

ATODLEN 3

MÂN DDIWYGIADAU A DIWYGIADAU CANLYNIADOL

RHAN 2

GOFAL CYMDEITHASOL CYMRU

Deddf Iechyd Meddwl 1983

- 37 Mae [Deddf Iechyd Meddwl 1983 \(p.20\)](#) wedi ei diwygio fel a ganlyn.
- 38 Yn adran 114A (cymeradwyo cyrsiau i weithwyr proffesiynol iechyd meddwl: Cymru)—
- (a) yn is-adran (1), yn lle “Care Council for Wales” rhodder “Social Care Wales”;
- (b) yn lle is-adran (2) rhodder—
- “(2) For that purpose—
- (a) subsections (2), (3), (4)(a) and (7) of section 114 of the Regulation and Inspection of Social Care (Wales) Act 2016 apply as they apply to approvals given, rules made and courses approved under that section, and
- (b) sections 73 to 75 and section 115 of that Act apply accordingly.”;
- (c) yn is-adran (4), yn lle’r geiriau o “for” hyd at y diwedd rhodder “for the purposes of Parts 3 to 8 of the Regulation and Inspection of Social Care (Wales) Act 2016”;
- (d) yn is-adran (5), yn lle “Care Council for Wales” rhodder “Social Care Wales”.
- 39 Yn adran 130H(7)(b) (eiriolwyr iechyd meddwl annibynnol i Gymru: pwerau a dyletswyddau atodol), yn lle’r geiriau o “principal” hyd at y diwedd rhodder “social worker part or the visiting European part of the register kept under section 80(1) of the Regulation and Inspection of Social Care (Wales) Act 2016.”

Deddf Safonau Gofal 2000

- 40 Mae [Deddf Safonau Gofal 2000 \(p.14\)](#) wedi ei diwygio fel a ganlyn.
- 41 Mae’r darpariaethau a ganlyn wedi eu diddymu—
- (a) adrannau 56 (y gofrestr) i 66 (ymwelwyr ar gyfer cyrsiau gwaith cymdeithasol penodol);
- (b) adrannau 68 (apelau i’r tribiwnlys), 69 (cyhoeddi etc. y gofrestr) ac 71 (rheolau);
- (c) adran 113 (pwerau diofyn y Gweinidog priodol);
- (d) y cofnod ar gyfer Cyngor Cymru yn y tabl yn adran 121(13) (dehongli cyffredinol etc.);
- (e) Atodlen 1 (Cyngor Cymru).
- 42 Yn adran 55 (dehongli)—
- (a) yn lle is-adrannau (2), (3) a (4) rhodder—

- “(2) “Social care worker” means a person (other than a person excepted by regulations) who—
- (a) engages in social work which is required in connection with any health, education or social services provided in England (referred to in this Part as a “social worker”),
 - (b) is employed at a children’s home in England, a care home in England or a residential family centre in England,
 - (c) manages a home or centre of a kind mentioned in paragraph (b),
 - (d) is employed for the purposes of a domiciliary care agency, a fostering agency, a voluntary adoption agency or an adoption support agency, in so far as the agency provides services to persons in England,
 - (e) manages an agency of the kind mentioned in paragraph (d), or
 - (f) is supplied by a domiciliary care agency to provide personal care in their own homes for persons in England who by reason of illness, infirmity or disability are unable to provide it for themselves without assistance.
- (3) Regulations may provide that persons of any of the following descriptions shall be treated as social care workers—
- (a) a person engaged in work for the purposes of a local authority in England’s social services functions;
 - (b) a person engaged in work in England comprising the provision of services similar to services which may or must be provided by a local authority in England in the exercise of its social services functions;
 - (c) a person engaged in the provision of personal care for any person in England;
 - (d) a person who is employed in an undertaking (other than an establishment or agency) which consists of or includes supplying, or providing services for the purpose of supplying, persons to provide personal care to persons in England;
 - (e) a person who manages an undertaking of the kind mentioned in paragraph (d);
 - (f) a person who is employed in connection with the discharge of the functions of the Secretary of State under section 80 of the 1989 Act (inspection of children’s homes etc.);
 - (g) a person who is employed as a member of staff of the Office for Standards in Education, Children’s Services and Skills who inspects premises under—
 - (i) section 87 of the 1989 Act (welfare of children accommodated in independent schools and colleges),
 - (ii) section 31 of this Act (inspection of establishments and agencies by persons authorised by registration authority), or

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- (iii) section 139 of the Education and Inspections Act 2006 (inspection by Chief Inspector);
 - (h) a person who is employed as a member of staff of the Care Quality Commission who, under Part 1 of the Health and Social Care Act 2008, inspects premises used for or in connection with the provision of social care (within the meaning of that Part);
 - (i) a person who manages employees mentioned in paragraph (g) or (h);
 - (j) a person employed in a day centre in England;
 - (k) a person participating in a course approved by the Health and Care Professions Council under article 15 of the Health and Social Work Professions Order 2001 for persons wishing to become social workers.”, a
- (b) hepgorer is-adrannau (6), (7) ac (8).
- 43 Yn adran 67 (swyddogaethau’r Gweinidog priodol)—
- (a) yn is-adran (1), yn lle “appropriate Minister” rhodder “Secretary of State”,
 - (b) yn lle is-adran (2) rhodder—
 - “(2) The Secretary of State shall encourage persons to take part in—
 - (a) courses approved by the Health and Social Care Professions Council under article 15 or by virtue of article 19(4) of the Health and Social Care Work Professions Order 2001 for persons who are or wish to become social workers, and
 - (b) other courses relevant to the training of persons who are or wish to become social care workers.”;
 - (c) yn is-adran (3)—
 - (i) yn lle “appropriate Minister” yn y man cyntaf lle y mae’n ymddangos rhodder “Secretary of State”, a
 - (ii) yn lle “appropriate Minister” yn yr ail fan lle y mae’n ymddangos rhodder “Secretary of State”;
 - (d) yn is-adran (4)—
 - (i) yn lle “appropriate Minister” yn y man cyntaf lle y mae’n ymddangos rhodder “Secretary of State”,
 - (ii) yn lle “the Minister” rhodder “he or she”, a
 - (iii) ym mharagraff (a), hepgorer “and Wales,”;
 - (e) hepgorer is-adran (6);
 - (f) yn is-adran (7)—
 - (i) ym mharagraff (a), hepgorer “or (6)(b)”,
 - (ii) ym mharagraff (b), yn lle “appropriate Minister” rhodder “Secretary of State”, a
 - (iii) yn y geiriau ar ôl paragraff (b), yn lle “and, in respect of an authorisation given by the Assembly, references to a Minister included the Assembly; and in subsection (5)(b) and (6)(b)” rhodder “and in subsection (5)(b)”;
 - (g) yn lle’r pennawd, rhodder “Functions of the Secretary of State”.

- 44 Yn Atodlen 2A (personau sy'n ddarostyngedig i adolygiad gan Gomisiynydd Plant Cymru), ym mharagraff 14, yn lle "The Care Council for Wales" rhodder "Social Care Wales".

Deddf Mabwysiadu a Phlant 2002

- 45 Mae [Deddf Mabwysiadu a Phlant 2002 \(p.38\)](#) wedi ei diwygio fel a ganlyn.
- 46 Yn adran 10(2) (rheoli etc. asiantaethau), yn lle "section 56(1) of the [Care Standards Act 2000 \(c. 14\)](#)" rhodder "section 80 of the [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#)".

Deddf Archwilio Cyhoeddus (Cymru) 2004

- 47 Mae [Deddf Archwilio Cyhoeddus \(Cymru\) 2004 \(p.23\)](#) wedi ei diwygio fel a ganlyn.
- 48 Yn adran 41 (astudiaethau ar gyfer gwella darbodaeth etc. mewn gwasanaethau), ar ôl is-adran (6) mewnosoder—
- “(7) Subsection (8) applies in respect of the discharge of social services functions by local authorities in Wales.
- (8) The Auditor General and Social Care Wales must co-operate with each other with respect to the exercise of their respective functions under this section and section 70 of the Regulation and Inspection of Social Care (Wales) Act 2016 (studies by SCW as to economy etc.).
- (9) In subsection (7) “social services functions” has the same meaning as in the Social Services and Well-being (Wales) Act 2014.”

Deddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2005

- 49 Mae [Deddf Ombwdsmon Gwasanaethau Cyhoeddus \(Cymru\) 2005 \(p.10\)](#) wedi ei diwygio fel a ganlyn.
- 50 Yn Atodlen 3 (awdurdodau rhestredig), yn lle "The Care Council for Wales" rhodder "Social Care Wales".

Deddf Comisiynydd Pobl Hŷn (Cymru) 2006

- 51 Mae [Deddf Comisiynydd Pobl Hŷn \(Cymru\) 2006 \(p.30\)](#) wedi ei diwygio fel a ganlyn.
- 52 Yn Atodlen 2 (personau y mae eu swyddogaethau yn ddarostyngedig i adolygiad gan y Comisiynydd), yn lle "The Care Council for Wales" rhodder "Social Care Wales".

Deddf Diogelu Grwpiau Hyglwyf 2006

- 53 Mae [Deddf Diogelu Grwpiau Hyglwyf 2006 \(p.47\)](#) wedi ei diwygio fel a ganlyn.
- 54 Yn adran 41 (cofrestrau: pŵer i atgyfeirio gwybodaeth i'r Gwasanaeth Datgelu a Gwahardd), yng nghofnod rhif 8 yn y tabl yn is-adran (7)—
- (a) yng nghlofn 1, yn lle "under section 56 of the [Care Standards Act 2000 \(c. 14\)](#)" rhodder "under section 80 of the [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 20\)](#)", a

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- (b) yng ngholofn 2, yn lle “The Care Council for Wales” rhodder “the registrar appointed under section 81 of that Act”.
- 55 Yn Rhan 3 o Atodlen 3 (rhestrau gwahardd: darpariaeth atodol)—
- (a) ym mharagraff 16(4)(l), yn lle “the Care Council for Wales” rhodder “Social Care Wales”, a
- (b) ar ôl paragraff 16(4) mewnosoder—
- “(4A) The reference in sub-paragraph (4) to “any of its committees” is, in respect of Social Care Wales, to be read as if it were a reference to “any panel established under Part 8 of the Regulation and Inspection of Social Care (Wales) Act 2016”.
- 56 Yn Rhan 2 o Atodlen 4 (gweithgaredd rheoleiddiedig mewn perthynas ag oedolion hyglwyf)—
- (a) ar ddechrau paragraff 7(3C) mewnosoder “In relation to a vulnerable adult in England,”, a
- (b) ar ôl paragraff 7(3C) mewnosoder—
- “(3CA) In relation to a vulnerable adult in Wales, relevant social work has the meaning given by section 79(4) of the Regulation and Inspection of Social Care (Wales) Act 2016, and social care worker means a person who is a social care worker by virtue of section 79(1)(a) of that Act.”

Deddf Iechyd a Gofal Cymdeithasol 2008

- 57 Mae [Deddf Iechyd a Gofal Cymdeithasol 2008 \(p.14\)](#) wedi ei diwygio fel a ganlyn.
- 58 Mae’r darpariaethau a ganlyn wedi eu diddymu—
- (a) adran 124 (rheoleiddio gweithwyr gofal cymdeithasol);
- (b) adran 125 (safon y prawf mewn achosion sy’n ymwneud â chofrestru gweithwyr gofal cymdeithasol);
- (c) adran 126 (addysg a hyfforddiant gweithwyr proffesiynol iechyd meddwl a gymeradwywyd);
- (d) is-adran (3)(b) (a’r “or” yn union o’i blaen) o adran 163 (gorchmynion a rheoliadau: rheolaeth gan Gynulliad Cenedlaethol Cymru);
- (e) is-adran (4)(za) o adran 171 (yr awdurdod priodol sy’n gwneud y gorchymyn cychwyn);
- (f) Atodlen 9 (rheoleiddio gweithwyr gofal cymdeithasol: Cymru).