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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2017 Rhif 491 (Cy. 103)**

**2017 No. 491 (W. 103)**

**GOFAL CYMDEITHASOL,  
CYMRU**

**SOCIAL CARE, WALES**

**Y GWASANAETH IECHYD  
GWLADOL, CYMRU**

**NATIONAL HEALTH  
SERVICE, WALES**

Rheoliadau Trefniadau Partneriaeth  
(Cymru) (Diwygio) 2017

The Partnership Arrangements  
(Wales) (Amendment) Regulations  
2017

**NODYN ESBONIADOL**

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

Mae adran 166 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (“Deddf 2014”) yn galluogi Gweinidogion Cymru i wneud rheoliadau sy'n ei gwneud yn ofynnol i drefniadau partneriaeth gael eu gwneud gan gyfuniadau o awdurdodau lleol a Byrddau Iechyd Lleol.

Gwnaed Rheoliadau Trefniadau Partneriaeth (Cymru) 2015 (“y prif Reoliadau”) o dan y pwerau yn adran 166 a daethant i rym ar 6 Ebrill 2016. Mae'r prif Reoliadau yn ei gwneud yn ofynnol i drefniadau partneriaeth gael eu gwneud gan awdurdodau lleol a Byrddau Iechyd Lleol penodedig o dan gyfarwyddyd Byrddau Partneriaeth Rhanbarthol. Mae'r prif Reoliadau hefyd yn pennu'r swyddogaethau awdurdodau lleol a Byrddau Iechyd Lleol sydd i gael eu cyflawni gan y trefniadau partneriaeth.

Mae'r Rheoliadau hyn yn diwygio'r prif Reoliadau er mwyn ychwanegu'r swyddogaethau o dan adran 14A o Ddeddf 2014 at y rhestr o swyddogaethau Byrddau Iechyd Lleol a bennir i gael eu cyflawni gan y trefniadau partneriaeth.

**EXPLANATORY NOTE**

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

Section 166 of the Social Services and Well-being (Wales) Act 2014 (“the 2014 Act”) enables the Welsh Ministers to make regulations requiring the making of partnership arrangements by combinations of local authorities and Local Health Boards.

The Partnership Arrangements (Wales) Regulations 2015 (“the principal Regulations”) have been made under the powers in section 166 and came into force on 6 April 2016. The principal Regulations require the making of partnership arrangements by specified local authorities and Local Health Boards under the direction of Regional Partnership Boards. The principal Regulations also specify the local authority and Local Health Board functions that are to be carried out by the partnership arrangements.

These Regulations amend the principal Regulations to add the functions under section 14A of the 2014 Act to the list of Local Health Board functions which are specified to be carried out by the partnership arrangements.

Mae'r Rheoliadau hefyd yn diwygio rheoliad 19 o'r prif Reoliadau (sefydlu a chynnal cronfeydd cyfun) drwy hepgor rheoliad 19(1)(c) ac ychwanegu rheoliad newydd 19(1A) sy'n ei gwneud yn ofynnol i gyrff partneriaeth ystyried a yw'n briodol sefydlu a chynnal cronfa gyfun os ydynt yn penderfynu gwneud pethau ar y cyd mewn ymateb i asesiad o dan adran 14 o Ddeddf 2014 (a adwaenir fel asesiad poblogaeth).

Maent hefyd yn diwygio Atodlen 2 i'r prif Reoliadau (sy'n pennu swyddogaethau cymorth i deuluoedd timau integredig cymorth i deuluoedd) er mwyn mewnosod cyfeiriad at swyddogaethau o dan Ran 6 o Ddeddf 2014, i'r graddau y maent yn ymwneud â diwallu anghenion am ofal a chymorth plant sy'n derbyn gofal gan awdurdod lleol a darparu cyngor a chymorth i bobl ifanc sy'n gadael gofal. Mae'r diwygiad hwn yn cywiro hepgoriad o Atodlen 2.

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 oddi wrth: Yr Adran Iechyd a Gwasanaethau Cymdeithasol, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

The Regulations also amend regulation 19 of the principal Regulations (establishment and maintenance of pooled funds) by omitting regulation 19(1)(c) and adding a new regulation 19(1A) which requires partnership bodies to consider whether it is appropriate to establish and maintain a pooled fund if they decide to do things jointly in response to an assessment under section 14 of the 2014 Act (known as a population assessment).

They also amend Schedule 2 to the principal Regulations (which specifies the family support functions of integrated family support teams) to insert reference to functions under Part 6 of the 2014 Act, in so far as they relate to the meeting of needs for care and support of children who are looked after by a local authority and the provision of advice and support for young people leaving care. This amendment corrects an omission from Schedule 2.

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 from the Department of Health and Social Services, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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**The Partnership Arrangements  
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2017**

*Gwnaed* 28 Mawrth 2017

*Made* 28 March 2017

*Yn dod i rym* 1 Ebrill 2017

*Coming into force* 1 April 2017

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir gan adrannau 166(2)(b) a 167(3) o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014(1).

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 166(2)(b) and 167(3) of the Social Services and Well-being (Wales) Act 2014(1).

Gosodwyd drafft o'r Rheoliadau hyn gerbron Cynulliad Cenedlaethol Cymru o dan adran 196(6) o'r Ddeddf honno ac fe'i cymeradwywyd ganddo drwy benderfyniad.

A draft of these Regulations was laid before the National Assembly for Wales under section 196(6) of that Act and has been approved by a resolution of the National Assembly for Wales.

**Enwi, cychwyn, cymhwyso a dehongli**

**Title, commencement, application and interpretation**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Trefniadau Partneriaeth (Cymru) (Diwygio) 2017.

1.—(1) The title of these Regulations is the Partnership Arrangements (Wales) (Amendment) Regulations 2017.

(2) Daw'r Rheoliadau hyn i rym ar 1 Ebrill 2017 ac maent yn gymwys o ran Cymru.

(2) These Regulations come into force on 1 April 2017 and apply in relation to Wales.

(3) Yn y Rheoliadau hyn ystyr "y prif Rheoliadau" ("the principal Regulations") yw Rheoliadau Trefniadau Partneriaeth (Cymru) 2015(2).

(3) In these Regulations "the principal Regulations" ("y prif Reoliadau") means the Partnership Arrangements (Wales) Regulations 2015(2).

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(1) 2014 dccc 4.  
(2) O.S. 2015/1989 (Cy. 299).

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(1) 2014 anaw 4.  
(2) S.I. 2015/1989 (W. 299).

## Diwygio'r prif Reoliadau

2.—(1) Mae'r prif Reoliadau wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 19—

- (a) hepgorer paragraff (1)(c);
- (b) ar ôl paragraff (1) mewnosoder—

“(1A) Os yw unrhyw un neu ragor o'r cyrff partneriaeth yn penderfynu gwneud pethau ar y cyd mewn ymateb i'r asesiad a gynhelir o dan adran 14 o'r Ddeddf, rhaid iddynt ystyried a yw'n briodol sefydlu a chynnal cronfa gyfun.”

(3) Yn Atodlen 1, Tabl 2 (swyddogaethau Byrddau Iechyd Lleol) ar y diwedd mewnosoder—

“Adran 14A o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014(1) (*cynlluniau yn dilyn asesiadau o anghenion o dan adran 14*)”.

(4) Yn Atodlen 2 (swyddogaethau cymorth i deuluoedd), yn Nhabl 1 (swyddogaethau awdurdodau lleol mewn perthynas â phlant), ar ôl yr eitem ar gyfer “Rhannau 3 a 4 o'r Ddeddf”—

- (a) yn y golofn gyntaf (y swyddogaeth) mewnosoder—

“Rhan 6 o'r Ddeddf (*plant sy'n derbyn gofal a phlant sy'n cael eu lletya*)”; a

- (b) yn yr ail golofn (rhychwant) mewnosoder—

“I'r graddau y maent yn ymwneud â diwallu anghenion am ofal a chymorth plant sy'n derbyn gofal gan awdurdod lleol a darparu cyngor a chymorth i bobl ifanc o dan y Rhan honno.”

## Amendment to the principal Regulations

2.—(1) The principal Regulations are amended as follows.

(2) In regulation 19—

- (a) omit paragraph (1)(c);
- (b) after paragraph (1) insert—

“(1A) If any of the partnership bodies decide to do things jointly in response to the assessment carried out under section 14 of the Act, they must consider whether it is appropriate to establish and maintain a pooled fund.”

(3) In Schedule 1, Table 2 (Local Health Board functions) at the end insert—

“Section 14A of the Social Services and Well-being (Wales) Act 2014(1) (*plans following assessments of needs under section 14*)”.

(4) In Schedule 2 (family support functions), in Table 1 (local authority functions in relation to children), after the entry for “Parts 3 and 4 of the Act”—

- (a) in the first column (function) insert—

“Part 6 of the Act (*looked after and accommodated children*)”; and

- (b) in the second column (extent) insert—

“In so far as they relate to the meeting of needs for care and support of children who are looked after by a local authority and the provision of advice and support for young people under that Part.”

*Rebecca Evans*

Gweinidog Iechyd y Cyhoedd a Gwasanaethau Cymdeithasol o dan awdurdod Ysgrifennydd y Cabinet dros Iechyd, Llesiant a Chwaraeon, un o Weinidogion Cymru  
28 Mawrth 2017

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Minister for Social Services and Public Health under authority of the Cabinet Secretary for Health, Well-being and Sport, one of the Welsh Ministers

28 March 2017

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(1) Mewnosodwyd adran 14A gan Ddeddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 (decc 2), Atodlen 4, paragraff 34.

(1) Section 14A was inserted by the Well-being of Future Generations (Wales) Act 2015 (anaw 2), Schedule 4, paragraph 34.







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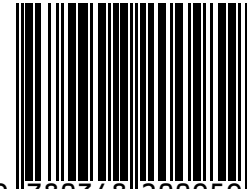
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