



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2015 Rhif 1335 (Cy. 126)

2015 No. 1335 (W. 126)

**GOFAL CYMDEITHASOL,
CYMRU**

SOCIAL CARE, WALES

**Rheoliadau Gofal a Chymorth
(Cynllunio Gofal) (Cymru) 2015**

**The Care and Support (Care
Planning) (Wales) Regulations
2015**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae adran 54 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 yn gosod dyletswydd ar awdurdod lleol i lunio a chynnal cynllun gofal a chymorth ar gyfer oedolyn neu blentyn y mae arno ddyletswydd iddo i ddiwallu anghenion o dan adran 35 neu 37 o'r Ddeddf ac i lunio cynllun cymorth i ofalwr y mae arno ddyletswydd iddo i ddiwallu anghenion o dan adran 40 neu 42 o'r Ddeddf. Mae'r Rheoliadau hyn yn gwneud darpariaeth bellach ynghylch cynlluniau o'r fath.

Section 54 of the Social Services and Well-being (Wales) Act 2014 imposes a duty on a local authority to prepare and maintain a care and support plan for an adult or child to whom it owes a duty to meet needs under section 35 or 37 of the Act and to prepare a support plan for a carer to whom it owes a duty to meet needs under section 40 or 42 of the Act. These Regulations make further provision about such plans.

Mae rheoliad 2 yn gwneud darpariaeth ynghylch hyfforddiant ac arbenigedd personau sy'n llunio, cynnal neu ddiwygio cynlluniau.

Regulation 2 makes provision about the training and expertise of persons who prepare, maintain or revise plans.

Mae rheoliad 3 yn gwneud darpariaeth ynghylch cynnwys cynlluniau, gan gynnwys pan fo rhai neu bob un o anghenion y person i'w diwallu drwy wneud taliadau uniongyrchol.

Regulation 3 makes provision about the content of plans, including where some or all of the person's needs are to be met by the making of direct payments.

Mae rheoliad 4 yn gwneud darpariaeth ynghylch adolygu cynlluniau a'r amgylchiadau y mae'n rhaid i awdurdod lleol adolygu cynllun odanynt. Mae rheoliad 5 yn gwneud darpariaeth ar gyfer pwy sy'n cael gofyn am adolygiad o gynllun ac o dan ba amgylchiadau y mae'n rhaid i'r awdurdod lleol gydymffurfio â'r cais hwnnw ac o dan ba amgylchiadau y caiff wrthod gwneud hynny.

Regulation 4 makes provision about the review of plans and the circumstances in which a local authority must review a plan. Regulation 5 makes provision for who can request a review of a plan and the circumstances in which the local authority must comply with such a request and the circumstances in which it may refuse to do so.

Mae rheoliad 6 yn gwneud darpariaeth ar gyfer y camau y mae'n rhaid i'r awdurdod lleol eu cymryd yn dilyn adolygiad, gan ddibynnu ar p'un a benderfynir cadarnhau, diwygio neu gau'r cynllun. Mae rheoliadau 7 ac 8 yn gwneud darpariaeth ar gyfer y personau y mae'n rhaid rhoi copïau o'r cynllun, y cynllun diwygiedig, y datganiadau cau a chofnodion eraill iddynt.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi drwy gysylltu â'r Adran Iechyd a Gwasanaethau Cymdeithasol, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

Regulation 6 makes provision for the action the local authority must take following a review, depending on whether it is decided to confirm, revise or close the plan. Regulations 7 and 8 make provision for the persons to whom copies of the plan, revised plan, closure statements and other records must be given.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained by contacting the Department for Health and Social Services, Welsh Government, Cathays Park, Cardiff CF10 3NQ.

2015 Rhif 1335 (Cy. 126)

**GOFAL CYMDEITHASOL,
CYMRU**

**Rheoliadau Gofal a Chymorth
(Cynllunio Gofal) (Cymru) 2015**

Gwnaed 21 Mai 2015
*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 1 Mehefin 2015
Yn dod i rym 6 Ebrill 2016

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd gan adrannau 54(5), 54(6), 55 a 126(3) o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014(1), yn gwneud y Rheoliadau a ganlyn:

Enwi, cychwyn, cymhwyso a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Gofal a Chymorth (Cynllunio Gofal) (Cymru) 2015.

(2) Daw'r Rheoliadau hyn i rym ar 6 Ebrill 2016 ac maent yn gymwys o ran Cymru.

(3) Yn y Rheoliadau hyn—

ystyr “anghenion cymwys” (“*eligible needs*”) mewn perthynas â pherson yw'r anghenion hynny y mae'n ofynnol i'r awdurdod lleol eu diwallu o dan adran 35, 37, 40 neu 42 o'r Ddeddf;

ystyr “canlyniadau personol” (“*personal outcomes*”) yw'r canlyniadau sydd wedi eu nodi mewn perthynas â pherson yn unol ag asesiad o dan adran 19, 21 neu 24 o'r Ddeddf;

ystyr “cynllun cymorth” (“*support plan*”) yw cynllun y mae'n ofynnol i awdurdod lleol ei lunio a'i gynnal o dan adran 54(2) o'r Ddeddf;

ystyr “cynllun gofal a chymorth” (“*care and support plan*”) yw cynllun y mae'n ofynnol i awdurdod lleol ei lunio a'i gynnal o dan adran 54(1) o'r Ddeddf;

2015 No. 1335 (W. 126)

SOCIAL CARE, WALES

**The Care and Support (Care
Planning) (Wales) Regulations
2015**

Made 21 May 2015
Laid before the National Assembly for Wales
1 June 2015
Coming into force 6 April 2016

The Welsh Ministers, in exercise of the powers conferred by sections 54(5), 54(6), 55 and 126(3) of the Social Services and Well-being (Wales) Act 2014(1), make the following Regulations:

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is The Care and Support (Care Planning) (Wales) Regulations 2015.

(2) These Regulations come into force on 6 April 2016 and apply in relation to Wales.

(3) In these Regulations—

“the Act” (“*y Ddeddf*”) means the Social Services and Well-being (Wales) Act 2014.

“care and support plan” (“*cynllun gofal a chymorth*”) means a plan which a local authority is required to prepare and maintain under section 54(1) of the Act;

“eligible needs” (“*anghenion cymwys*”) in relation to a person means those needs which the local authority is required to meet under section 35, 37, 40 or 42 of the Act;

“personal outcomes” (“*canlyniadau personol*”) means the outcomes which have been identified in relation to a person in accordance with an assessment under section 19, 21 or 24 of the Act;

ystyr “y Ddeddf” (“*the Act*”) yw Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014.

“support plan” (“*cynllun cymorth*”) means a plan which a local authority is required to prepare and maintain under section 54(2) of the Act.

Hyfforddiant a sgiliau

2. Rhaid i awdurdod lleol sicrhau bod unrhyw berson sy'n gyfrifol am lunio, adolygu neu ddiwygio cynllun gofal a chymorth neu gynllun cymorth—

- (a) yn meddu ar y sgiliau, yr wybodaeth a'r cymhwysedd i wneud hynny, a
- (b) wedi cael hyfforddiant priodol.

Cynnwys cynlluniau

3.—(1) Rhaid i gynllun gofal a chymorth a chynllun cymorth gynnwys disgrifiad o'r canlynol—

- (a) anghenion cymwys y person,
- (b) y canlyniadau personol,
- (c) y camau sydd i'w cymryd gan yr awdurdod lleol a'r camau sydd i'w cymryd gan bersonau eraill i helpu'r person sicrhau'r canlyniadau personol neu ddiwallu fel arall ei anghenion cymwys,
- (d) y trefniadau ar gyfer monitro i ba raddau y mae'r canlyniadau personol wedi eu sicrhau, ac
- (e) y trefniadau ar gyfer adolygu'r cynllun.

(2) Pan fo rhai neu bob un o anghenion y person i'w diwallu drwy wneud taliadau uniongyrchol, rhaid i gynllun gofal a chymorth a chynllun cymorth gynnwys hefyd ddisgrifiad o'r canlynol—

- (a) yr anghenion cymwys sydd i'w diwallu drwy daliadau uniongyrchol(1), a
- (b) swm ac amllder y taliadau uniongyrchol.

(3) Pan fo ymholiadau wedi eu gwneud gan yr awdurdod lleol yn unol â'i ddyletswydd o dan adran 126(1) o'r Ddeddf (oedolion sy'n wynebu risg), rhaid i'r cynllun gofal a chymorth ar gyfer yr unigolyn sy'n destun yr ymholiadau hynny gynnwys cofnod o ganlyniad yr ymholiadau.

Adolygu cynlluniau

4.—(1) Rhaid i'r awdurdod lleol adolygu cynllun gofal a chymorth neu gynllun cymorth os yw'n ymddangos iddo nad yw'r cynllun yn diwallu anghenion cymwys y person y mae'r cynllun yn ymwneud ag ef.

Training and skills

2. A local authority must ensure that any person responsible for preparing, reviewing or revising a care and support plan or support plan—

- (a) has the skills, knowledge and competence to do so, and
- (b) has received appropriate training.

Content of plans

3.—(1) A care and support plan and a support plan must contain a description of—

- (a) the person's eligible needs,
- (b) the personal outcomes,
- (c) the actions to be taken by the local authority and the actions to be taken by other persons to help the person achieve the personal outcomes or to otherwise meet their eligible needs,
- (d) the arrangements for monitoring the extent to which the personal outcomes have been achieved, and
- (e) the arrangements for the review of the plan.

(2) Where some or all of the person's needs are to be met by making direct payments, a care and support plan and a support plan must also contain a description of—

- (a) the eligible needs which are to be met by direct payments(1), and
- (b) the amount and frequency of the direct payments.

(3) Where enquiries have been made by the local authority in accordance with its duty under section 126(1) of the Act (adults at risk), the care and support plan for the individual who is the subject of those enquiries must contain a record of the conclusion of the enquiries.

Review of plans

4.—(1) The local authority must review a care and support plan or a support plan if it appears to the authority that the plan is not meeting the eligible needs of the person to whom the plan relates.

(1) Caiff rheoliadau o dan adrannau 50 i 53 o'r Ddeddf ei gwneud yn ofynnol neu ganiatáu i awdurdod lleol wneud taliadau i berson tuag at y gost o ddiwallu ei anghenion. Cyfeirir at daliadau o'r fath yn y Ddeddf fel “taliadau uniongyrchol”.

(1) Regulations under sections 50 to 53 of the Act may require or allow a local authority to make payments to a person towards the cost of meeting their needs. Such payments are referred to in the Act as “direct payments”.

(2) Pan fo'r cynllun yn cynnwys manylion taliadau uniongyrchol yn unol â rheoliad 3(2), rhaid i'r cynllun gael ei adolygu yr un pryd ag unrhyw adolygiad o'r taliadau uniongyrchol yn unol â rheoliadau o dan adran 53(1).

Ceisiadau am adolygu cynlluniau

5.—(1) Caiff y personau canlynol ofyn am adolygiad o gynllun gofal a chymorth neu gynllun cymorth (yn ôl y digwydd)—

- (a) pan fo'r cynllun yn ymwneud â diwallu anghenion oedolyn (gan gynnwys anghenion gofalwr sy'n oedolyn)—
 - (i) yr oedolyn, a
 - (ii) unrhyw berson sydd wedi ei awdurdodi i weithredu ar ran yr oedolyn;
- (b) pan fo'r cynllun yn ymwneud â diwallu anghenion plentyn (gan gynnwys anghenion gofalwr sy'n blentyn)—
 - (i) y plentyn,
 - (ii) unrhyw berson sydd â chyfrifoldeb rhiant dros y plentyn; a
 - (iii) unrhyw berson sydd wedi ei awdurdodi i weithredu ar ran y plentyn.

(2) Rhaid i'r awdurdod lleol gydymffurfio â'r cais os yw wedi ei fodloni nad yw'r cynllun yn diwallu anghenion cymwys y person y mae'r cynllun yn ymwneud ag ef.

(3) Caiff yr awdurdod lleol wrthod cydymffurfio â'r cais os yw wedi ei fodloni bod y cynllun yn diwallu anghenion cymwys y person y mae'r cynllun yn ymwneud ag ef.

(4) Yn y rheoliad hwn, ac yn rheoliadau 7 ac 8, mae person wedi ei awdurdodi i weithredu ar ran oedolyn neu blentyn—

- (a) os yw'r oedolyn neu'r plentyn wedi gofyn i'r person weithredu ar ei ran, neu
- (b) os nad oes gan yr oedolyn neu'r plentyn alluedd a bod y person wedi ei awdurdodi o dan Ddeddf Galluedd Meddwl 2005(1) (p'un ai yn nhermau cyffredinol neu benodol) i wneud penderfyniadau ynghylch sut y mae anghenion y person i'w diwallu.

Y camau i'w cymryd yn dilyn adolygiad

6.—(1) Yn dilyn yr adolygiad, rhaid i'r awdurdod lleol ystyried p'un a ddylid cadarnhau, diwygio neu gau'r cynllun gofal a chymorth neu'r cynllun cymorth (yn ôl y digwydd).

(2) Where the plan contains details of direct payments in accordance with regulation 3(2), the plan must be reviewed at the same time as any review of the direct payments in accordance with regulations under section 53(1).

Requests for review of plans

5.—(1) The following persons may request a review of a care and support plan or support plan (as the case may be)—

- (a) where the plan relates to meeting the needs of an adult (including the needs of an adult carer)—
 - (i) the adult, and
 - (ii) any person authorised to act on behalf of the adult;
- (b) where the plan relates to meeting the needs of a child (including the needs of a child carer)—
 - (i) the child,
 - (ii) any person with parental responsibility for the child, and
 - (iii) any person authorised to act on behalf of the child.

(2) The local authority must comply with the request if it is satisfied that the plan is not meeting the eligible needs of the person to whom the plan relates.

(3) The local authority may refuse to comply with the request if it is satisfied that the plan is meeting the eligible needs of the person to whom the plan relates.

(4) In this regulation, and in regulations 7 and 8, a person is authorised to act on behalf of an adult or a child if—

- (a) the adult or the child has requested the person to act on their behalf, or
- (b) the adult or child lacks capacity and the person is authorised under the Mental Capacity Act 2005(1) (whether in general or in specific terms) to make decisions about how the person's needs are to be met.

Action following review

6.—(1) Following the review, the local authority must consider whether to confirm, revise or close the care and support plan or support plan (as the case may be).

(1) 2005 p.9.

(1) 2005 c.9

(2) Wrth benderfynu p'un a ddylid cadarnhau, diwygio neu gau'r cynllun, rhaid i'r awdurdod lleol roi sylw penodol i'r canlynol—

- (a) unrhyw newidiadau i'r canlyniadau personol neu amgylchiadau'r person,
- (b) unrhyw newidiadau i anghenion cymwys y person,
- (c) a yw'r camau sydd wedi eu cymryd gan yr awdurdod neu bersonau eraill yn helpu'r person i sicrhau'r canlyniadau personol neu ddiwallu fel arall ei anghenion cymwys, a
- (d) a oes ffyrdd eraill y gall yr awdurdod neu bersonau eraill helpu'r person i sicrhau'r canlyniadau personol neu ddiwallu fel arall ei anghenion cymwys.

(3) Os yw'r awdurdod lleol yn penderfynu cadarnhau'r cynllun, rhaid i'r awdurdod gofnodi'r penderfyniad a'r rhesymau dros y penderfyniad.

(4) Os yw'r awdurdod lleol yn penderfynu diwygio'r cynllun, rhaid i'r awdurdod lunio cynllun diwygiedig.

(5) Os yw'r awdurdod lleol yn penderfynu cau'r cynllun, rhaid i'r awdurdod lunio datganiad cau.

(6) Mae datganiad cau yn ddogfen sy'n cynnwys yr wybodaeth a ganlyn—

- (a) y rhesymau dros gau'r cynllun,
- (b) gwerthusiad ynghylch i ba raddau y cafodd y canlyniadau personol eu sicrhau, ac
- (c) pan fo'r awdurdod lleol yn dal yn fodlon bod gan y person y mae'r cynllun yn ymwneud ag ef anghenion am ofal a chymorth, cadarnhad bod yr awdurdod wedi ei fodloni y gall anghenion y person gael eu diwallu drwy ddarparu gwybodaeth, cyngor neu gynhorthwy, gwasanaethau atal neu unrhyw beth arall a all fod ar gael yn y gymuned.

Copiau o gynlluniau gofal a chymorth etc.

7.—(1) Rhaid i'r awdurdod lleol roi copi o'r cynllun gofal a chymorth i'r personau a ddisgrifir ym mharagraff (5).

(2) Os yw'r awdurdod lleol, yn dilyn adolygiad o gynllun gofal a chymorth, yn penderfynu diwygio'r cynllun, rhaid iddo roi copi o'r cynllun diwygiedig i'r personau a ddisgrifir ym mharagraff (5).

(3) Os yw'r awdurdod lleol, yn dilyn adolygiad o gynllun gofal a chymorth, yn penderfynu cadarnhau'r cynllun, rhaid iddo roi copi o'r cofnod o'r penderfyniad a'r rhesymau dros y penderfyniad i'r personau a ddisgrifir ym mharagraff (5).

(4) Os yw'r awdurdod lleol, yn dilyn adolygiad o gynllun gofal a chymorth, yn penderfynu cau'r cynllun, rhaid iddo roi copi o'r datganiad cau i'r personau a ddisgrifir ym mharagraff (5).

(2) In deciding whether to confirm, revise or close the plan, the local authority must have regard in particular to the following—

- (a) any changes to the personal outcomes or the person's circumstances,
- (b) any changes to the person's eligible needs,
- (c) whether the actions taken by the authority or other persons are helping the person to achieve the personal outcomes or to otherwise meet their eligible needs, and
- (d) whether there are other ways in which the local authority or other persons can help the person to achieve the personal outcomes or to otherwise meet their eligible needs.

(3) If the local authority decide to confirm the plan, the authority must record the decision and the reasons for the decision.

(4) If the local authority decide to revise the plan, the authority must prepare a revised plan.

(5) If the local authority decide to close the plan, the authority must prepare a closure statement.

(6) A closure statement is a document which contains the following information—

- (a) the reasons for the closure of the plan,
- (b) an evaluation of the extent to which the personal outcomes were achieved, and
- (c) where the local authority is still satisfied that the person to whom the plan relates has needs for care and support, confirmation that the authority is satisfied that the person's needs can be met by the provision of information, advice or assistance, preventative services or anything else that may be available in the community.

Copies of care and support plans etc

7.—(1) The local authority must give a copy of the care and support plan to the persons described in paragraph (5).

(2) If, following a review of a care and support plan, the local authority decides to revise the plan it must give a copy of the revised plan to the persons described in paragraph (5).

(3) If, following a review of a care and support plan, the local authority decides to confirm the plan it must give a copy of the record of the decision and the reasons for the decision to the persons described in paragraph (5).

(4) If, following a review of a care and support plan, the local authority decides to close the plan, it must give a copy of the closure statement to the persons described in paragraph (5).

(5) At ddibenion paragraffau (1) i (4), y personau yw—

- (a) os yw'r cynllun gofal a chymorth wedi ei lunio ar gyfer oedolyn—
 - (i) yr oedolyn y cafodd ei lunio ar ei gyfer,
 - (ii) unrhyw berson sydd wedi ei awdurdodi i weithredu ar ran yr oedolyn, a
 - (iii) pan na fo gan yr oedolyn alluedd i fedru gofyn i berson weithredu ar ei ran ac nad oes unrhyw berson wedi ei awdurdodi i weithredu ar ei ran, unrhyw berson sy'n gweithredu er lles pennaf yr oedolyn ym marn yr awdurdod lleol;
- (b) os yw'r cynllun gofal a chymorth wedi ei lunio ar gyfer plentyn—
 - (i) y plentyn y cafodd y cynllun ei lunio ar ei gyfer,
 - (ii) unrhyw berson sydd â chyfrifoldeb rhiant dros y plentyn, oni fyddai gwneud hynny'n anghyson â llesiant y plentyn,
 - (iii) unrhyw berson sydd wedi ei awdurdodi i weithredu ar ran y plentyn, a
 - (iv) pan na fo gan y plentyn alluedd neu pan na fo'n gymwys i ofyn i berson weithredu ar ei ran ac nad oes unrhyw berson wedi ei awdurdodi i weithredu ar ei ran, unrhyw berson sy'n gweithredu er lles pennaf y plentyn ym marn yr awdurdod lleol.

Copïau o gynlluniau cymorth etc.

8.—(1) Rhaid i'r awdurdod lleol roi copi o'r cynllun cymorth i'r personau a ddisgrifir ym mharagraff (5).

(2) Os yw'r awdurdod lleol, yn dilyn adolygiad o gynllun cymorth, yn penderfynu diwygio'r cynllun, rhaid iddo roi copi o'r cynllun diwygiedig i'r personau a ddisgrifir ym mharagraff (5).

(3) Os yw'r awdurdod lleol, yn dilyn adolygiad o gynllun cymorth, yn penderfynu cadarnhau'r cynllun, rhaid iddo roi copi o'r cofnod o'r penderfyniad a'r rhesymau dros y penderfyniad i'r personau a ddisgrifir ym mharagraff (5).

(4) Os yw'r awdurdod lleol, yn dilyn adolygiad o gynllun cymorth, yn penderfynu cau'r cynllun, rhaid iddo roi copi o'r datganiad cau i'r personau a ddisgrifir ym mharagraff (5).

(5) At ddibenion paragraffau (1) i (4), y personau yw—

- (a) os yw'r cynllun cymorth wedi ei lunio ar gyfer gofalwr sy'n oedolyn—
 - (i) y gofalwr sy'n oedolyn y cafodd ei lunio ar ei gyfer,

(5) For the purposes of paragraphs (1) to (4) the persons are—

- (a) if the care and support plan has been prepared for an adult—
 - (i) the adult for whom the plan has been prepared,
 - (ii) any person authorised to act on behalf of the adult, and
 - (iii) where the adult lacks capacity to be able to request a person to act on their behalf and there is no person authorised to act on their behalf, any person who the local authority considers to be acting in the best interests of the adult;
- (b) if the care and support plan has been prepared for a child—
 - (i) the child for whom the plan has been prepared,
 - (ii) any person with parental responsibility for the child, unless this would be inconsistent with the child's well-being,
 - (iii) any person authorised to act on behalf of the child, and
 - (iv) where the child lacks capacity or is not competent to request a person to act on their behalf and there is no person authorised to act on their behalf, any person who the local authority considers to be acting in the best interest of the child.

Copies of support plans etc.

8.—(1) The local authority must give a copy of the support plan to the persons described in paragraph (5).

(2) If, following a review of a support plan, the local authority decides to revise the plan it must give a copy of the revised plan to the persons described in paragraph (5).

(3) If, following a review of a support plan, the local authority decides to confirm the plan it must give a copy of the record of the decision and the reasons for the decision to the persons described in paragraph (5).

(4) If, following a review of a support plan, the local authority decides to close the plan, it must give a copy of the closure statement to the persons described in paragraph (5).

(5) For the purposes of paragraphs (1) to (4) the persons are—

- (a) if the support plan has been prepared for an adult carer—
 - (i) the adult carer for whom the plan has been prepared,

- | | |
|---|---|
| <ul style="list-style-type: none"> (ii) unrhyw berson sydd wedi ei awdurdodi i weithredu ar ran y gofalwr sy'n oedolyn, a (iii) pan na fo gan y gofalwr sy'n oedolyn alluedd i fedru gofyn i berson weithredu ar ei ran ac nad oes unrhyw berson wedi ei awdurdodi i weithredu ar ei ran, unrhyw berson sy'n gweithredu er lles pennaf y gofalwr sy'n oedolyn ym marn yr awdurdod lleol; | <ul style="list-style-type: none"> (ii) any person authorised to act on behalf of the adult carer, and (iii) where the adult carer lacks capacity to be able to request a person to act on their behalf and there is no person authorised to act on their behalf, any person who the local authority considers to be acting in the best interests of the adult carer; |
| <ul style="list-style-type: none"> (b) os yw'r cynllun cymorth wedi ei lunio ar gyfer gofalwr sy'n blentyn— <ul style="list-style-type: none"> (i) y gofalwr sy'n blentyn y cafodd ei lunio ar ei gyfer, (ii) unrhyw berson sydd â chyfrifoldeb rhiant dros y gofalwr sy'n blentyn, oni fyddai gwneud hynny'n anghyson â llesiant y gofalwr sy'n blentyn, (iii) unrhyw berson sydd wedi ei awdurdodi i weithredu ar ran y gofalwr sy'n blentyn, a (iv) pan na fo gan y gofalwr sy'n blentyn alluedd neu pan na fo'n gymwys i ofyn i berson weithredu ar ei ran ac nad oes unrhyw berson wedi ei awdurdodi i weithredu ar ei ran, unrhyw berson sy'n gweithredu er lles pennaf y gofalwr sy'n blentyn ym marn yr awdurdod lleol. | <ul style="list-style-type: none"> (b) if the support plan has been prepared for a child carer— <ul style="list-style-type: none"> (i) the child carer for whom the plan has been prepared, (ii) any person with parental responsibility for the child carer, unless this would be inconsistent with the child carer's well-being, (iii) any person authorised to act on behalf of the child carer, and (iv) where the child carer lacks capacity or is not competent to request a person to act on their behalf and there is no person authorised to act on their behalf, any person who the local authority considers to be acting in the best interest of the child carer. |

Mark Drakeford

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol,
un o Weinidogion Cymru

21 Mai 2015

Minister for Health and Social Services, one of the
Welsh Ministers

21 May 2015

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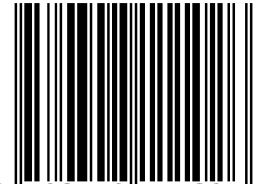
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