



**CYNULLIAD CENEDLAETHOL CYMRU**

**NATIONAL ASSEMBLY FOR WALES**

**OFFERYNNAU STATUDOL**

**STATUTORY INSTRUMENTS**

**2005 Rhif 3366 (Cy.263)**

**2005 No. 3366 (W.263)**

**GOFAL CYMDEITHASOL,  
CYMRU**

**SOCIAL CARE,  
WALES**

**PLANT A PHOBL IFANC,  
CYMRU**

**CHILDREN AND YOUNG  
PERSONS, WALES**

**Rheoliadau Gweithdrefn Gwynion  
y Gwasanaethau Cymdeithasol  
(Cymru) 2005**

**The Social Services Complaints  
Procedure (Wales) Regulations  
2005**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

*(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)*

*(This note is not part of the Regulations)*

Mae'r Rheoliadau hyn yn gwneud darpariaeth ar gyfer cwyno i awdurdodau lleol ynghylch y modd y maent yn arfer eu swyddogaethau gwasanaethau cymdeithasol, ac eithrio swyddogaethau y mae modd eu hystyried ar ffurf sylwadau o dan adrannau 24D a 26 a pharagraff 6 o Atodlen 7 i Ddeddf Plant 1989. Maent yn disodli Cyfarwyddiadau Gweithdrefn Gwynion 1990. Gwneir darpariaeth hefyd ar gyfer ystyried ymhellach o dan y Rheoliadau hyn sylwadau a wneir o dan Reoliadau Gweithdrefn Sylwadau (Plant) (Cymru) 2005.

These Regulations make provision for complaints to local authorities about the exercise of their social services functions, with the exception of functions capable of being considered as representations under sections 24D and 26 and schedule 7, paragraph 6 of the Children Act 1989. They replace the Complaints Procedure Directions 1990. Provision is also made for representations made under the Representations Procedure (Children) (Wales) 2005 to be further considered under these Regulations.

Mae rheoliadau 3 a 4 yn ei gwneud yn ofynnol i awdurdod lleol sefydlu gweithdrefn gwynion a nodi'r egwyddorion i'w dilyn wrth ei gweithredu. O dan reoliad 5 rhaid i'r awdurdod lleol ddynodi uwchswyddog a chanddo gyfrifoldebau mewn perthynas â chwynion ac mae rheoliad 6 yn ei gwneud yn ofynnol i'r awdurdod lleol benodi swyddog cwynion.

Regulations 3 and 4 require the local authority to establish a complaints procedure and set out the principles to be followed in operating it. Under regulation 5 the local authority must designate a senior officer with responsibilities in relation to complaints and regulation 6 requires the local authority to appoint a complaints officer.

Mae rheoliad 7 yn nodi gofynion mewn perthynas â chyhoeddusrwydd i'r weithdrefn gwynion ac mae rheoliad 8 yn nodi gofynion hyfforddi staff.

Regulation 7 sets out requirements in relation to publicity of the complaints procedure and regulation 8 sets out requirements for the training of staff.

Mae Rhan III yn nodi pwy gaiff gwyno (rheoliad 9) ac am ba faterion (rheoliadau 10 ac 11). Mae rheoliad 12 yn sefydlu gweithdrefn ar gyfer ystyried sut y mae'n rhaid ymdrin â chwynion pan fo person neu gorff arall yn eu hystyried ar yr un pryd. Mae hyn y caniatáu i'r

Part III sets out who may complain (regulation 9) and about what matters (regulations 10 and 11). Regulation 12 establishes a procedure for consideration of how complaints shall be dealt with where there is a concurrent consideration by another

awdurdod lleol atal ystyriaeth dros dro pe byddai parhau â hi'n peryglu neu'n rhagfarnu'r ystyriaeth arall.

Mae Rhan IV yn sefydlu gweithdrefnau ar gyfer gweithio gydag awdurdodau lleol eraill (rheoliad 13) neu gyda phersonau a gofrestrir o dan y Ddeddf Safonau Gofal 2000 neu gyda'r Cynulliad Cenedlaethol (rheoliad 14).

Mae rheoliad 18 yn ei gwneud yn ofynnol i'r awdurdod lleol geisio penderfynu ar gwyn yn lleol ac mae rheoliad 19 yn sefydlu'r weithdrefn ar gyfer ystyriaeth ffurfiol o'r gwyn pan na lwyddwyd i benderfynu arni'n lleol.

Mae rheoliad 20 yn nodi'r gofynion mewn perthynas â'r ymateb sydd i'w anfon gan yr awdurdod lleol gan gynnwys ymateb ynghylch hawl yr achwynydd i ofyn am wrandawriad gan banel annibynnol yn unol â Rhan VI o'r Rheoliadau.

Mae Rhan VI yn nodi'r trefniadau ar gyfer ystyried yn annibynnol gwynion a wneir o dan y Rheoliadau hyn a sylwadau a wneir o dan Rheoliadau Gweithdrefn Sylwadau (Plant) (Cymru) 2005.

Mae Rhan VII yn nodi sut y mae awdurdodau lleol i fonitro'r trefniadau y maent wedi'u gwneud gyda'r bwriad o sicrhau eu bod eu bod yn cydymffurfio â'r Rheoliadau a sut i adrodd yn ôl arnynt.

person or body. This allows for the local authority to suspend consideration temporarily where to continue would compromise or prejudice the other consideration.

Part IV establishes procedures for working with other local authorities (regulation 13) or persons registered under the Care Standards Act 2000 or the National Assembly (regulation 14).

Regulation 18 requires the local authority to attempt local resolution of a complaint and regulation 19 establishes the procedure for formal consideration of the complaint where local resolution has not been achieved.

Regulation 20 sets out requirements in relation to the response to be sent by the local authority including as to the complainant's right to request an independent panel hearing in accordance with Part VI of the Regulations.

Part VI sets out the arrangements for independent consideration of both complaints made under these Regulations and representations made under the Representations Procedure (Children) (Wales) Regulations 2005.

Part VII sets out how local authorities are to monitor and report on the arrangements they have made with a view to ensuring that they comply with the Regulations.

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(Cymru) 2005

The Social Services Complaints  
Procedure (Wales) Regulations  
2005

*Wedi'u gwneud* 6 Rhagfyr 2005  
*Yn dod i rym* 1 Ebrill 2006

*Made* 6 December 2005  
*Coming into force* 1 April 2006

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Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd gan adrannau 114(3), (4) a (5) ac 115(1), (2), (4), (5) a (6) o Ddeddf Iechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003(1) ac adrannau 26A a 26ZB o Ddeddf Plant 1989(2) drwy hyn yn gwneud y Rheoliadau a ganlyn:-

## RHAN I

### CYFFREDINOL

#### Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Gweithdrefn Gwynion y Gwasanaethau Cymdeithasol (Cymru) 2005 a deuant i rym ar 1 Ebrill 2006.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

#### Dehongli

2. Yn y Rheoliadau hyn -

ystyr "achos disgyblu" ("*disciplinary proceedings*") yw unrhyw weithdrefn ar gyfer disgyblu cyflogeion a gaiff eu mabwysiadu gan awdurdod lleol;

ystyr "awdurdod lleol" ("*local authority*") yw cyngor sir neu gyngor bwrdeistref sirol;

ystyr "Cynulliad Cenedlaethol" ("*National Assembly*") yw Cynulliad Cenedlaethol Cymru;

ystyr "cytundeb partneriaeth" ("*partnership agreement*") yw cytundeb rhwng awdurdod lleol ac un o gyrff y GIG a wneir o dan ddarpariaethau adran 31 o Ddeddf Iechyd 1999(3) a Rheoliadau Trefniadau Partneriaeth Cyrff y Gwasanaeth Iechyd Gwladol ac Awdurdodau Lleol (Cymru) 2000(4);

ystyr "defnyddiwr y gwasanaeth" ("*service user*") yw unrhyw berson a gaiff wneud cwyn o dan reoliad 9(1);

(1) 2003 p.43.

(2) 1989 p.41. Mewnosodwyd adran 26ZB o Ddeddf Plant 1989 gan adran 116 o'r Ddeddf. Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan Ddeddf Plant 1989 i'r Cynulliad gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(3) 1999 p.52.

(4) O.S. 2000/2993 (Cy.193) fel y'i diwygiwyd gan O.S. 2004/1390.

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### TRANSITIONAL PROVISION

#### 31. Transitional Provision

The National Assembly for Wales, in exercise of the powers conferred by sections 114(3), (4) and (5) and 115(1), (2), (4), (5) and (6) of the Health and Social Care (Community Health and Standards) Act 2003(1) and sections 26A and 26ZB of the Children Act 1989(2) hereby makes the following Regulations:-

## PART I

### GENERAL

#### Title, commencement and application

1.-(1) The title of these Regulations is the Social Services Complaints Procedure (Wales) Regulations 2005 and they come into force on 1 April 2006.

(2) These Regulations apply in relation to Wales.

#### Interpretation

2. In these Regulations-

"the Act" ("*y Ddeddf*") means the Health and Social Care (Community Health and Standards) Act 2003(3);

"appropriate office" ("*swyddfa briodol*") means in relation to an establishment or agency-

(a) if an office has been specified under regulation 14(3) for the area in which the establishment or agency is situated, that office;

(b) in any other case, any other office of the National Assembly.

"child" ("*plentyn*") means a person under the age of 18;

"complaints officer" ("*swyddog cwynion*") means the person appointed under regulation 6;

"complaints procedure" ("*gweithdrefn gwynion*") means the arrangements made under regulation 4;

(1) 2003 c.43.

(2) 1989 c.41. Section 26ZB of the Children Act 1989 was inserted by section 116 of the Act. The functions of the Secretary of State under the Children Act 1989 were transferred to the Assembly by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(3) 2003 c.43.

ystyr "diwrnod gwaith" ("*working day*") yw diwrnod nad yw'n ddydd Sadwrn, yn ddydd Sul, yn ddydd Nadolig, yn ddydd San Steffan, yn ddydd Gwener y Groglith, neu'n ddiwrnod sy'n wyl y banc o dan Ddeddf Bancio a Thrafodion Ariannol 1971(1);

ystyr "y Ddeddf" ("*the Act*") yw Deddf Iechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau 2003(2);

ystyr "gweithdrefn gwynion" ("*complaints procedure*") yw'r trefniadau a wneir o dan reoliad 4;

ystyr "gweithdrefn gwynion flaenorol" ("*former complaints procedure*") yw'r weithdrefn gwynion o dan adran 7B o Ddeddf Gwasanaethau Cymdeithasol Awdurdodau Lleol 1970(3);

ystyr "plentyn" ("*child*") yw person o dan 18 oed;

ystyr "staff" ("*staff*") yw unrhyw berson a gyflogir gan awdurdod lleol neu a gymerir ymlaen i ddarparu gwasanaethau i awdurdod lleol;

ystyr "swyddfa briodol" ("*appropriate office*") mewn perthynas â sefydliad neu asiantaeth-

(a) os yw swyddfa wedi'i phennu o dan reoliad 14(3) ar gyfer yr ardal lle y lleolir y sefydliad neu'r asiantaeth, yw y swyddfa honno;

(b) mewn unrhyw achos arall, yw unrhyw un o swyddfeydd eraill y Cynulliad Cenedlaethol;

ystyr "swyddog cwynion" ("*complaints officer*") yw'r person a benodir o dan reoliad 6; ac

ystyr "swyddogaethau gwasanaethau cymdeithasol" ("*social services functions*") yw'r rhestr o swyddogaethau a geir yn Atodlen 1 i Ddeddf Gwasanaethau Cymdeithasol Awdurdodau Lleol 1970.

"disciplinary proceedings" ("*achos disgyblu*") means any procedure for disciplining employees adopted by a local authority;

"former complaints procedure" ("*gweithdrefn gwynion flaenorol*") means the complaints procedure under section 7B of the Local Authority Social Services Act 1970(1);

"local authority" ("*awdurdod lleol*") means a county council or county borough council;

"National Assembly" ("*Cynulliad Cenedlaethol*") means the National Assembly for Wales;

"partnership agreement" ("*cytundeb partneriaeth*") means an agreement between a local authority and an NHS body made under the provisions of section 31 of the Health Act 1999(2) and the National Health Service Bodies and Local Authorities Partnership Arrangements (Wales) Regulations 2000(3);

"service user" ("*defynddiwr y gwasanaeth*") means any person who may make a complaint under regulation 9(1);

"social services functions" ("*swddogaethau gwasanaethau cymdeithasol*") means the list of functions set out in Schedule 1 to the Local Authority Social Services Act 1970;

"staff" ("*staff*") means any person who is employed by or engaged to provide services to a local authority; and

"working day" ("*diwrnod gwaith*") means a day except Saturday, Sunday, Christmas Day, Boxing Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971(4).

## Egwyddorion cyffredinol o ran ymdrin â chwynion

3.-(1) Rhaid i unrhyw weithdrefn gwynion a sefydlir o dan y rheoliadau hyn gael ei gweithredu'n unol â'r egwyddor y dylai lles defynddiwr y gwasanaeth gael ei ddiogelu a'i hybu.

(2) Dylid ystyried dymuniadau a theimladau defnyddwyr y gwasanaeth pan ellir canfod beth ydynt.

## General principles in handling complaints

3.-(1) Any complaints procedure set up under these regulations must be operated in accordance with the principle that the welfare of the service user should be safeguarded and promoted.

(2) Account should be taken of the ascertainable wishes and feelings of the service user.

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(1) 1971 p.80.

(2) 2003 p.43.

(3) 1970 p.42. Mewnosodwyd adran 7B gan adran 50 o Ddeddf y Gwasanaethau Iechyd Gwladol a Gofal Cymunedol 1990 ac fe'u diwygiwyd gan adran 67(1) a pharagraffau 15(1) a (2) o Ran 2 o Atodlen 5 i Ddeddf Iechyd a Gofal Cymdeithasol 2001.

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(1) 1970 c.42. Section 7B was inserted by section 50 of the National Health Services and Community Care Act 1990 and amended by section 67(1) and Schedule 5 Part 2 paragraphs 15(1) and (2) of the Health and Social Care Act 2001.

(2) 1999 c.52.

(3) S.I. 2000/2993 (W.193) as amended by S.I. 2004/1390.

(4) 1971 c.80

## RHAN II

### SEFYDLU'R WEITHDREFN GWYNION

#### Dyletswydd i sefydlu gweithdrefn gwynion

4. Rhaid i bob awdurdod lleol wneud trefniadau yn unol â'r rheoliadau hyn ar gyfer ymdrin â chwynion a'u hystyried a rhaid i'r trefniadau fod yn ysgrifenedig.

#### Uwch-swyddog â chyfrifoldeb am gwynion

5. Rhaid i bob awdurdod lleol ddynodi uwch-swyddog i fod yn gyfrifol am geisio sicrhau y cydymffurfir â'r trefniadau a wneir gan yr awdurdod lleol o dan y Rheoliadau hyn.

#### Swyddog cwynion

6.-(1) Rhaid i bob awdurdod lleol benodi person, y cyfeirir ato yn y Rheoliadau hyn fel swyddog cwynion, i reoli'r gweithdrefnau ar gyfer ymdrin â chwynion a'u hystyried ac yn benodol-

- (a) i gyflawni swyddogaethau'r swyddog cwynion o dan y Rheoliadau hyn;
- (b) i gyflawni unrhyw swyddogaethau eraill mewn perthynas â chwynion y bydd yr awdurdod lleol yn eu mynnu; ac
- (c) i gydweithredu ag unrhyw bersonau neu gyrff eraill a fydd yn angenrheidiol er mwyn ymchwilio i gwyn a phenderfynu arni.

(2) Caiff unrhyw berson a awdurdoddir gan yr awdurdod lleol i weithredu ar ran y swyddog cwynion gyflawni swyddogaethau'r swyddog cwynion.

(3) Caniateir i'r swyddog cwynion-

- (a) bod yn berson nad yw'n un o gyflogeion yr awdurdod lleol; a
- (b) cael ei benodi'n swyddog cwynion ar gyfer mwy nag un corff.

#### Cyhoeddusrwydd

7.-(1) Rhaid i bob awdurdod lleol sicrhau y rhoddir cyhoeddusrwydd effeithiol i'w drefniadau cwynion.

(2) Rhaid i bob awdurdod lleol gymryd pob cam rhesymol i sicrhau yr hysbysir defnyddwyr y gwasanaeth a'u gofalwyr, os oes yna rai, o'i drefniadau, o enw ei swyddog cwynion ac o'r cyfeiriad lle y gellir cysylltu â'r swyddog cwynion.

(3) Rhaid rhoi copi o'r trefniadau a wneir o dan reoliad 3, yn rhad ac am ddim, i unrhyw berson sy'n gofyn am un.

(4) Rhaid i bob awdurdod lleol gymryd pob cam

## PART II

### SETTING UP THE COMPLAINTS PROCEDURE

#### Duty to establish a complaints procedure

4. Each local authority must make arrangements in accordance with these regulations for the handling and consideration of complaints and the arrangements must be in writing.

#### Senior Officer responsible for complaints

5. Each local authority must designate a senior officer to be responsible for seeking to ensure compliance with the arrangements made by the local authority under these Regulations.

#### Complaints officer

6.-(1) Each local authority must appoint a person, in these Regulations referred to as a complaints officer, to manage the procedures for handling and considering complaints and in particular-

- (a) to perform the functions of the complaints officer under these Regulations;
- (b) to perform such other functions in relation to complaints as the local authority may require; and
- (c) to co-operate with such other persons or bodies as may be necessary in order to investigate or resolve complaints.

(2) The functions of the complaints officer may be performed by any person authorised by the local authority to act on behalf of the complaints officer.

(3) A complaints officer may be-

- (a) a person who is not an employee of the local authority; and
- (b) appointed as complaints officer for more than one body.

#### Publicity

7.-(1) Each local authority must ensure that there is effective publicity of its complaints arrangements.

(2) Each local authority must take all reasonable steps to ensure that service users and their carers, if any, are informed of its arrangements, the name of its complaints officer and the address at which the complaints officer can be contacted.

(3) A copy of the arrangements made under regulation 3 must be given, free of charge, to any person who makes a request for one.

(4) Each local authority must take all reasonable

rhesymol i ddarparu copi o'i drefniadau ar unrhyw ffurf a fyynnir gan ddefnyddiwr y gwasanaeth neu gan berson arall sy'n gwneud cwyn ar ran defnyddiwr y gwasanaeth.

### **Gwybodaeth a hyfforddiant ar gyfer staff**

8. Rhaid i bob awdurdod lleol sicrhau yr hysbysir ei staff ynghylch y modd y gweithredir y weithdrefn gwynion ac y cânt eu hyfforddi i'w gweithredu.

## **RHAN III**

### **NATUR A CHWMPAS Y WEITHDREFN GWYNION**

#### **Personau a gaiff wneud cwynion**

9.-(1) Caiff unrhyw berson y mae gan yr awdurdod lleol y pŵer neu'r ddyletswydd i ddarparu gwasanaeth ar ei gyfer, neu i sicrhau y darperir gwasanaeth ar ei gyfer, wneud cwyn, pan fyddai'r gwasanaeth, pe darperid ef, yn cael ei ddarparu fel un o swyddogaethau'r gwasanaeth cymdeithasol a phan fo angen unrhyw berson amdano, neu'r angen posibl am wasanaeth o'r fath (ym mha fodd bynnag), wedi dod i sylw'r awdurdod lleol.

(2) Caiff person ("cynrychiolydd") sy'n gweithredu ar ran person a grybwyllir ym mharagraff (1) wneud cwyn mewn unrhyw achos pan fo'r person hwnnw-

- (a) yn blentyn; neu
- (b) wedi gofyn i'r cynrychiolydd weithredu ar ei ran; neu
- (c) heb fod yn abl i wneud y gwyn yn bersonol.

(3) Caiff person ("cynrychiolydd") wneud cwyn mewn cysylltiad â pherson sydd wedi marw.

(4) Rhaid i unrhyw gynrychiolydd sy'n gwneud cwyn o dan baragraff (2)(a) neu (c) neu o dan baragraff (3), ym marn yr awdurdod lleol, fod â buddiant neu fod wedi bod â buddiant yn lles y person, a bod yn berson addas i weithredu fel cynrychiolydd.

(5) Os bydd yr awdurdod lleol o'r farn, mewn unrhyw achos, nad oes gan unrhyw berson sy'n gwneud cwyn o dan baragraffau (2)(a) neu (c) neu (3) fuddiant digonol yn lles y person neu nad yw'n berson addas i weithredu fel cynrychiolydd, rhaid i'r awdurdod hysbysu'r person yn ysgrifenedig ar unwaith, gan nodi'r rhesymau dros y farn honno.

(6) Pan roddir hysbysiad o dan baragraff (5) a phan fo'r person y cyfeirir ato ym mharagraff (1) ac y gwnaed y gwyn mewn cysylltiad ag ef yn fyw, rhaid i'r awdurdod lleol, os yw o'r farn ei bod yn briodol iddo

steps to provide a copy of its arrangements in any form requested by the service user or other person making a complaint on the service user's behalf.

### **Information and training for staff**

8. Each local authority must ensure that their staff are informed about and appropriately trained in the operation of the complaints procedure.

## **PART III**

### **NATURE AND SCOPE OF THE COMPLAINTS PROCEDURE**

#### **Persons who may make complaints**

9.-(1) A complaint may be made by any person to whom the local authority has a power or duty to provide, or secure the provision of, a service which, if provided, would be provided as a social service function and whose need, or possible need for such a service has (by whatever means) come to the attention of the local authority.

(2) A complaint may be made by a person (a "representative") acting on behalf of a person mentioned in paragraph (1) in any case where that person-

- (a) is a child; or
- (b) has requested the representative to act on his or her behalf; or
- (c) is not capable of making the complaint personally.

(3) A complaint may be made by a person (a "representative") in respect of a person who has died.

(4) Any representative making a complaint under paragraph (2)(a) or (c) or under paragraph (3) must, in the opinion of the local authority have, or have had, an interest in the person's welfare and be a suitable person to act as representative.

(5) If in any case the local authority is of the opinion that any person making a complaint under paragraphs (2)(a) or (c) or (3) does not have sufficient interest in the person's welfare or is not a suitable person to act as a representative, the authority must notify the person in writing immediately, stating the reasons for that opinion.

(6) Where notification is given under paragraph (5) and the person referred to in paragraph (1) in respect of whom the complaint has been made is alive the local authority must, if it considers it appropriate to do so



wneud hynny o ystyried beth yw dealltwriaeth y person y cyfeirir ato ym mharagraff (1), ddarparu copi o'r hysbysiad ar gyfer y person hwnnw.

(7) Yn y Rheoliadau hyn mae unrhyw gyfeiriad at achwynydd yn cynnwys cyfeiriad at ei gynrychiolydd.

### **Materion y caniateir gwneud cwynion yn eu cylch**

**10.**-(1) Yn ddarostyngedig i baragraff (2) caniateir i gwyn i awdurdod lleol fod am y modd y caiff ei swyddogaethau gwasanaethau cymdeithasol eu harfer gan gynnwys-

- (a) cyflawni gan awdurdod lleol unrhyw un o'i swyddogaethau gwasanaethau cymdeithasol;
- (b) darparu gwasanaethau gan berson arall yn unol â threfniadau a wneir gan awdurdod o'r fath wrth iddo gyflawni'r swyddogaethau hynny;
- (c) darparu gwasanaethau gan awdurdod o'r fath neu gan unrhyw berson arall yn unol â threfniadau a wneir gan yr awdurdod o dan adran 31 o Ddeddf Iechyd 1999(1) mewn perthynas â swyddogaethau un o gyrff y GIG (o fewn yr ystyr yn yr adran honno).

(2) Ni chaniateir gwneud cwyn o dan y rheoliadau hyn am arfer swyddogaethau o dan adrannau 31, 33, 34, 35, 43, 44 a 47 o Ddeddf Plant 1989.

### **Materion na chaniateir eu hystyried**

**11.** Nid yw'r Rheoliadau hyn yn mynnu bod trefniadau'n cael eu gwneud ar gyfer ymchwilio i unrhyw gwyn yr ymchwiliwyd iddi-

- (a) o dan y Rheoliadau hyn,
- (b) o dan unrhyw ddarpariaethau cwynion blaenorol, neu
- (c) gan Gomisiynydd Gweinyddiaeth Leol.

### **Cwynion yn ddarostyngedig i ystyriaeth gydredol**

**12.**-(1) Pan fo cwyn yn ymwneud ag unrhyw fater-

- (a) y mae'r achwynydd wedi datgan yn ysgrifenedig ei fod yn bwriadu dwyn achos yn ei gylch mewn unrhyw lys neu dribiwnlys, neu
- (b) y mae'r awdurdod lleol yn dwyn achos disgyblu neu'n bwriadu dwyn achos disgyblu yn ei gylch, neu
- (c) y mae'r awdurdod lleol wedi'i hysbysu bod ymchwiliad yn cael ei gynnal iddo gan unrhyw berson neu gorff gyda'r bwriad o ddwyn achos troseddol, neu
- (ch) y galwyd cyfarfod yn ei gylch o gyrff eraill gan gynnwys yr heddlu er mwyn trafod materion sy'n ymwneud ag amddiffyn plant neu oedolion hawdd eu niweidio, neu

having regard to the understanding of the person referred to in paragraph (1), provide that person with a copy of the notification.

(7) In these Regulations any reference to a complainant includes a reference to his or her representative.

### **Matters about which complaints may be made**

**10.**-(1) Subject to paragraph (2) a complaint to a local authority may be about the exercise of its social services functions including-

- (a) the discharge by a local authority of any of its social services functions;
- (b) the provision of services by another person pursuant to arrangements made by such an authority in the discharge of those functions;
- (c) the provision of services by such an authority or any other person in pursuance of arrangements made by the authority under section 31 of the Health Act 1999(1) in relation to the functions of an NHS body (within the meaning of that section).

(2) A complaint may not be made under these regulations about the exercise of functions under sections 31, 33, 34, 35, 43, 44 and 47 of the Children Act 1989.

### **Matters excluded from consideration**

**11.** These Regulations do not require arrangements to be made for the investigation of any complaint which has been investigated-

- (a) under these Regulations,
- (b) under any former complaints provisions, or
- (c) by a Commissioner for Local Administration.

### **Complaints subject to concurrent consideration**

**12.**-(1) Where a complaint relates to any matter-

- (a) about which the complainant has stated in writing that he or she intends to take proceedings in any court or tribunal, or
- (b) about which the local authority are taking or are proposing to take disciplinary proceedings, or
- (c) about which the local authority have been notified that an investigation is being conducted by any person or body in contemplation of criminal proceedings, or
- (d) about which a meeting involving other bodies including the police has been convened to discuss issues relating to the protection of children or vulnerable adults, or

(1) 1999 p.8.

(1) 1999 c.8.

(d) yr hysbyswyd yr awdurdod lleol yn ei gylch, fod ymchwiliadau cyfredol yn mynd rhagddynt wrth ystyried dwyn achosion o dan adran 59 o Ddeddf Safonau Gofal 2000,

rhaid i'r awdurdod lleol ystyried sut y dylid ymdrin â'r gwyn, a hynny drwy ymgynghori â'r achwynydd ac ag unrhyw berson neu gorff arall y mae'n briodol ymgynghori ag ef ym marn yr awdurdod. Cyfeirir at gwyn o'r fath at ddibenion y rheoliad hwn fel "cwyn ddarostyngedig i ystyriaeth gydredol".

(2) Caniateir peidio â pharhau i ystyried cwyn sy'n ddarostyngedig i ystyriaeth gydredol o dan y Rhan hon o'r Rheoliadau os ymddengys i'r awdurdod lleol ar unrhyw adeg y byddai parhau i'w hystyried yn peryglu neu'n rhagfarnu'r ystyriaeth arall.

(3) Pan fo'r awdurdod lleol yn penderfynu peidio â pharhau i ystyried cwyn o dan baragraff (2) rhaid i'r awdurdod hysbysu'r achwynydd o'r penderfyniad hwnnw.

(4) Pan fo'r awdurdod lleol yn peidio â pharhau i ystyried unrhyw gwyn o dan baragraff (2), caiff fynd yn ôl i'w hystyried ar unrhyw adeg.

(5) Pan roddwyd y gorau i ystyried cwyn o dan baragraff (2) rhaid i'r awdurdod lleol ganfod sut mae'r ystyriaeth gydredol yn mynd rhagddi a rhaid iddo hysbysu'r achwynydd pan fydd wedi dod i ben.

(6) Rhaid i'r awdurdod lleol fynd yn ôl i ystyried unrhyw gwyn os rhoddir y gorau i'r ystyriaeth gydredol neu os daw'r ystyriaeth gydredol i ben a bod yr achwynydd yn gofyn am i'r gwyn gael ei hystyried o dan y Rheoliadau hyn.

(e) about which the local authority have been notified that there are current investigations in contemplation of proceedings under section 59 of the Care Standards Act 2000,

the local authority must consider, in consultation with the complainant and any other person or body which the authority consider appropriate to consult, how the complaint should be handled. Such a complaint shall be referred to for the purposes of this regulation as a "complaint subject to concurrent consideration".

(2) The consideration of a complaint subject to concurrent consideration under this Part of the Regulations may be discontinued if at any time it appears to the local authority that to continue would compromise or prejudice the other consideration.

(3) Where the local authority decide to discontinue the consideration of a complaint under paragraph (2) the authority must give notice of that decision to the complainant.

(4) Where the local authority discontinue the consideration of any complaint under paragraph (2), they may at any time resume their consideration.

(5) Where consideration of a complaint has been discontinued under paragraph (2) the local authority must ascertain the progress of the concurrent consideration and notify the complainant when it has been concluded.

(6) The local authority must resume consideration of any complaint where the concurrent consideration is discontinued or completed and the complainant requests that the complaint be considered under these Regulations.

#### RHAN IV

#### GWEITHIO GYDAG ASiantaethau ERAILL

#### Cwynion y mae mwy nag un corff yn ymwneud â hwy

13.-(1) Mewn unrhyw achos pan ymddengys i'r swyddog cwynion bod cwyn neu y gallai cwyn fod yn un sy'n ymwneud ag arfer swyddogaethau gan fwy nag un awdurdod lleol (cwyn y mae mwy nag un corff yn ymwneud â hi) rhaid i'r swyddog cwynion, cyn gynted ag y bo'n rhesymol ymarferol-

- (a) hysbysu'r corff arall neu'r cyrff eraill sy'n ymwneud â'r gwyn ac ystyried ar y cyd â swyddog cwynion pob un o'r cyrff pa gorff a ddylai arwain y gwaith o ymdrin â'r gwyn; a
- (b) hysbysu'r achwynydd o'u penderfyniad.

#### PART IV

#### WORKING WITH OTHER AGENCIES

#### Complaints involving more than one body

13.-(1) In any case where it appears to the complaints officer that a complaint is or may be a complaint which relates to the exercise of functions by more than one local authority (a complaint involving more than one body) the complaints officer must, as soon as reasonably practicable-

- (a) notify the other body or bodies involved and consider with the complaints officer of each of them which body should take the lead in handling the complaint; and
- (b) notify the complainant of their decision.

(2) Rhaid i swyddog cwynion awdurdod lleol sy'n arwain-

- (a) sicrhau bod unrhyw ran o'r gwyn sy'n ymwneud â gweithredoedd yr awdurdod lleol yn cael ei hystyried o dan y rhan hon o'r Rheoliadau;
- (b) sicrhau y rhoddir gwybod i'r achwynydd sut mae'r ymchwiliad yn mynd rhagddo;
- (c) sicrhau bod yr ymateb y mae ei angen o dan reoliad 20 i'r graddau y mae'n ymarferol yn cynnwys ymateb ar unrhyw fater a oedd o fewn cwmpas cyfrifoldeb neu reolaeth unrhyw gorff arall a grybwyllir ym mharagraff (1).

(3) Rhaid i swyddog cwynion awdurdod lleol nad yw'n arwain-

- (a) sicrhau bod unrhyw ran o'r gwyn sy'n ymwneud â gweithredoedd yr awdurdod lleol yn cael ei hystyried o dan y Rheoliadau hyn; a
- (b) rhoi gwybod i swyddog cwynion y corff sy'n arwain am unrhyw benderfyniad a wneir ar y gwyn o dan reoliad 18, neu am ganlyniad unrhyw ymchwiliad o dan reoliad 19.

#### Ymdrin â chwynion safonau gofal

14.-(1) Ac eithrio pan fo paragraff (2) yn gymwys, mewn unrhyw achos pan fo cwyn yn ymwneud yn gyfan gwbl neu'n rhannol â gwasanaethau a ddarperir gan sefydliad neu asiantaeth y mae person wedi'i gofrestru mewn perthynas ag ef neu â hi gan y Cynulliad Cenedlaethol o dan Ddeddf Safonau Gofal 2000(1), rhaid i'r awdurdod lleol y mae cwyn o'r fath yn dod i'w law, o fewn 2 ddiwrnod i'r gwyn ddod i law-

- (a) anfon manylion am y gwyn gyfan neu am y rhan honno o'r gwyn sy'n ymwneud â'r gwasanaeth cofrestredig at y person a gofrestrwyd fel darparwr y gwasanaeth hwnnw;
- (b) gofyn i'r person yr anfonir ato fanylion o dan is-baragraff (a) hysbysu'r awdurdod o fewn 10 niwrnod gwaith o ganlyniad ei ystyriaeth o'r gwyn; a
- (c) hysbysu'r achwynydd o'r camau sydd wedi'u cymryd o dan is-baragraffau (a) a (b).

(2) Mae'r paragraff hwn yn gymwys-

- (a) os yw cwyn eisoes wedi'i hystyried gan y person cofrestredig; neu
- (b) os yw'r awdurdod lleol o'r farn y byddai mynd ymlaen o dan baragraff (1) yn debygol o beryglu neu ragfarnu'r ymchwiliad i'r gwyn o dan Ran V o'r Rheoliadau neu y byddai'n peryglu neu'n rhagfarnu ymchwiliad gan y Cynulliad Cenedlaethol.

(2) The complaints officer of a local authority which is the lead body must-

- (a) ensure that any part of the complaint relating to the actions of the local authority is considered under this part of the Regulations;
- (b) ensure that the complainant is kept informed about the progress of the investigation;
- (c) ensure that the response required under regulation 20 so far as practicable includes a response on any matter which was within the responsibility or control of any other body mentioned in paragraph (1).

(3) The complaints officer of a local authority which is not the lead body must-

- (a) ensure that any part of the complaint relating to the actions of the local authority is considered under these Regulations; and
- (b) advise the complaints officer of the lead body of any resolution of the complaint under regulation 18, or the outcome of any investigation under regulation 19.

#### Handling of care standards complaints

14.-(1) Except where paragraph (2) applies, in any case where a complaint relates wholly or partly to services provided by an establishment or agency in respect of which a person is registered by the National Assembly under the Care Standards Act 2000(1), the local authority receiving such a complaint must, within 2 working days of receipt-

- (a) send details of the whole complaint or that part of the complaint which relates to the registered service to the person registered to provide that service;
- (b) request the person to whom details are sent under sub-paragraph (a) to notify the authority within 10 working days of the outcome of their consideration of the complaint; and
- (c) inform the complainant of the action that has been taken under sub-paragraphs (a) and (b).

(2) This paragraph applies where-

- (a) a complaint has already been considered by the registered person; or
- (b) the local authority are of the opinion that to proceed under paragraph (1) would be likely to compromise or prejudice the investigation of the complaint under Part V of the Regulations or might compromise or prejudice an investigation by the National Assembly.

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(1) 2000 p.14.

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(1) 2000 c.14.

(3) Mewn unrhyw achos pan fo cwyn yn ymwneud yn gyfan gwbl neu'n rhannol â gwasanaethau a ddarperir gan sefydliad neu asiantaeth y mae person wedi'i gofrestru gan y Cynulliad Cenedlaethol mewn cysylltiad ag ef neu hi, rhaid i'r awdurdod lleol hysbysu swyddfa briodol y Cynulliad Cenedlaethol os na fu'n bosibl dod i benderfyniad ar y gwyn o dan reoliad 18.

## **RHAN V**

### **YMDRIN Â CHWYNION A'U HYSTYRIED GAN AWDURDODAU LLEOL**

#### **Gwneud cwyn**

**15.**-(1) Pan fo person yn dymuno gwneud cwyn o dan y Rheoliadau hyn, caiff wneud cwyn i unrhyw aelod o staff yr awdurdod lleol sydd wedi'i gyflogi neu wedi'i gymryd ymlaen mewn cysylltiad â swyddogaethau gwasanaethau cymdeithasol yr awdurdod.

(2) Caniateir gwneud cwyn o dan baragraff (1) ar lafar neu'n ysgrifenedig (gan gynnwys ei gwneud yn electronig).

#### **Gwybodaeth am argaeledd gwasanaethau eirioli**

**16.** Rhaid i'r awdurdod lleol roi gwybod i'r achwynydd am argaeledd unrhyw wasanaethau eirioli a all fod o help i'r achwynydd ym marn y swyddog cwynion.

#### **Tynnu cwynion yn ôl**

**17.**-(1) Caiff yr achwynydd dynnu cwyn yn ôl ar lafar neu'n ysgrifenedig ar unrhyw adeg.

(2) Rhaid i'r awdurdod lleol ysgrifennu cyn gynted â phosibl at yr achwynydd i gadarnhau bod y gwyn wedi'i thynnu'n ôl ar lafar.

#### **Penderfyniad lleol**

**18.**-(1) Rhaid i'r awdurdod lleol gymryd pob cam rhesymol i benderfynu ar y gwyn cyn gynted ag y bo'n rhesymol ymarferol ac, yn ddarostyngedig i baragraff (2), o fewn 10 niwrnod gwaith yn cychwyn ar y dyddiad y gwnaed y gwyn.

(2) Caniateir estyn o hyd at 10 niwrnod gwaith pellach y cyfnod y cyfeirir ato ym mharagraff (1) pan fydd yr achwynydd yn gofyn am hynny neu gyda chytundeb yr achwynydd.

(3) At ddibenion paragraff (1), caiff yr awdurdod lleol, mewn unrhyw achos pan fyddai'n briodol gwneud hynny, a chyda chytundeb yr achwynydd, wneud trefniadau ar gyfer cymodi, cyfryngu neu ar gyfer cymorth arall at ddibenion penderfynu ar y gwyn.

(3) In any case where a complaint relates wholly or partly to services provided by an establishment or agency in respect of which a person is registered by the National Assembly, the local authority must notify the appropriate office of the National Assembly if it has not been possible to resolve the complaint under regulation 18.

## **PART V**

### **HANDLING AND CONSIDERATION OF COMPLAINTS BY LOCAL AUTHORITIES**

#### **Making a complaint**

**15.**-(1) Where a person wishes to make a complaint under these Regulations, he or she may make the complaint to any member of the staff of the local authority employed or engaged in relation to the social service functions of the authority.

(2) A complaint under paragraph (1) may be made orally or in writing (including electronically).

#### **Advice about the availability of advocacy services**

**16.** The local authority must inform the complainant of the availability of any advocacy services which the complaints officer believes may be of assistance to the complainant.

#### **Withdrawal of complaints**

**17.**-(1) A complaint may be withdrawn orally or in writing at any time by the complainant.

(2) The local authority must as soon as possible write to the complainant to confirm the oral withdrawal of a complaint.

#### **Local resolution**

**18.**-(1) The local authority must take all reasonable steps to resolve the complaint as soon as is reasonably practicable and subject to paragraph (2), within 10 working days beginning on the date the complaint was made.

(2) The period referred to in paragraph (1) may be extended upon request by the complainant or with the complainant's agreement by up to a further 10 working days.

(3) For the purposes of paragraph (1), the local authority may in any case where it would be appropriate to do so, and with the agreement of the complainant, make arrangements for conciliation, mediation or other assistance for the purposes of resolving the complaint.

(4) Os penderfynir ar y gwyn o dan baragraff (1), rhaid i'r awdurdod lleol roi cadarnhad ysgrifenedig i'r achwynydd o'r penderfyniad y cytunwyd arno.

(5) Os na phenderfynwyd ar y gwyn o fewn 20 o ddiwrnodau gwaith, rhaid i'r awdurdod lleol, cyn gynted ag y bo'n ymarferol, hysbysu'r achwynydd yn ysgrifenedig:

- (a) o hawl yr achwynydd i ofyn am i'r gwyn gael ei hystyried yn ffurfiol;
- (b) o'r weithdrefn ar gyfer gofyn am ystyriaeth bellach o'r fath; ac
- (c) o'r dyddiad erbyd pryd y mae'n rhaid gwneud cais o'r fath gan roi sylw i ddarpariaethau paragraff (6).

(6) Caiff yr achwynydd ofyn ar lafar neu'n ysgrifenedig am i'r gwyn gael ei hystyried yn ffurfiol o dan reoliad 19, a hynny ar unrhyw adeg o fewn 30 o ddiwrnodau gwaith i'r dyddiad y gwnaed y gwyn gyntaf.

### Ystyriaeth ffurfiol

**19.-(1)** Pan fo'r achwynydd wedi gofyn am i'r gwyn gael ei hystyried yn ffurfiol, yn ddarostyngedig i reoliadau 12, 13 a 14, rhaid i'r awdurdod lleol ymchwilio i'r gwyn i'r graddau y mae angen hynny ac yn y dull mwyaf priodol ym marn yr awdurdod ar gyfer penderfynu ar y sylwadau'n gyflym ac yn effeithlon.

(2) Rhaid i'r awdurdod lleol lunio cofnod ysgrifenedig ffurfiol o'r gwyn cyn gynted ag y bo'n rhesymol ymarferol a'i anfon at yr achwynydd ynghyd â gwahoddiad i'r achwynydd i wneud sylwadaeth ar ba mor gywir yw'r cofnod.

(3) Rhaid i'r awdurdod lleol ystyried unrhyw sylwadaethau a wneir gan yr achwynydd o dan baragraff (2) a rhaid iddo, yng ngoleuni'r sylwadaethau hynny, wneud unrhyw ddiwygiadau sy'n angenrheidiol i'r cofnod er mwyn sicrhau ei fod, ym marn yr awdurdod, yn gofnod cywir o'r gwyn.

(4) Ac eithrio pan wnaed trefniadau o dan reoliad 18(2), caiff yr awdurdod lleol, mewn unrhyw achos pan fyddai'n briodol gwneud hynny, a chyda chytundeb yr achwynydd, wneud trefniadau ar gyfer cymodi, cyfryngu neu ar gyfer cymorth arall at ddibenion penderfynu ar y gwyn.

(5) Rhaid i'r awdurdod lleol-

- (a) egluro i'r achwynydd sut yr ymchwilir i'r gwyn; a
- (b) anfon copi o'r gwyn at unrhyw berson sy'n destun y gwyn-
  - (i) oni bai bod hyn wedi'i wneud eisoes; neu
  - (ii) oni fyddai rhoi hysbysiad ar yr adeg honno'n rhagfarnu'r ystyriaeth o'r gwyn.

(6) Caiff yr awdurdod lleol-

(4) Where the complaint is resolved under paragraph (1), the local authority must confirm in writing to the complainant the agreed resolution.

(5) Where the complaint has not been resolved within 20 working days, the local authority must, as soon as practicable, notify the complainant in writing of:

- (a) the complainant's right to request that the complaint be formally considered;
- (b) the procedure for requesting such further consideration; and
- (c) the date by which such a request must be made having regard to the provisions of paragraph (6).

(6) The complainant may request orally or in writing that the complaint be formally considered under regulation 19 at any time within 30 working days of the date on which the complaint was first made.

### Formal consideration

**19.-(1)** Where the complainant has requested formal consideration of the complaint, subject to regulations 12, 13 and 14 the local authority must investigate the complaint to the extent necessary and in the manner which appears to the authority most appropriate to resolve it speedily and efficiently.

(2) The local authority must compile a formal written record of the complaint as soon as is reasonably practicable, and send it to the complainant with an invitation to the complainant to comment on its accuracy.

(3) The local authority must consider any comments made by the complainant under paragraph (2) and in the light of those comments make any amendments to the record which are necessary to ensure it is, in the opinion of the authority, an accurate record of the complaint.

(4) Except where arrangements have been made under regulation 18(3) the local authority may in any case where it would be appropriate to do so, and with the agreement of the complainant, make arrangements for conciliation, mediation or other assistance for the purposes of resolving the complaint.

(5) The local authority must-

- (a) explain to the complainant how the complaint will be investigated; and
- (b) send a copy of the complaint to any person who is the subject of the complaint unless-
  - (i) this has already been done; or
  - (ii) notification at that time would prejudice the consideration of the complaint.

(6) The local authority may-

- (a) gwahodd yr achwynydd ac unrhyw berson arall a allai ym marn yr awdurdod gynorthwyo gyda phenderfynu ar y gwyn i gael eu cyf-weld; a
- (b) gymryd unrhyw gyngor sy'n ofynnol ym marn y swyddog cwynion.

(7) Pan gaiff unrhyw berson ei gyf-weld yn unol â pharagraff 6(a) rhaid i'r awdurdod lleol-

- (a) anfon copi o'r cofnod drafft o'r cyfweliad at y person a gafodd ei gyf-weld;
- (b) gwahodd y person hwnnw i wneud sylwadaeth ar ba mor gywir yw'r cofnod drafft;
- (c) ystyried unrhyw sylwadaethau a wnaed gan y person; ac
- (ch) yng ngoleuni'r sylwadaethau hynny, gwneud unrhyw ddiwygiadau i'r cofnod, sy'n angenrheidiol ym marn yr awdurdod, er mwyn sicrhau bod y cofnod yn un cywir.

(8) Rhaid i'r awdurdod lleol gymryd pob cam rhesymol i roi gwybod i'r achwynydd sut mae'r ystyriaeth ffurfiol o'r gwyn yn mynd rhagddi.

#### Ymateb

**20.**-(1) Rhaid i'r awdurdod lleol baratoi ymateb ysgrifenedig i'r gwyn-

- (a) sy'n crynhoi natur a sylwedd y gwyn;
- (b) sy'n disgrifio'r ymchwiliad o dan reoliad 19 ac yn crynhoi'r casgliadau;
- (c) sy'n egluro pa gam a fydd yn cael ei gymryd i benderfynu ar y gwyn;
- (ch) sy'n cynnwys ymddiheuriad i'r achwynydd, lle y bo'n briodol; a
- (d) sy'n nodi pa gam arall, os o gwbl, a fydd yn cael ei gymryd yng ngoleuni'r gwyn.

(2) Yn ddarostyngedig i baragraff (3), rhaid anfon yr ymateb at yr achwynydd o fewn 25 o ddiwrnodau gwaith yn cychwyn ar y dyddiad y daeth cais gan yr achwynydd am ystyriaeth ffurfiol i law'r awdurdod lleol.

(3) Os, yn achos-

- (a) unrhyw gwyn pan gafwyd anhawster i benderfynu ar ei natur neu ei sylwedd;
- (b) cwyn y mae mwy nag un corff yn ymwneud â hi;
- (c) cwyn yr ymdriniwyd â hi fel cwyn ddarostyngedig i ystyriaeth gydedol o dan reoliad 12; neu
- (ch) unrhyw gwyn arall pan fo'r achwynydd wedi cytuno i'r ymateb fod yn hwyrach,

nad yw'n bosibl anfon yr ymateb o fewn 25 o ddiwrnodau gwaith, rhaid i'r awdurdod lleol hysbysu'r

- (a) invite the complainant and any other person whom the authority considers may be able to assist with the resolution of the complaint to be interviewed; and
- (b) take such advice as appears to the complaints officer to be required.

(7) Where any person is interviewed in accordance with paragraph 6(a) the local authority must-

- (a) send a copy of the draft record of the interview to the person interviewed;
- (b) invite that person to comment on the accuracy of the draft record;
- (c) consider any comments made by the person; and
- (d) in the light of those comments make any amendments to the record which, in the opinion of the authority, are necessary to ensure that the record is accurate.

(8) The local authority must take all reasonable steps to keep the complainant informed about the progress of its formal consideration of the complaint.

#### Response

**20.**-(1) The local authority must prepare a written response to the complaint which-

- (a) summarises the nature and substance of the complaint;
- (b) describes the investigation under regulation 19 and summarises the conclusions;
- (c) explains what action will be taken to resolve the complaint;
- (d) where appropriate, contains an apology to the complainant; and
- (e) identifies what other action, if any, will be taken in the light of the complaint.

(2) Subject to paragraph (3), the response must be sent to the complainant within 25 working days beginning on the date on which the local authority received the request from the complainant for formal consideration.

(3) If, in the case of-

- (a) any complaint where there has been difficulty in the determination of its nature or substance;
- (b) a complaint involving more than one body;
- (c) a complaint which has been treated as subject to concurrent consideration under regulation 12; or
- (d) any other complaint where the complainant has agreed to a later response,

it is not possible for the response to be sent within 25 working days the local authority must notify the

achwynydd o'r rheswm am yr oedi, o'r dyddiad y mae'n disgwyl anfon yr ymateb a rhaid iddo anfon yr ymateb hwnnw cyn gynted ag y bo'n rhesymol ymarferol.

- (4) Rhaid i'r ymateb gynnwys gwybodaeth am-
- (a) hawl yr achwynydd i ofyn am wrandawriad gan banel annibynnol yn unol â rheoliad 22;
  - (b) y weithdrefn ar gyfer gofyn am wrandawriad o'r fath; ac
  - (c) o fewn pa gyfnod o amser y mae'n rhaid gwneud cais o'r fath.

(5) Rhaid anfon copïau o'r ymateb a baratoir yn unol â pharagraff (1)-

- (a) at unrhyw berson oedd yn destun y gwyn;
- (b) pan fo'r gwyn yn ymwneud â mwy nag un corff at swyddog cwynion pob un o'r cyrff;
- (c) pan fo'r gwyn yn ymwneud â gwasanaeth a ddisgrifir yn rheoliad 10(1)(c) at gorff y GIG y gwnaed y trefniadau gydag ef;
- (ch) os cwyn safonau gofal a grybwyllir yn rheoliad 14 yw'r gwyn, at y person a gofrestrir o dan Ddeddf Safonau Gofal 2000 fel y darparwr mewn cysylltiad â'r sefydliad neu'r asiantaeth.

complainant of the reason for the delay, the date by which it expects to send the response and must send that response as soon as reasonably practicable.

- (4) The response must include information about-
- (a) the complainant's right to request an independent panel hearing in accordance with regulation 22;
  - (b) the procedure for requesting such a hearing; and
  - (c) the time within which such a request must be made.

(5) Copies of the response prepared in accordance with paragraph (1) must be sent-

- (a) to any person who was the subject of the complaint;
- (b) where the complaint involves more than one body to the complaints officer of each body;
- (c) where the complaint relates to a service described in regulation 10(1)(c) to the NHS body with whom the arrangement was made;
- (d) where the complaint is a care standards complaint mentioned in regulation 14, to the person registered under the Care Standards Act 2000 as the provider in respect of the establishment or agency.

## RHAN VI

### GWRANDAWRIAD GAN Y PANEL ANNIBYNNOL

#### Y Panel Annibynnol

**21.**-(1) Rhaid i'r Cynulliad gymryd unrhyw gamau y mae'n eu hystyried yn rhesymol, gan gynnwys mewn cysylltiad â threfniadau gweinyddol ac ariannol, i sefydlu panel i ystyried cwynion ymhellach o dan y Rhan hon.

(2) Yn benodol rhaid i'r Cynulliad baratoi a chadw'n gyfredol ddwy restr o bersonau sydd yn ei farn ef yn addas i ystyried cwynion ymhellach o dan y Rhan hon.

(3) Rhaid i'r personau a benodir i un o'r rhestrau a sefydlir o dan baragraff (2) fod â phrofiad o ddarparu gwasanaethau y mae'n rhaid i awdurdodau lleol eu darparu neu y caiff awdurdodau lleol eu darparu o dan Ddeddf Gwasanaethau Cymdeithasol Awdurdodau Lleol 1970(1) neu wasanaethau sy'n debyg i wasanaethau o'r fath ("y rhestr o bersonau a chanddynt brofiad o'r gwasanaethau cymdeithasol"). Ni ddylai fod gan y personau a bennir i'r rhestr arall ("y rhestr o bersonau llebyg") brofiad o'r fath.

## PART VI

### THE INDEPENDENT PANEL HEARING

#### The Independent Panel

**21.**-(1) The Assembly must take such steps as it considers reasonable, including as to administrative and financial arrangements, to establish a panel to further consider complaints under this Part.

(2) In particular the Assembly must prepare and keep up to date two lists of persons who in its opinion are suitable to further consider complaints under this Part.

(3) The persons appointed to one of the lists established under paragraph (2) must have experience in the provision of services which must or may be provided by local authorities under the Local Authority Social Services Act 1970(1) or which are similar to such services ("the list of persons with social services experience"). The persons appointed to the other list ("the list of lay persons") should not have such experience.

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(1) 1970 p.42.

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(1) 1970 c.42.

(4) Nid yw person i'w ystyried yn addas ar gyfer ei benodi o dan baragraff (2) os yw'n cael ei gyflogi gan, neu os yw'n aelod etholedig o, awdurdod lleol yng Nghymru.

### Gofyn am wrandawriad gan y panel annibynnol

22.-(1) Caiff achwynydd ofyn am i gwyn gael ei hystyried ymhellach gan banel annibynnol yn unol â'r Rhan hon mewn unrhyw achos-

- (a) pan fo awdurdod lleol wedi penderfynu na fydd yn ystyried cwyn o dan reoliad 9(5);
- (b) pan nad yw ystyriaeth ffurfiol o dan reoliad 19 am ba reswm bynnag wedi'i chwblhau o fewn 3 mis i'r dyddiad pryd y gwnaed y gwyn;
- (c) pan fo'r achwynydd yn anfodlon â chanlyniad yr ystyriaeth ffurfiol gan yr awdurdod lleol o dan reoliad 19;
- (ch) pan nad yw ystyriaeth ffurfiol o dan Reoliadau Gweithdrefn Sylwadau (Plant) (Cymru) 2005(1), am ba reswm bynnag, wedi'i chwblhau o fewn 3 mis i'r dyddiad pryd y gwnaed y sylw; neu
- (d) pan fo'r achwynydd yn anfodlon ag ystyriaeth ffurfiol yr awdurdod lleol o sylwadau a wnaed o dan Reoliadau Gweithdrefn Sylwadau (Plant) (Cymru) 2005.

(2) Yn ddarostyngedig i baragraff (3) rhaid i gais o dan baragraff (1) gael ei wneud i'r Cynulliad o fewn 20 o ddiwrnodau gwaith i'r diwrnod yr anfonwyd yr ymateb ysgrifenedig i'r gwyn i'r achwynydd o dan reoliad 20(2) neu yr anfonwyd hysbysiad o dan reoliad 9(5) neu'r ymateb ysgrifenedig i'r achwynydd o dan reoliad 18(2) o Reoliadau Gweithdrefn Sylwadau (Plant)(Cymru) 2005.

(3) Pan wneir cais o dan baragraff (1)(b) neu (ch) rhaid ei wneud o fewn 20 o ddiwrnodau gwaith i'r dyddiad pan fo'r achwynydd yn dod yn ymwybodol nad yw'r awdurdod lleol wedi anfon ymateb ysgrifenedig i'r gwyn neu'r sylw o fewn 3 mis i'r dyddiad y'i gwnaed.

(4) Pan fo achwynydd yn hysbysu'r awdurdod lleol y ceir cwyn yn ei erbyn ei fod yn gofyn am ystyriaeth bellach o'r gwyn gan banel annibynnol o dan baragraff (1) rhaid i'r awdurdod lleol, cyn gynted ag y bo'n ymarferol, roi gwybod i'r Cynulliad am y cais a chaiff y cais ei drin fel pe bai wedi'i wneud i'r Cynulliad ar y dyddiad y daeth i law'r awdurdod lleol.

(4) A person is not to be regarded as suitable for appointment under paragraph (2) if he or she is employed by, or is an elected member of, a local authority in Wales.

### Request for an independent panel hearing

22.-(1) A complainant may request that a complaint is further considered by an independent panel in accordance with this Part in any case where-

- (a) a local authority has decided that it will not consider a complaint under regulation 9(5);
- (b) for any reason formal consideration under regulation 19 has not been completed within 3 months of the date on which the complaint was made;
- (c) the complainant is dissatisfied with the result of formal consideration by the local authority under regulation 19;
- (d) for any reason formal consideration under the Representations Procedure (Children) (Wales) Regulations 2005(1) has not been completed within 3 months of the date on which the representation was made; or
- (e) the complainant is dissatisfied with the local authority's formal consideration of representations made under the Representations Procedure (Children) (Wales) Regulations 2005.

(2) Subject to paragraph (3) a request under paragraph (1) must be made to the Assembly within 20 working days of the day on which the written response to the complaint was sent to the complainant under regulation 20(2) or notification sent under regulation 9(5) or the written response sent to the complainant under regulation 18(2) of the Representations Procedure (Children)(Wales) Regulations 2005.

(3) Where a request is made under paragraph (1)(b) or (d) it must be made within 20 working days of the complainant becoming aware that the local authority has not sent a written response to the complaint or representation within 3 months of the date on which it was made.

(4) Where a complainant notifies the local authority complained against that he or she requests further consideration of the complaint by an independent panel under paragraph (1) the local authority shall, as soon as practicable, inform the Assembly of the request and the request shall be treated as having been made to the Assembly on the date that it was received by the local authority.

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(1) O.S. 2005/3365 (Cy.262).

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(1) S.I. 2005/3365 (W.262).



## **Dyletswydd ar awdurdodau lleol i gydweithredu â'r Cynulliad**

23.-(1) Pan ofynnir am wrandawriad gan banel annibynnol o dan reoliad 22(1) rhaid i'r awdurdod lleol sy'n destun y gwyn ddarparu unrhyw gymorth y gellir yn rhesymol fod ei angen er mwyn galluogi'r Cynulliad i gyflawni ei swyddogaethau o dan y Rhan hon.

(2) Mae'r cymorth y gall fod ei angen o dan baragraff (1) yn cynnwys cynhyrchu gwybodaeth neu ddogfennau sy'n berthnasol i gwyn er gwaethaf unrhyw reol cyfraith gyffredin a allai fel arall wahardd cynhyrchu gwybodaeth neu ddogfennau o'r fath neu gyfyngu ar eu cynhyrchu.

## **Camau cyntaf ymdrin â chais**

24.-(1) Pan fo cais am wrandawriad gan banel yn dod i law'r Cynulliad, rhaid i'r Cynulliad-

- (a) cydnabod yn ysgrifenedig o fewn 2 ddiwrnod gwaith fod y cais wedi dod i law;
- (b) gofyn i'r achwynydd ddarparu o fewn 20 o ddiwrnodau gwaith, os na ddarparwyd un eisoes, ddatganiad ysgrifenedig yn nodi sail y gwyn ac yn nodi pam mae'r achwynydd yn anfodlon ag ymateb yr awdurdod lleol;
- (c) rhoi gwybod, yn ysgrifenedig, i'r awdurdod lleol y ceir cwyn yn ei erbyn ac anfon ato gopi o lythyr yr achwynydd yn gofyn am wrandawriad gan banel a chopi, pan fo un ar gael, o ddatganiad yr achwynydd y gofynnir amdano o dan is-baragraff (b);
- (ch) gofyn i'r awdurdod lleol am y ffeil gwynion ac unrhyw wybodaeth a dogfennau sy'n berthnasol i'r gwyn.

(2) Rhaid i'r Cynulliad gynnwys panel i ystyried y gwyn ymhellach o fewn 20 o ddiwrnodau gwaith ar ôl i ddatganiad ysgrifenedig yr achwynydd ynghylch y gwyn ddod i law.

(3) Rhaid iddo fod yn banel o 3 aelod, un oddi ar y rhestr o bersonau â phrofiad gwasanaethau cymdeithasol a dau o'r rhestr o bersonau lleyg.

(4) Rhaid i'r Cynulliad benodi'n gadeirydd un o'r aelodau oddi ar y rhestr o bersonau lleyg.

## **Gweithdrefn y gwrandawriad gan y panel**

25.-(1) Wrth ystyried y gwyn ymhellach, caiff y panel fabwysiadu unrhyw weithdrefnau y mae ef yn penderfynu mai hwy yw'r rhai mwyaf priodol ar gyfer ymdrin â'r gwyn.

## **Duty on local authorities to co-operate with the Assembly**

23.-(1) Where a request for an independent panel hearing is made under regulation 22(1) the local authority which is the subject of the complaint must provide such assistance as may reasonably be required to enable the Assembly to discharge its functions under this Part.

(2) The assistance that may be required under paragraph (1) includes the production of information or documents relevant to a complaint notwithstanding any rule of common law that would otherwise prohibit or restrict such production.

## **Initial handling of request**

24.-(1) When the Assembly receives a request for a panel hearing it must-

- (a) acknowledge receipt of the request in writing within 2 working days;
- (b) ask the complainant to provide within 20 working days if one has not already been provided, a written statement setting out the basis of the complaint and why the complainant is dissatisfied with the local authority's response;
- (c) inform, in writing, the local authority complained against and send it a copy of the complainant's letter requesting a panel hearing and, when available, a copy of the complainant's statement requested under subparagraph (b);
- (d) request from the local authority the complaints file and any information and documents relevant to the complaint.

(2) The Assembly must convene a panel to further consider the complaint within 20 working days of receipt of the complainant's written statement of the complaint.

(3) The panel must consist of 3 members, one drawn from the list of persons with social services experience and two drawn from the list of lay persons.

(4) One of the panel members drawn from the list of lay persons must be appointed by the Assembly to chair the panel.

## **Procedure of the panel hearing**

25.-(1) In further considering the complaint the panel may adopt such procedures as it determines are most appropriate for dealing with the complaint.

(2) Cyn i'r panel benderfynu i fabwysiadu gweithdrefn ar gyfer ymdrin â'r gwyn rhaid iddo ymgynghori â'r achwynydd ac ag unrhyw berson sy'n destun y gwyn.

(3) Os bydd unrhyw anghydfod yn codi ynghylch y weithdrefn sydd i'w mabwysiadu ar gyfer ymdrin â'r gwyn bydd penderfyniad cadeirydd y panel yn derfynol.

(4) Caiff y panel wneud unrhyw ymholiadau a chymryd unrhyw gyngor y mae'n penderfynu eu bod yn briodol.

(5) Rhaid i'r panel sicrhau y rhoddir i'r achwynydd ac i unrhyw berson sy'n destun y gwyn y cyfle i gyflwyno eu hachos ar lafar, neu'n ysgrifenedig os dyna'u dymuniad.

(6) Caiff y panel neu aelod o'r panel gyf-weld unrhyw berson ac eithrio'r achwynydd neu destun y gwyn os yw'r panel o'r farn y gallant ddarparu gwybodaeth sy'n berthnasol i'r gwyn.

(7) Mewn unrhyw gyfweiliad neu gyfarfod ag aelod o'r panel caniateir i'r achwynydd ac i unrhyw berson sy'n destun y gwyn ddod â pherthynas neu ffrind, ac unrhyw berson a ddewisir ganddynt i weithredu fel cynghorydd, yn gwmni iddynt.

(8) Caiff person sy'n dod yn gwmni i achwynydd neu i berson sy'n destun y gwyn siarad â'r panel, gyda chydysniad cadeirydd y panel.

(9) Cyfarfod preifat fydd unrhyw gyfarfod o'r panel neu gyfarfod rhwng unrhyw aelod o'r panel ac un arall neu rhwng aelod o'r panel ac achwynydd neu unrhyw berson sy'n destun y gwyn.

## **Adroddiad y panel**

**26.**-(1) Rhaid i gadeirydd y panel baratoi adroddiad ysgrifenedig-

- (a) sy'n crynhoi canfyddiadau o ffeithiau a wneir gan y panel ac sy'n berthnasol i'r gwyn;
- (b) sy'n crynhoi casgliadau'r panel;
- (c) sy'n argymhell pa gam, os o gwbl, y dylid ei gymryd i benderfynu ar y gwyn;
- (ch) sy'n argymhell pa gam arall, os o gwbl, y dylid ei gymryd fel canlyniad i'r gwyn; a
- (d) sy'n nodi'r rhesymau dros ganfyddiadau, casgliadau ac argymhellion y panel.

(2) Caiff yr adroddiad gynnwys awgrymiadau a fyddai ym marn y panel yn gwella gwasanaethau'r awdurdod lleol neu a fyddai'n effeithiol fel arall at ddibenion penderfynu ar y gwyn.

(3) Rhaid danfon yr adroddiad i'r Cynulliad o fewn 5 niwrnod gwaith i'r dyddiad y daw'r gwrandawriad gan y panel i ben.

(2) Before the panel determines to adopt a procedure for dealing with a complaint it must consult the complainant and any person who is the subject of the complaint.

(3) In the event of any disagreement as to the procedure that is to be adopted for dealing with the complaint the decision of the chair of the panel is final.

(4) The panel may make such enquiries and take such advice as it determines are appropriate.

(5) The panel must ensure that the complainant and any person who is the subject of the complaint are given the opportunity to present their case orally or, if they so wish, in writing.

(6) The panel or a member of the panel may interview any person who is not the complainant or a subject of the complaint if the panel considers that they may be able to provide information relevant to the complaint.

(7) At any interview or meeting with a panel member the complainant and any person who is the subject of the complaint may be accompanied by a relative or friend and by any person chosen by him or her to act as an adviser.

(8) A person accompanying a complainant or person who is the subject of a complaint may, with the consent of the chair of the panel, speak to the panel.

(9) Any meeting of the panel or of any member of the panel with another or with the complainant or any person who is the subject of the complaint shall be in private.

## **Report of the panel**

**26.**-(1) The chair of the panel must prepare a written report which-

- (a) summarises the findings of fact made by the panel relevant to the complaint;
- (b) summarises the conclusions of the panel;
- (c) recommends what action, if any, should be taken to resolve the complaint;
- (d) recommends what other action, if any, should be taken as a result of the complaint; and
- (e) sets out the reasons for the findings, conclusions and recommendations of the panel.

(2) The report may include suggestions which the panel consider would improve the services of the local authority or which would otherwise be effective for the purpose of resolving the complaint.

(3) The report must be delivered to the Assembly within 5 working days of the conclusion of the panel hearing.

(4) Yn ddarostyngedig i baragraff (5) rhaid i'r Cynulliad anfon copiâu o adroddiad y panel-

- (a) at yr achwynydd;
- (b) at unrhyw berson annibynnol a benodir o dan reoliad 17 o Reoliadau Gweithdrefn Sylwadau (Plant) (Cymru) 2005;
- (c) at unrhyw berson y gwnaed cwyn ar ei ran gan gynrychiolydd;
- (ch) at aelodau'r panel; a
- (d) at Brif Weithredwr a Chyfarwyddwr Gwasanaethau Cymdeithasol yr awdurdod y ceir cwyn yn ei erbyn.

(5) Caiff cadeirydd y panel beidio â datgelu unrhyw ran o adroddiad y panel pan fo hynny'n angenrheidiol, ym marn y cadeirydd, er mwyn diogelu cyfrinachedd unrhyw drydydd parti.

(6) Os nad yw cadeirydd y panel yn gallu sicrhau bod yr adroddiad ar gael i'r Cynulliad o fewn yr amser a nodir ym mharagraff (3) rhaid i'r Cynulliad ysgrifennu at y personau y mae ganddynt hawl i gael copi o'r adroddiad yn egluro'r rheswm dros yr oedi ac yn dweud pryd bydd yr adroddiad ar gael.

#### **Ymateb yr awdurdod lleol**

27. Rhaid i'r awdurdod lleol, o fewn 15 o ddiwrnodau gwaith i'r dyddiad y daw adroddiad y panel i law-

- (a) penderfynu pa gam y bydd yr awdurdod yn ei gymryd yng ngoleuni argymhellion y panel; a
- (b) hysbysu'r achwynydd ac unrhyw berson y gwnaed cwyn ar ei ran gan gynrychiolydd o'r penderfyniad hwnnw.

#### **Cwyno i'r Ombwdsmon**

28. Rhaid i'r hysbysiad a anfonir o dan reoliad 27(b) egluro hawl yr achwynydd i gwyno i Ombwdsmon Gwasanaethau Cyhoeddus Cymru (*Public Services Ombudsman for Wales*).

(4) Subject to paragraph (5) the Assembly must send copies of the report of the panel to-

- (a) the complainant;
- (b) any independent person appointed under regulation 17 of the Representations Procedure (Children) (Wales) Regulations 2005;
- (c) any person on whose behalf a complaint has been made by a representative;
- (d) the panel members; and
- (e) the Chief Executive and Director of Social Services for the authority which is complained against.

(5) The panel chair may withhold any part of the panel's report where, in his or her opinion, this is necessary in the interests of protecting the confidentiality of any third party.

(6) If the panel chair is unable to make the report available to the Assembly within the time set out in paragraph (3) the Assembly must write to the persons who are entitled to a copy of the report explaining the reason for the delay and when the report will be available.

#### **Response of the local authority**

27. The local authority must, within 15 working days of receipt of the report of the panel-

- (a) decide what action the authority will take in the light of the recommendations of the panel; and
- (b) notify that decision to the complainant and any person on whose behalf a complaint has been made by a representative.

#### **Complaint to the Ombudsman**

28. The notice sent under regulation 27(b) must explain the complainant's right to complain to the Public Services Ombudsman for Wales (*Ombwdsmon Gwasanaethau Cyhoeddus Cymru*).

## **RHAN VII**

### **DYSGU O GWYNION**

#### **Monitro'r modd y gweithredir y weithdrefn gwynion**

29. Rhaid i bob awdurdod lleol fonitro'r trefniadau y mae wedi eu gwneud gyda'r bwriad o sicrhau ei fod yn cydymffurfio â'r Rheoliadau drwy gadw cofnod o bob cwyn sy'n dod i law, o ganlyniad pob cwyn, a pha un a gydymffurfiwyd o fewn y terfynau amser a bennir yn rheoliadau 18 a 20.

## **PART VII**

### **LEARNING FROM COMPLAINTS**

#### **Monitoring the operation of the complaints procedure**

29. Each local authority must monitor the arrangements that they have made with a view to ensuring that they comply with the Regulations by keeping a record of each complaint received, the outcome of each complaint, and whether there was compliance within the time limits specified in regulations 18 and 20.

## Adroddiad Blynyddol

30.-(1) Rhaid i bob awdurdod lleol baratoi adroddiad blynyddol ar eu perfformiad o ran ymdrin â chwynion a'u hystyried, a hynny at ddibenion-

- (a) monitro modd y cydymffurfir â'r Rheoliadau hyn, a
- (b) gwella'r modd yr ymdrinnir â'r cwynion ac y'u hystyriar.

(2) Rhaid llunio'r adroddiad cyntaf y cyfeirir ato ym mharagraff (1) o fewn 12 mis i ddyddiad dod i rym y Rheoliadau hyn.

## Annual Report

30.-(1) Each local authority must prepare an annual report on their performance in handling and consideration of complaints for the purposes of-

- (a) monitoring compliance with these Regulations, and
- (b) improving the handling and consideration of complaints.

(2) The first report referred to in paragraph (1) must be compiled within 12 months of the date of the coming into force of these Regulations.

## RHAN VIII

### DARPARIAETH DROSIANNOL

#### Darpariaeth Drosiannol

31.-(1) Yn ddarostyngedig i baragraff (2) pan fo cwyn wedi'i gwneud yn unol ag unrhyw weithdrefn gwynion flaenorol cyn 1 Ionawr 2006, rhaid ei hystyried yn unol â'r weithdrefn honno.

(2) Pan, yn unol â gweithdrefn gwynion flaenorol,-

- (a) bo achwynydd wedi gwneud cais i awdurdod lleol am adolygiad gan banel, neu
- (b) byddai achwynydd wedi bod â'r hawl i wneud cais o'r fath ar ôl 1 Ionawr 2006,

rhaid i'r awdurdod lleol ymdrin ag unrhyw gais o'r fath (os gwneir un) fel cais am ystyried cwyn o dan Ran VI o'r Rheoliadau hyn.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(1)

6 Rhagfyr 2005

Llywydd y Cynulliad Cenedlaethol

(1) 1998 p.38.

## PART VIII

### TRANSITIONAL PROVISION

#### Transitional Provision

31.-(1) Subject to paragraph (2) where a complaint has been made in accordance with any former complaints procedure before 1 January 2006, it must be considered in accordance with that procedure.

(2) Where, in accordance with a former complaints procedure, a complainant-

- (a) has made a request to a local authority for review by a panel, or
- (b) would have been entitled to make such a request after 1 January 2006,

the local authority must treat any such request (if made) as a request for the complaint to be considered under Part VI of these Regulations.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(1)

6 December 2005

The Presiding Officer of the National Assembly

(1) 1998 c.38.

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OFFERYNNAU STATUDOL

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**2005 Rhif 3366 (Cy.263)**

**GOFAL CYMDEITHASOL,  
CYMRU**

**PLANT A PHOBL IFANC,  
CYMRU**

Rheoliadau Gweithdrefn Gwynion  
y Gwasanaethau Cymdeithasol  
(Cymru) 2005

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STATUTORY INSTRUMENTS

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**2005 No. 3366 (W.263)**

**SOCIAL CARE,  
WALES**

**CHILDREN AND YOUNG  
PERSONS, WALES**

The Social Services Complaints  
Procedure (Wales) Regulations  
2005

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