and 42 other sanctions. The removals in relation to children's social services in this period amount to 31% of all removals from the SSSC Register and the other sanctions account for 19% of such outcomes.

The above numbers highlight how important ensuring the smooth operation of our Regulation directorate is to preserving children's rights in Scotland, with nearly one out of every four of our investigations concerning children's social service workers. That, combined with the sheer size of the workforce that we regulate, means that we are in a strong position to not only protect the rights of children, but promote them to a large section of Scottish society.

Over the last  
three years we  
carried out . . .

**2,236**

investigations  
concerning workers  
in child social services

Equating to approx.

**24%** of the  
cases we investigated  
over this period.



# The UNCRC clusters

There are nine UNCRC clusters which deal with a wide variety of rights.

**Cluster 1: Definition of the Child**

**Cluster 2: General Measures of Implementation**

**Cluster 3: UNCRC General Principles**

**Cluster 4: Civil Rights and Freedoms**

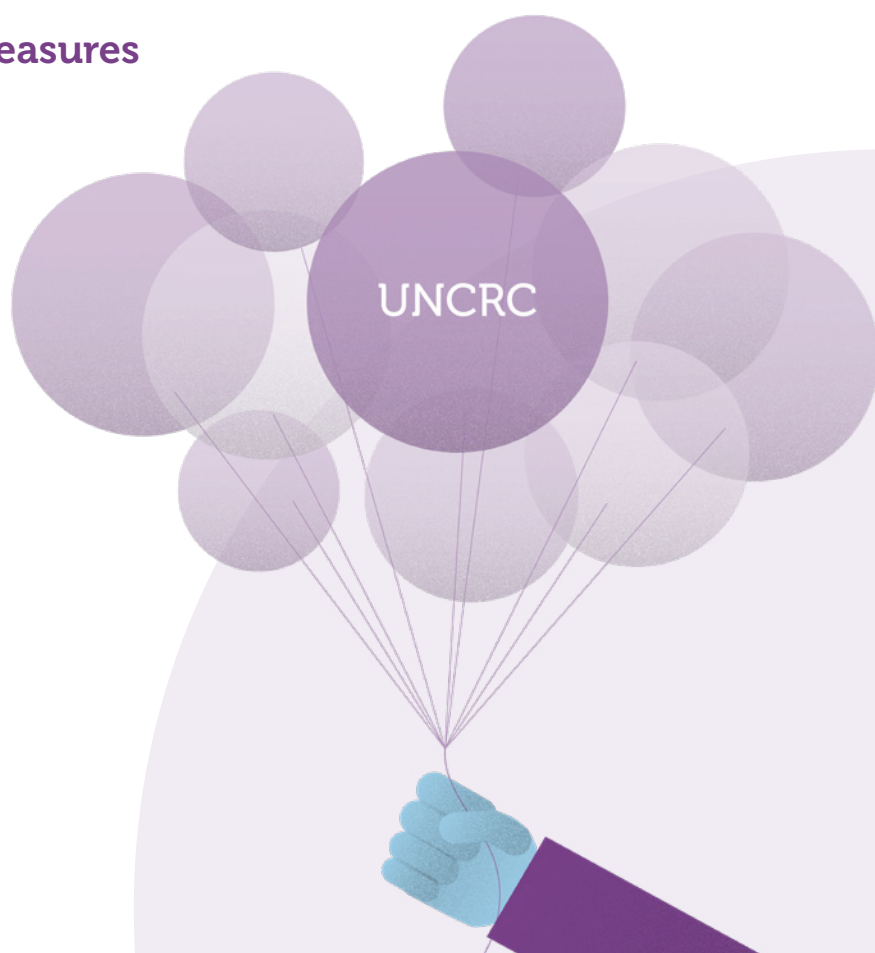
**Cluster 5: Violence Against Children**

**Cluster 6: Family Environment and Alternative Care**

**Cluster 7: Basic Health and Welfare**

**Cluster 8: Education, Leisure and Culture**

**Cluster 9: Special Protection Measures**



## Cluster 1: Definition of the Child

Article 1 of the UNCRC defines a child as anyone under the age of 18. This is the case unless the child lives in a place where the law states that a child becomes an adult at an earlier age. In Scotland, we consider people to be adults at different ages, depending on the context. However, for the purposes of the UNCRC and the Children and Young People (Scotland) Act 2014, people become adults at the age of 18.

## Cluster 2: General Measures of Implementation

This cluster is all about what the government does to bring the UNCRC rights into effect. This covers legal measures such as legislation but also includes non-legal measures such as action plans, training and raising awareness, to name a few. The main article of the UNCRC that applies to this cluster is Article 4, which says:

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

The following examples highlight some of the ways we have given effect to the cluster of rights concerning the general measures of implementation over the last three years.

### Equality Impact Assessment (EqIA)

Under the Equality Act 2010 we need to consider the impact our policies have on people with protected characteristics. The protected characteristics are age, ethnicity, religion, sex, sexual orientation, disability, gender reassignment, marriage/civil partnership and pregnancy/maternity. With age being one of the protected characteristics, our EqIAs need to consider the impact of our policies on children. Our updated EqIA guidance also reminds our staff that individuals may have more than one protected characteristic and those that do are more likely to experience a negative impact due to our policies.

Carrying out EqIAs allows us to:

- take effective action on equality so policies meet the needs of staff, registrants and people who use services
- provide equal access and opportunity for all (recognising that providing the same service in the same way for everyone can create a disadvantage for those with different needs)
- develop better policies and practices based on evidence and which are more responsive to the needs of those affected
- be more transparent and accountable by demonstrating that equality considerations are central to carrying out our functions.

We have recently updated our Equality Impact Assessment procedure and template. Although age is one of the protected characteristics, our EqIAs now include an area for the consideration of children's rights as a distinct group of rights, separate from the protected characteristics. Our updated guidance document directs staff to consider the impact of new policies on the rights of children and to link their impact assessments to the UNCRC rights.

This policy means SSSC staff need to consider the potential impact their work will have on children's rights as they make decisions and carry out their roles. →



## Involvement in national initiatives

Our Development and Innovation directorate has represented us in several national initiatives concerned with giving better effect to the UNCRC rights. Through this work we have contributed to the Getting it Right for Every Child (GIRFEC) leadership group, the children and families strategic leadership group, the Children and Young People Mental Health Task Force, the Centre for Youth and Criminal Justice (CYCJ) strategy developing capacity and improvement workforce subgroup and the workforce group of the Independent Care Review.

Development and Innovation representatives also participated in the steering group which worked with the Scottish Government on their refresh of the National Child Protection Guidance. The steering group helped to make sure the guidance reflected the UNCRC rights.

## Recruitment

Our commitment to children's rights extends to our recruitment process. Our Human Resources department supports recruitment campaigns throughout the SSSC to make sure that we recruit the right people for the right role and that the people we recruit share our values.

Ensuring that we have the very best people working in our organisation and that they share our corporate values means that we will remain committed to upholding children's rights and that we will be well placed to promote children's rights to the wider sector.

## Raising awareness

Within the Finance and Resources directorate, the Legal and Corporate Governance department makes certain that all departments across the SSSC are aware of their statutory obligations and assists them in meeting them. We do this through knowledge transfer, horizon scanning and strategic projects.

The work that the Legal and Corporate Governance team carries out means that our commitment to implementing statutory obligations, including the UNCRC rights, is put into practice across the organisation and that we comply with rights provisions and duties.

**'Ensuring that we have the very best people working in our organisation and that they share our corporate values means that we will remain committed to upholding children's rights and that we will be well placed to promote children's rights to the wider sector.'**



## Cluster 3: UNCRC General Principles

This cluster is about the four general principles of the UNCRC. The general principles of the UNCRC are:

- non-discrimination
- all actions concerning children should be in their best interest
- all children have the right to life and to develop to their full potential
- the views of children should be respected.

The general principles are found in Articles 2, 3, 6 and 12 of the convention.

Our role as regulator of social services in Scotland means that the general principles of the UNCRC are really important to the work we carry out.

All our departments apply the general principles of the UNCRC in the work they do with children and those who work with children.

We also work to promote and incorporate the general principles in a wider sense. The following are some examples of how some of our departments promote the general principles in the work they do.

### National Occupational Standards

The SSSC is the sector skills council for social services in Scotland. Part of this role is developing the National Occupational Standards (NOS). The NOS lay out the level of competency expected of individuals carrying out certain activities at different levels. In Scotland the NOS underpin Higher National Certificates, Professional Development Awards and are used by the social service sector as a Scottish Vocational Qualification (SVQ).

Our Register is qualification based which means we require everyone working in roles we register to have achieved a minimum standard of education. The qualifications used by workers to register with us must be based on the NOS. Indeed, workers in the social service sector can use the NOS as an SVQ to meet our registration requirements.

We work with the UK wide sector skills council, Skills for Care and Development to develop, maintain and update the NOS through engagement with employers and other stakeholders to make sure that the NOS properly reflect the needs of the sector and incorporate relevant legislation. For example, the NOS that have been developed for social services (children and young people) and which are used as the basis for relevant SVQs include mandatory modules on safeguarding children and young people. This includes the requirement to safeguard and promote children and young people's rights.

Our contribution to the development of the NOS in Scotland means that safeguarding and promoting children's rights is an essential element of the education of all social service workers. Our work with the development of the NOS has also meant that all social service workers working with children and young people in Scotland should understand their duties and the wider implications of the UNCRC rights. →

**'Our Register is qualification based which means we require everyone working in roles we register to have achieved a minimum standard of education.'**



## Youth justice work

We have collaborated with the Centre for Youth and Criminal Justice (CYCJ) on several initiatives. In 2019 we provided support, advice and information during the development of their report, **Preventing offending: Improving our approach to workforce development** ([cycj.org.uk/wp-content/uploads/2019/06/LAUNCH-Preventing-offending-Improving-our-approach-to-workforce-development-June-2019-1.pdf](https://cycj.org.uk/wp-content/uploads/2019/06/LAUNCH-Preventing-offending-Improving-our-approach-to-workforce-development-June-2019-1.pdf)).

This report looks at how CYCJ can meet the Developing Capacity and Improvement priority of the youth justice strategy for 2015-2020. The report addresses how to support workforce development in youth justice and how to encourage a culture of continuous learning and improvement. It also addresses the need to improve systems and to make the best use of available performance information. In the report, CYCJ commits to working with us to understand how we can recognise the continuing professional development that is taking place through existing resources.

The information in the report was developed by the Developing Capacity and Improvement implementation group. The implementation group was set up by the Youth Justice Improvement Board as a driver for the Youth Justice Strategy. The SSSC was an active stakeholder in the implementation group.

In the last period, we collaborated with Police Scotland, Social Work Scotland and COSLA to develop a National Joint Investigative Interviewing Programme.

This programme aims to improve the consistency of how children and young people are interviewed during investigations. The intention is that these interviews will be used as evidence-in-chief and will prevent children from needing to appear in court.

National and international research and best practice were used to create a programme that is considerably more comprehensive than its predecessor and which means that those undergoing the training will develop an understanding of children's development and communication skills, the impact of offending on children and age appropriate interview techniques.

The programme will reflect the SSSC Codes of Practice and will refer to children's human rights throughout, ensuring that those conducting interviews of children are doing so in line with the principles of the UNCRC.

## Palliative and end of life care

The SSSC and NHS Education for Scotland (NES) worked together to develop **Enriching & Improving Experience** ([learn.nes.nhs.scot/2452/palliative-and-end-of-life-care-enriching-and-improving-experience/palliative-and-end-of-life-care-enriching-and-improving-experience](https://learn.nes.nhs.scot/2452/palliative-and-end-of-life-care-enriching-and-improving-experience/palliative-and-end-of-life-care-enriching-and-improving-experience)), a framework for palliative and end of life care. This framework covers the needs of those receiving and providing palliative and end of life care. The framework is comprised of five domains which reflect the core knowledge and skills required to deliver high quality palliative and end of life care, these are: communication and conversations, loss, grief and bereavement, care planning and delivery and care in the last days of life.

We have developed our palliative and end of life care resources through consultation with stakeholders including representatives from hospices across Scotland. The guidance toolkit we developed pays attention to how units from the Social Services (Children and Young People) SVQs interact with palliative and end of life care and makes sure that children's rights are of paramount importance in the training provided in this area. The framework takes the definition of palliative care for children and ensures that children's views and their right to life are respected and that actions are taken in their best interest, which embodies the rights enshrined in UNCRC Article 3.

We worked with NES to produce the **first annual report on our partnership working for 2018/19** ([sssc.uk.com/knowledgebase/article/KA-02774/en-us](https://sssc.uk.com/knowledgebase/article/KA-02774/en-us)). This report covers our palliative and end of life care work and shows that workers are incorporating it into their training and work plan development. →



## Internal mentoring programme

We run an internal mentoring programme which gives young staff the opportunity to develop their full potential. The Development and Innovation directorate and the Human Resources department run this programme. The internal mentoring programme is open to all employees aged between 16 and 25.

The programme offers young employees the chance to work closely with members of the Executive and Operational Management Teams who provide knowledge and skills to allow them to develop in their roles effectively.

The mentoring programme recognises the valuable role that young employees play within the SSSC and gives them a chance to discuss work related issues and challenges with more experienced, senior colleagues. The programme also allows senior management to gain valuable insight into the issues affecting young workers and will allow us to better address these issues. The internal mentoring programme also allows us to help our young workforce transition from childhood to adulthood in a supportive way.

The internal mentoring programme has measurable outcomes and we anticipate that it will not only benefit our young workers but will provide our senior management with fresh perspectives in a collaborative exchange of ideas.

Unfortunately, our mentoring programme is on hold since we moved to home-based working during the COVID-19 pandemic. However, this programme shows our commitment as an employer to respecting the views of our young workforce and helping them develop to their fullest, embodying Articles 6 and 12 of the convention.

## Non-discriminatory recruitment

Our Human Resources department makes sure that all our recruitment practices are open, transparent and non-discriminatory so that we give all applicants the same opportunity to advance their career with the SSSC.

Our Human Resources department engages in conversations with young applicants and other stakeholders to gain their views of our recruitment process, for example through our Youth Employment, Investors in Young People and Corporate Parenting work. We are grateful for and respect the views provided to us through these outreach measures and seek to incorporate them into our work where it is possible.

## Involving People Plan

We recently published our Involving People Plan 2019/20 called, 'Learning from lived experience: People, partnership and planning for involvement'. The plan acknowledges the role that people with lived experience of the care sector can play, and the value they can add, to the work carried out by the SSSC, this includes children and young people.

Involving children and young people with lived experience of social services and caring is important to us for several reasons.

We have a role in making sure people are included in decisions and developments that affect them, their voices are heard, and they can influence our work.

Involvement is integral to the SSSC's important public sector duties, including equality and corporate parenting.

We believe that involving people with lived experience of social services informs our work and through this, improves their experience of using care services and of the people who work with them.

Involvement can come in many forms. For example, we can work with children and young people to develop new resources for the workforce or consult people on the development of the standards. Our Involving People Plan's involvement of children means that actions taken by us are in the best interest of the children affected by them (UNCRC Article 3), and that the voices of children and young people are respected (UNCRC Article 12).



## Cluster 4: Civil Rights and Freedoms

This cluster is all about protecting the civil rights and freedoms of children. The rights and freedoms covered by this cluster include identity rights such as those provided by UNCRC Articles 7 and 8, and the privacy rights seen in UNCRC Article 16. This cluster also encompasses educational rights, freedom of expression, religion and thought and freedom from torture, UNCRC Articles 28, 13, 14 and 37 respectively.

We play a role in making sure that the work we do respects these rights and freedoms and promotes respect for them to the wider social service workforce. The following examples highlight some of the ways our work promotes and respects children's civil rights and freedoms in Scotland.

### Learning resources

We develop a wide variety of learning and other resources for a wide variety of stakeholders, some of whom are children and young people who have experience of care.

We recently developed a film for our careers website in partnership with the children and staff at a residential childcare service. Our careers site also has a statement from a young person. We developed these resources through discussion with children and young people and they were driven by how they wanted to participate. Ultimately this process allowed us to better understand the needs of these young people and adapt our resources to meet them.

We have examples of good practice in our leadership resources. These are illustrated and promoted through the use of real world examples which we share on our **Step into Leadership website** ([stepintoleadership.info](http://stepintoleadership.info)). Two examples of this are:

#### → Rachel – Young Carer

Rachel is a young carer who cares for her mother who suffers from bi-polar disorder. Rachel's story demonstrates the citizen leadership principles of development, equality and the wider benefit to society. **Find out more here:** [lx.iriss.org.uk/content/rachel-%E2%80%93-young-carer](http://lx.iriss.org.uk/content/rachel-%E2%80%93-young-carer)

#### → Skye and Lochalsh Young Carers

The children and young people and the staff work to raise awareness of young carers in services and help services to support them. Their story demonstrates the leadership values of potential, information and control through partnership **Find out more here:** [lx.iriss.org.uk/content/skye-and-lochalsh-young-carers](http://lx.iriss.org.uk/content/skye-and-lochalsh-young-carers)

We have been working with the sector to support carers for a number of years. Carers are people who provide unpaid support to family members or friends and they can be any age, indeed many children carry out carer roles.

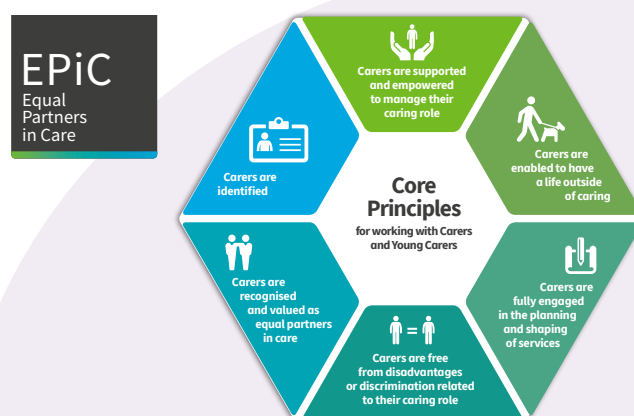
To make sure the social service sector is aware of the issues carers and young carers face we have collaborated with NES to produce guidance and resources. We will continue promoting NES resources to the sector, for example, the National Trauma Training Programme.

In 2019 we jointly produced the Equal Partners in Care (EPiC) learning resource for health and social care staff. This resource is based on six outcomes for carers and young carers.

- Carers are identified.
- Carers are supported and empowered to manage their caring role.
- Carers are enabled to have a life outside caring.
- Carers are fully engaged in the planning and shaping of services.
- Carers are free from disadvantages and discrimination related to their caring role.
- Carers are recognised and valued as equal partners in care.

EPiC identifies young carers as anyone under the age of 18 who has a significant role in caring for a member of their family. Given the age of young carers, EPiC developed its outcomes with GIRFEC in mind. GIRFEC is underpinned by the UNCRC and contains a set of indicators for children's wellbeing, namely safe, healthy, achieving, nurtured, active, respected, responsible and included (SHANARRI). EPiC makes sure that the outcomes for young carers fully consider their rights as children. Our new learning resources will support EPiC's implementation in the sector.

EPiC also highlights the importance of Young Carer Statements. These were introduced by the Carers (Scotland) Act 2016 and aim to guarantee that young carers are seen, first and foremost as children and that they are protected from carrying out caring responsibilities that would be inappropriate for their age or maturity. →





## Right to privacy

We take our duty to respect the privacy rights very seriously, especially when it comes to children's privacy rights. We deal with a huge amount of data on a wide variety of people as we are registered as a data controller under the Data Protection Act 2018. For us to fulfil our statutory functions we must collect and use personal data about individuals, such as:

- people who are or are applying to be registered
- people who work in social care but are not registered
- people who use services
- employers and universities of social service workers
- witnesses in Fitness to Practise hearings
- people who have complained about a social service worker
- panel member applicants
- current and former employees and panel members
- Council Members
- people or organisations that we contract with and others we might communicate with.

We may be legally required to collect and use personal data to comply with the requirements of other public bodies, government departments or legislation. The Legal and Corporate Governance department make sure that staff are aware of and meet their obligations in relation to data protection and that any data sharing we need to carry out is proportionate, this guarantees respect for the right to privacy (UNCRC Article 16).

We also need to publish a lot of information on our website such as hearings outcomes, notices of hearings and equality impact assessments. The Legal and Corporate Governance team make sure that all relevant staff are aware of the requirement to redact any sensitive information, in particular in relation to children. This is shown in our recently revised **SSSC Fitness to Practise Public Information Policy** ([sssc.uk.com/knowledgebase/article/KA-02016/en-us](https://www.sssc.uk.com/knowledgebase/article/KA-02016/en-us)). This means that we continue to recognise children's right to privacy.

## Cluster 5: Violence against Children

**Children are among the most vulnerable in society and should be protected against violence in all its forms. This cluster of rights requires governments to take all reasonable steps to protect children from violence, including physical, mental and sexual abuse, neglect and maltreatment.**

The UNCRC also requires governments to promote recovery after abuse or violence, ensure children are not subject to cruel, inhuman or degrading treatment, and make sure that discipline at school conforms to the ideals of the UNCRC. The relevant articles for this cluster are UNCRC Articles 19, 28, 37 and 39.

We play a fundamental role in making sure that children in care are protected against violence. The main way we do this is through regulating the social service workforce. For more information on the work our Regulation directorate does to protect children from violence and to advance children's rights in general, please refer to the dedicated section above.

**'We play a fundamental role in making sure that children in care are protected against violence.'**



## Cluster 6: Family Environment and Alternative Care

This cluster is all about the role of families or care arrangements in the development of children. The articles in this cluster include respecting the role of parents or other guardians and the support they should receive to help raise their children (UNCRC Article 5), making sure children are not separated from their parents against their will, unless it is in the child's best interests (UNCRC Article 9), rights regarding family reunification (UNCRC Article 10), measures to prevent abduction and non-return of children (UNCRC Article 11), and recognising parental responsibilities (UNCRC Article 18).

The convention also provides that children have the right to be well looked after when they are not able to live with their parents (UNCRC Article 20), that adoptions promote the best interest of the child (UNCRC Article 21) and that children have an adequate standard of living (UNCRC Article 27), among many others.

The cluster on family environment and alternative care also includes Article 19 which addresses violence against children, so there is some overlap in the applicability of actions between this cluster and the previous one. The following illustrate how we address this cluster.

### National Guidance for Child Protection

We contributed to the review of the National Guidance for Child Protection as part of the steering group. The revision of the guidance formed part of the Child Protection Improvement Plan (CPIP) and was deemed necessary to make sure child protection guidance was consistent with current legislation and practice. We provided expertise and knowledge during the revision process. The revised National Guidance for Child Protection is due for publication by April 2021 (UNCRC Article 9).

**'We provided expertise and knowledge during the revision process. The revised National Guidance for Child Protection is due for publication by April 2021'**

### Independent Care Review and The Promise

The Head of Learning and Development represented the SSSC in the Independent Care Review's Workforce Group. The Workforce Group focused on the whole care workforce to consider what their needs were in terms of support, training and learning. This included the social service workforce with reference to development of the Scottish Credit and Qualifications (SCQF) level 9 qualification for residential childcare staff.

The Workforce Group also considered regulation and the ways it can operate as a barrier to children and young people forming relationships with social service professionals who they interact with. With the support of the Director of Regulation and our Chief Executive, the Workforce Group explored how the child's voice is heard in regulatory processes to recognise that relationships with social service workers can be positive where the child or young person is able to express the benefit of it to them (UNCRC Article 9).

Following on from the findings of the Independent Care Review, the Scottish Government published The Promise. The Promise outlines the changes that need to be made in the way decisions are made about children and families. The Scottish Government has established an oversight board to ensure The Promise is kept and that the findings of the Independent Care Review are implemented.

Delivering The Promise has significant implications across all our work, including fitness to practise, qualifications and workforce development. We are committed to supporting the implementation of The Promise. →

Our Executive Management Team pledge to keep The Promise. Left: Maree Allison Director of Regulation, Centre: Lorraine Gray Chief Executive, Right: Phillip Gillespie Director of Development and Innovation



## Foster standards

We have also contributed towards discussion around foster standards. Following the National Foster Care Review in 2013, the Scottish Government asked us to create a standard that set out the training needs of foster carers at different stages of their careers. We published the **Standard for Foster Care in 2017** ([sssc.uk.com/knowledgebase/article/KA-01353/en-us](https://sssc.uk.com/knowledgebase/article/KA-01353/en-us)). The standard developed by the SSSC is closely linked to GIRFEC and is of an equivalent level to an SCQF Level 7.

The standard for foster care is intended to make sure that foster carers are confident and well prepared for their role and are in a good position to support the children in their care (UNCRC Article 5).

The standards consist of 19 individual areas of knowledge which foster carers must be familiar with. The first three standards are: the rights of children and young people, ethics, values and principles, and law, policy and guidance. The first three standards ensure that all foster carers in Scotland are familiar with the UNCRC rights and other legal obligations while other standards cover areas such as health and wellbeing and child safety.

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## Cluster 7: Basic Health and Welfare

This cluster seeks to make sure that all children have the highest possible standards of health and can access relevant healthcare services. This group of rights covers the right to life, survival and development (UNCRC Article 6), the responsibilities of parents and governments (UNCRC Article 18(3)), children with disabilities (UNCRC Article 23), health and health services (UNCRC Article 24), social security (UNCRC Article 26), standards of living (UNCRC Article 27) and drug abuse (UNCRC Article 33).

Our role as social service regulator means that we have a responsibility to make sure the workforce is aware of their responsibilities in relation to these rights.

For example, we have recently worked with NES to implement the Promoting Excellence Framework. This is a learning framework for social service and health care staff who work with people suffering with dementia, their families and carers. The framework aims to improve the care and support offered by providing resources, training and programmes to relevant practitioners and those affected by dementia.

The Promoting Excellence Framework is based on the European Convention of Human Rights and the work we do to embed the use of the framework's resources in the workforce supports families and carers, including children and young people to develop meaningful relationships with people living with dementia.

### Supporting our staff

We have a number of policies in place to support the health and welfare of our staff, including our young employees and their families. These include flexible working which can allow parents to work around childcare needs, special leave which allows staff to take time off for a variety of reasons and our carers policy.

We also have several employees who are fully trained mental health first aiders who are available to support staff members who may be struggling with their mental health including our young employees.

We also promote access to our Employee Assistance Programme which offers a range of supportive services to staff of all ages.

As a Healthy Working Lives employer, we regularly run health awareness campaigns, offering information regarding various health conditions and signposting to places of help and support. Through these policies we hope to support our staff both at work and at home.



## Cluster 8: Education, Leisure and Culture

One of the UNCRC aims is to make sure that children everywhere have access to the education required to help them meet their full potential. This cluster is about education, but also recognises that play, leisure and culture are important for children's development. This cluster includes the rights to and goals of education (UNCRC Articles 28 and 29), the rights of children from minority groups (UNCRC Article 30) and leisure play and culture (UNCRC Article 31).

We have a role to play in ensuring these rights are respected and promoted within Scotland's social service sector. One of the ways we do this is by promoting career opportunities in the social service sector to children and young people by attending events at schools and colleges. We also provide resources to Developing the Young Workforce organisations, for example we recently produced a careers insight video for the online skills academy.

We also promote careers in the social service sector through our Careers in Care website. For example, on the Careers in Care website we have a story from an equity and excellence lead which highlights the importance of careers in care and the role they have in helping children thrive. The career stories and images focus on child-led learning and importance of play with the intention of promoting these values to the wider sector.

Our work seeks to improve career opportunities so that we have a flexible, qualified, diverse and sustainable workforce. To do this we provide resources to allow those looking to work in the sector to be as prepared for the challenges of working with children and young people as possible. For example, we have developed a multi-professional practice simulator ([lms.learn.sssc.uk.com/course/view.php?id=34](https://lms.learn.sssc.uk.com/course/view.php?id=34)) which allows learners to experience some of the challenging aspects of childcare in a safe environment.

Our Learning Zone website ([learn.sssc.uk.com/careers/](https://learn.sssc.uk.com/careers/)) contains apps and resources to help staff to develop knowledge and skills. Managers, volunteers, workers, coaches and mentors use our resources. They cover a range of topics including engaging with children and young people and enabling a personal outcomes approach. We also make all the information we publish, including all learning resources, guidance and updates easy to access and understand by all.

## Cluster 9: Special Protection Measures

This cluster is about protection for vulnerable and marginalised children such as children in trouble with the law, child refugees, asylum seekers and children who have been subject to trafficking or exploitation. The list of articles covered by this cluster is extensive but includes protections for refugee children (UNCRC Article 22), minority or indigenous children (UNCRC Article 30), child labour (UNCRC Article 32), drug abuse (UNCRC Article 33), sexual exploitation (UNCRC Article 34), and juvenile justice (UNCRC Article 40) among others.

The nature of the sector we regulate means that children for whom the special protection measures are intended may be affected by our services.

We are committed to providing opportunities to increase life chances of care experienced young people by building their employability, training or skills to support their future ambitions.

Also, our commitment to youth employment strives to give young people the chance to gain work experience and to highlight opportunities they may not have considered before because of their childhood experiences.

As an Investors in Young People organisation, we are committed to supporting and developing our young employees and those who come to us through other means such as through work placements or internships. We actively seek and respect the views of young people and wish to learn as much from them as they do from us.

Our policies consider those who are carers, kinship carers and foster carers and we provide paid time off to support staff who have these responsibilities. We also offer adoption leave to support staff with this responsibility.

We have developed Leadership Badges ([23leadership.sssc.uk.com/?page\\_id=87](https://23leadership.sssc.uk.com/?page_id=87)) through the 23 Things leadership programme to equip leaders in social services with the basic skills required to carry out their roles. This includes early years practitioners. We also work with the Care Inspectorate Early Learning and Childcare Improvement Team to provide leadership and improvement learning support to early years providers via webinars and direct work with providers.

# Our next steps

This report has addressed the work we have done over the last three-year period to advance the incorporation of the UNCRC in the work we carry out and in the wider social service sector.

The next section shows the steps we are going to take to improve how we put into practice the rights enshrined in the UNCRC. We will monitor this in several ways.

- Our internal Equality, Diversity and Inclusion Group helps us to mainstream equality throughout the SSSC. The group monitors a wide ranging delivery plan which includes the actions in this plan. The group will establish targets for the actions and monitor progress. Our Council and executive management team will receive regular updates.
- Where relevant we have identified the lead directorates or departments for each action.
- We will publish an annual update setting out our progress. →



## Our next steps

Action	How this puts the UNCRC into practice	Lead Directorate	Start or completion date
<p>Raise new and existing staff awareness of:</p> <ul style="list-style-type: none"> <li>→ challenges for care experienced children and young people</li> <li>→ our Corporate Parenting duties</li> <li>→ the Care Review and The Promise.</li> </ul> <p>We do this by promoting key resources on our intranet, incorporate key elements into our induction programme and offering interactive training sessions for our staff.</p>	Staff have the knowledge and skills to ensure care experienced children and young people needs are put at the heart of what we do.	<ul style="list-style-type: none"> <li>→ Development and Innovation</li> <li>→ Strategy and Performance</li> <li>→ Finance and Resources</li> </ul>	Start date: June 2020, ongoing
Implement our Involving People Plan 2019/20 actions.	Involving people in how we work and deliver services is meaningful and care experienced young people can influence our work.	<ul style="list-style-type: none"> <li>→ Development and Innovation</li> <li>→ Strategy and Performance</li> </ul>	Ongoing
Promote the use of our Equality Impact Assessment form throughout the SSSC. The EqIA form includes a section on children's rights. The Equality, Diversity and Inclusion Group will monitor progress and we will share examples across SSSC.	We will have a process to support us to consider the impact of our work on care experienced children and young adults.	<ul style="list-style-type: none"> <li>→ Strategy and Performance</li> </ul>	<p>New guidance in place by October 2020.</p> <p>Monitoring: ongoing</p>
Continue to participate in and act upon the next steps for the Care Review, which include revisiting our approach to residential childcare qualifications.	We will work to deliver on The Promise for care experienced children and young adults.	<ul style="list-style-type: none"> <li>→ Regulation</li> <li>→ Development and Innovation</li> </ul>	Ongoing
Working with key stakeholders to revise the SSSC Codes of Practice for Social Service Workers and Employers.	A common language and approach within our Codes of Practice will maintain the focus on promoting children's rights and supporting relationships.	<ul style="list-style-type: none"> <li>→ Development and Innovation</li> </ul>	Start date: Nov 2020
Continue to quality assure approved programmes and qualifications.	Our work means that social service workers have the knowledge, skills and values needed to care for children.	<ul style="list-style-type: none"> <li>→ Development and Innovation</li> </ul>	Ongoing



## Our next steps

Action	How this puts the UNCRC into practice	Lead Directorate	Start or completion date
We will introduce enhanced analysis of the common factors driving higher referral rates in residential childcare.	We will update standards and resources for residential childcare workers based on improved insight.  Care experienced young people will benefit from those who support them having the right skills, knowledge and values to carry out the role.	→ Strategy and Performance → Development and Innovation	Initial report by June 2021.
Explore how we can provide further support for children and young adults, in particular care experienced children and young adults involved in a Fitness to Practise case.	Care experienced children and young adults are protected by making sure that the regulated workforce is fit to practise.	→ Regulation	Start date: 1 April 2021
Continue to develop learning resources that reflect the needs of staff who work with children and young people, in particular care experienced children and young people.	Children and young people benefit from high quality care from staff who have the resources they need for registration and continuous professional development.	→ Development and Innovation	Ongoing
Explore how we can support care experienced young people to work for the SSSC. Our current focus is on improving our application process. Following that we will explore how we can encourage more people to apply for roles.	We will encourage care experienced young people to begin and develop their career at the SSSC.	→ Finance and Resources → Strategy and Performance	Start date: June 2020
Continue to provide opportunities for care experienced young people to access Modern Apprenticeships and Foundation Apprenticeships at the SSSC.	We support care experienced young people to access a learning opportunity at the SSSC.	→ Shared Services (HR)	Ongoing
Evaluate our first mentoring programme and expand to support more of our young staff.	We will help our younger staff to develop and use their skills in a safe environment.	→ Finance and Resources → Development and Innovation	Start date: TBC
We will work with carer organisations who support young carers, by developing COVID-19 resources.	This will support carers, support staff and managers within their roles and promote the health of children in social service care.	→ Development and Innovation	Start date: Ongoing

## Our next steps

Action	How this puts the UNCRC into practice	Lead Directorate	Start or completion date
Enhance our careers guidance and promote funding opportunities including enhanced modern apprenticeship contribution rates and the Care Experienced Students Bursary.	Young people and care experienced people see that their skills and life experiences are valued by social service employers and they are informed about the routes they can take to enter and progress in a career.	→ Development and Innovation	Start date: October 2020 and ongoing
Working with the Carers Managers Network to establish the current and long term needs of their workforce. This includes supporting them to take a person-centred approach to developing Young Carer Statements to make sure the needs of young carers are met and they are properly supported.	The Carers (Scotland) Act 2016 places the duty on responsible authorities to offer Young Carer Statements (YCS). This will allow us to understand and better address the needs of the sector.	→ Development and Innovation	Start date: TBC
Work to maintain our Investors in Young People award by supporting and developing young employees and keeping the Youth Employment Strategy and Corporate Parenting Plan updated.	We will continue to promote education (UNCRC Article 28), the goals of education (UNCRC Article 29) and the general principles of the UNCRC.	→ HR	Start date: TBC
Training on dealing with vulnerable witnesses and taking statements or evidence from people who have experienced trauma for all relevant staff.	This makes sure that children's rights are respected during our hearings and investigations processes.	→ Regulation	Start date: TBC



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We promote equality by removing unlawful and unfair  
treatment on the grounds of any protected characteristic  
wherever possible.