



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2016 Rhif 829 (Cy. 208) (C. 59)

2016 No. 829 (W. 208) (C. 59)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

**NATIONAL HEALTH
SERVICE, WALES**

**Gorchymyn Deddf Lefelau Staff
Nyrsio (Cymru) 2016 (Cychwyn)
2016**

**The Nurse Staffing Levels (Wales)
Act 2016 (Commencement) Order
2016**

NODYN ESBONIADOL

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

EXPLANATORY NOTE

(This note is not part of the Order)

Mae tair adran i Ddeddf Lefelau Staff Nyrsio (Cymru) 2016 (“y Ddeddf”). Daeth adrannau 2 (cychwyn) a 3 (enw byr) i rym ar 21 Mawrth 2016, sef y diwrnod y cafodd y Ddeddf y Cydsyniad Brenhinol.

Mae'r Gorchymyn hwn yn dwyn i rym adran 1 o'r Ddeddf (lefelau staff nyrsio) mewn tri cham. Mae adran 1 yn mewnosod adrannau newydd 25A i 25E yn Neddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 (“Deddf 2006”).

Mae erthygl 2(a) yn dwyn i rym adran 1 o'r Ddeddf ar 3 Awst 2016 i'r graddau y mae'n mewnosod adran 25D (lefelau staff nyrsio: canllawiau) o Ddeddf 2006.

Mae adran 25D yn gosod dyletswydd ar Weinidogion Cymru i gyflwyno canllawiau i Fyrddau Iechyd Lleol ac Ymddiriedolaethau GIG yng Nghymru (pan fo hynny'n gymwys) ar y dyletswyddau o dan adrannau 25B a 25C.

Mae erthygl 2(b) yn dwyn i rym adran 1 o'r Ddeddf ar 6 Ebrill 2017 i'r graddau y mae'n mewnosod adran 25A (dyletswydd i roi sylw i ddarparu digon o nyrsys) o Ddeddf 2006.

Mae adran 25A yn gosod dyletswydd ar Fyrddau Iechyd Lleol ac Ymddiriedolaethau GIG yng Nghymru, wrth ystyried faint o nyrsys y mae eu hangen i fodloni'r holl ofynion rhesymol, i roi sylw i'r pwysigrwydd o ddarparu digon o nyrsys er mwyn rhoi amser i nyrsys ofalu am gleifion mewn modd sensitif.

The Nurse Staffing Levels (Wales) Act 2016 (“the Act”) has three sections. Sections 2 (commencement) and 3 (short title) came into force on 21 March 2016, the day that the Act received Royal Assent.

This Order brings section 1 of the Act (nurse staffing levels) into force in three stages. Section 1 inserts new sections 25A to 25E into the National Health Service (Wales) Act 2006 (“the 2006 Act”).

Article 2(a) brings section 1 of the Act into force on 3 August 2016 in so far as it inserts section 25D (nurse staffing levels: guidance) of the 2006 Act.

Section 25D places a duty on the Welsh Ministers to issue guidance to Local Health Boards and NHS Trusts in Wales (where applicable) about the duties under sections 25B and 25C.

Article 2(b) brings section 1 of the Act into force on 6 April 2017 in so far as it inserts section 25A (duty to have regard to providing sufficient nurses) of the 2006 Act.

Section 25A places a duty on Local Health Boards and NHS Trusts in Wales when considering how many nurses are required to meet all reasonable requirements, to have regard to the importance of providing sufficient nurses to allow nurses time to care for patients sensitively.

Mae erthygl 2(c) yn dwyn i rym adran 1 o'r Ddeddf ar 6 Ebrill 2018 i'r graddau y mae'n mewnosod adrannau 25B, 25C a 25E o Ddeddf 2006 (dyletswydd i gyfrifo a chymryd camau i gynnal lefelau staff nyrsio, lefelau staff nyrsio: y dull o gyfrifo a lefelau staff nyrsio: adroddiadau).

Mae adran 25B yn gosod dyletswydd ar Fyrddau Iechyd Lleol ac Ymddiriedolaethau GIG yng Nghymru i gyfrifo a chymryd camau i gynnal lefelau staff nyrsio mewn lleoliadau penodedig ac i hysbysu cleifion am y lefel honno.

Mae adran 25C yn nodi'r dull o gyfrifo'r lefel staff nyrsio.

Mae adran 25E yn nodi'r gofynion adrodd ar gyfer y Ddeddf.

Article 2(c) brings section 1 of the Act into force on 6 April 2018 in so far as it inserts sections 25B, 25C and 25E of the 2006 Act (duty to calculate and take steps to maintain nurse staffing levels, nurse staffing levels: method of calculation and nurse staffing levels: reports).

Section 25B places a duty on Local Health Boards and NHS Trusts in Wales to calculate and take steps to maintain nurse staffing levels in specified settings and to inform patients of the level.

Section 25C sets out the method for calculating the nurse staffing level.

Section 25E sets out the reporting requirements for the Act.

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Gwnaed

2 Awst 2016

Made

2 August 2016

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adran 2 o Ddeddf Lefelau Staff Nyrsio (Cymru) 2016(1) yn gwneud y Gorchymyn a ganlyn:

The Welsh Ministers, in exercise of the powers conferred by section 2 of the Nurse Staffing Levels (Wales) Act 2016(1) make the following Order:

Enwi a dehongli

Title and interpretation

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Lefelau Staff Nyrsio (Cymru) 2016 (Cychwyn) 2016.

1.—(1) The title of this Order is the Nurse Staffing Levels (Wales) Act 2016 (Commencement) Order 2016.

(2) Yn y Gorchymyn hwn—

(2) In this Order—

ystyr “Deddf 2006” (“*the 2006 Act*”) yw Deddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(2); ac

“the Act” (“*y Ddeddf*”) means the Nurse Staffing Levels (Wales) Act 2016; and

ystyr “y Ddeddf” (“*the Act*”) yw Deddf Lefelau Staff Nyrsio (Cymru) 2016.

“the 2006 Act” (“*Deddf 2006*”) means the National Health Service (Wales) Act 2006(2).

Y diwrnodau sydd wedi eu pennu er mwyn i adran 1 o'r Ddeddf ddod i rym

Days appointed for the coming into force of section 1 of the Act

2. Y diwrnodau sydd wedi eu pennu er mwyn i adran 1 o'r Ddeddf (lefelau staff nyrsio) ddod i rym yw—

2. The days appointed for the coming into force of section 1 of the Act (nurse staffing levels) are—

(a) 3 Awst 2016 i'r graddau y mae'n mewnosod adran 25D o Ddeddf 2006 (lefelau staff nyrsio: canllawiau);

(a) 3 August 2016 in so far as it inserts section 25D of the 2006 Act (nurse staffing levels: guidance);

(b) 6 Ebrill 2017 i'r graddau y mae'n mewnosod adran 25A o Ddeddf 2006 (dyletswydd i roi sylw i ddarparu digon o nyrsys); ac

(b) 6 April 2017 in so far as it inserts section 25A of the 2006 Act (duty to have regard to providing sufficient nurses); and

(1) 2016 decc 5.
(2) 2006 p. 42.

(1) 2016 anaw 5.
(2) 2006 c. 42.

(c) 6 Ebrill 2018 i'r graddau y mae'n mewnosod adrannau 25B, 25C a 25E o Ddeddf 2006 (dyletswydd i gyfrifo a chymryd camau i gynnal lefelau staff nyrsio, lefelau staff nyrsio: y dull o gyfrifo a lefelau staff nyrsio: adroddiadau).

(c) 6 April 2018 in so far as it inserts sections 25B, 25C and 25E of the 2006 Act (duty to calculate and take steps to maintain nurse staffing levels, nurse staffing levels: method of calculation and nurse staffing levels: reports).

Vaughan Gething

Ysgrifennydd y Cabinet dros Iechyd, Llesiant a
Chwaraeon, un o Weinidogion Cymru
2 Awst 2016

Cabinet Secretary for Health, Well-being and Sport,
one of the Welsh Ministers
2 August 2016

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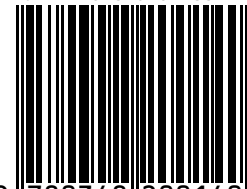
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