

EXPLANATORY NOTE

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

Mae'r Rheoliadau hyn wedi'u gwneud o dan Ddeddf Safonau Gofal 2000 ('y Ddeddf') ac maent yn gymwys mewn perthynas â chartrefi plant yng Nghymru. Mae Rhannau I a II o'r Ddeddf yn darparu mai Cynulliad Cenedlaethol Cymru a fydd yn cofrestru ac yn archwilio sefydliadau ac asiantaethau mewn perthynas â Chymru. Mae'r Ddeddf yn darparu pwerau hefyd i'r Cynulliad Cenedlaethol wneud rheoliadau sy'n llywodraethu'r ffordd y mae sefydliadau ac asiantaethau yn cael eu rhedeg mewn perthynas â Chymru. Bydd y rhan fwyaf o Rannau I a II o'r Ddeddf (i'r graddau nad ydynt eisoes mewn grym) yn cael eu dwyn i rym ar 1 Ebrill 2002.

Mae'r trefniadau newydd hyn yn amnewid y system statudol mewn perthynas â chartrefi plant y darparwyd ar ei chyfer gan Ddeddf Plant 1989 ac mae'r Rheoliadau hyn yn disodli Rheoliadau Cartrefi Plant 1991 (fel y'u diwygiwyd) i'r graddau y maent yn gymwys i Gymru.

Mae rheoliad 3 yn eithrio sefydliadau penodol o'r diffiniad o gartref plant o dan adran 1 o'r Ddeddf. Mae'r rhain yn cynnwys sefydliadau sy'n darparu gofal byr-dymor dros nos, gwyliau, neu weithgareddau eraill am lai nag 28 o ddiwrnodau y flwyddyn mewn perthynas ag unrhyw un plentyn, ac ystod eang o sefydliadau sy'n darparu llety i'r rhai dros 16 oed a throsodd oni bai, yn y naill achos neu'r llall, fod y sefydliad yn lletya'n bennaf blant sy'n anabl neu sydd fel arall yn dod o dan y disgrifiadau yn adran 3(2) o'r Ddeddf. Mae colegau addysg bellach a sefydliadau ar gyfer tramgyddwyr ifanc yn cael eu heithrio hefyd.

O dan reoliad 4, rhaid bod gan bob cartref ddatganiad o ddiben sy'n cynnwys y materion a nodir yn Atodlen 1, ac arweiniad y plant i'r cartref. Rhaid i'r cartref gael ei redeg mewn modd sy'n gyson â'r datganiad o ddiben.

Mae rheoliadau 6 i 10 yn gwneud darpariaeth ynglŷn â'r personau sy'n rhedeg neu'n rheoli'r cartref, ac yn ei gwneud yn ofynnol i wybodaeth foddhaol fod ar gael mewn perthynas â'r materion a ragnodir yn Atodlen 2. Os corff yw'r cartref, rhaid iddo enwi unigolyn cyfrifol y mae'n rhaid i'r wybodaeth hon fod ar gael amdano (rheoliad 6). Mae rheoliad 7 yn rhagnodi o dan ba amgylchiadau y mae'n rhaid penodi rheolwr ar gyfer y cartref, ac mae rheoliad 9 yn gosod gofynion cyffredinol mewn perthynas â rhedeg y cartref yn iawn, a'r angen am hyfforddiant priodol.

Mae Rhan III yn gwneud darpariaeth ynghylch y ffordd y mae cartrefi plant yn cael eu rhedeg, yn enwedig ynglŷn ag amddiffyn plant, lles, iechyd, addysg a defodau crefyddol, y trefniadau ar gyfer cysylltiadau ac ymwelwyr, rheoli ymddygiad, a defnyddio dyfeisiau gwylidwriaeth. Mae darpariaeth yn cael ei gwneud hefyd am staffio'r cartrefi a ffitrwydd y gweithwyr ac am gwynion, cadw cofnodion a hysbysu ynglŷn â'r digwyddiadau a restrir yn Atodlen 5.

Mae Rhan IV yn gwneud darpariaeth ynghylch addasrwydd safleoedd ac ynghylch y rhagofalon tân sydd i'w cymryd. Mae Rhan V yn ymdrin â rheoli cartrefi plant. Mae rheoliad 33 yn ei gwneud yn ofynnol i'r darparydd cofrestredig ymweld â'r cartref fel a ragnodir, ac mae rheoliad 34 yn ei gwneud yn ofynnol i'r person cofrestredig adolygu a monitro'r materion a nodir yn Atodlen 6 sy'n ymwneud ag ansawdd y gofal sydd i'w ddarparu gan y cartref. Mae Rheoliad 36 yn gosod gofynion ynglŷn â sefyllfa ariannol y cartref.

Newidiadau i ddeddfwriaeth: Mae newidiadau yn dal heb eu gwneud i Rheoliadau Cartrefi Plant (Cymru) 2002. Mae unrhyw newidiadau sydd wedi cael eu gwneud yn barod gan y tîm yn ymddangos yn y cynnwys a chyfeirir atynt gydag anodiadau. (See end of Document for details) [View outstanding changes](#)

Mae Rhan VI yn ymdrin â materion amrywiol sy'n cynnwys hysbysu'r Cynulliad Cenedlaethol. Mae rheoliad 41 yn darparu ar gyfer tramgwyddau. Gellir cael bod torri'r rheoliadau a bennir yn rheoliad 41 yn dramgwydd ar ran y person cofrestredig. Mae rheoliad 42 yn caniatáu i'r Cynulliad Cenedlaethol bennu swyddfeydd mewn rhannau o Gymru ar gyfer ei hysbysu o dan y rheoliadau.

Newidiadau i ddeddfwriaeth:

Mae newidiadau yn dal heb eu gwneud i Rheoliadau Cartrefi Plant (Cymru) 2002. Mae unrhyw newidiadau sydd wedi cael eu gwneud yn barod gan y tîm yn ymddangos yn y cynnwys a chyfeirir atynt gydag anodiadau.

View outstanding changes

Changes and effects yet to be applied to :

- Sch. 1 para. 1 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 2 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 3 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 4 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 5 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 6 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 7 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 8 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 9 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 10 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 11 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 12 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 13 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 14 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 15 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 16 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 17 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 18 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 19 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 20 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 21 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 22 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 23 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 24 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 25 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 26 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 1 para. 27 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 2 para. 1 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 2 para. 2 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 2 para. 3 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 2 para. 4 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 2 para. 5 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 2 para. 6 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 2 para. 7 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 2 para. 8 inserted by S.I. 2004/2414 reg. 3(2)(b)
- Sch. 2 para. 5A inserted by S.I. 2007/311 reg. 2(13)
- Sch. 2 para. 7 omitted by S.I. 2009/2541 reg. 6(5)(b)
- Sch. 2 para. 8 omitted by S.I. 2009/2541 reg. 6(5)(b)
- Sch. 2 para. 7 substituted by S.I. 2002/2622 reg. 3(5)(b)
- Sch. 2 para. 2 substituted by S.I. 2009/2541 reg. 6(5)(a)
- Sch. 2 para. 2 words inserted by S.I. 2004/2414 reg. 3(2)(a)
- Sch. 2 para. 2 words substituted by S.I. 2002/2622 reg. 3(5)(a)
- Sch. 2 para. 5A words substituted by S.I. 2017/52 Sch. 1 para. 5(2)para. 5(3)(c) (English language text)
- Sch. 2 para. 5A words substituted by S.I. 2017/52 Sch. 1 para. 5(4)(c) (Welsh language text)
- Sch. 3 para. 1 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 3 para. 2 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 3 para. 3 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 3 para. 4 coming into force by S.I. 2002/327 reg. 1(1)

- Sch. 6 para. 16 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 6 para. 17 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 6 para. 18 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 6 para. 19 coming into force by S.I. 2002/327 reg. 1(1)
- Sch. 6 para. 20 coming into force by S.I. 2002/327 reg. 1(1)
- Regulations revoked by S.I. 2018/48 Sch. 2
- reg. 1 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 2 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 2 words inserted by S.I. 2007/311 reg. 2(3)
- reg. 2(1) words inserted by S.I. 2017/51 reg. 3
- reg. 2(1) words substituted by S.I. 2010/1142 Sch. 2 para. 7
- reg. 3 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 3(3) words substituted by S.I. 2016/98 art. 5
- reg. 4 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 5 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 6 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 6(3)(c) substituted by S.I. 2009/2541 reg. 6(2)(a)
- reg. 6(3)(c)(iii) inserted by S.I. 2002/2622 reg. 3(2)(a)
- reg. 6(4) omitted by S.I. 2009/2541 reg. 6(2)(b)
- reg. 6(4) substituted by S.I. 2002/2622 reg. 3(2)(b)
- reg. 6(5)(a) word substituted by S.I. 2016/481 Sch. 2 para. 15(a) (English text)
- reg. 6(5)(a) words inserted by S.I. 2012/2404 Sch. 3 para. 22(2)(a)
- reg. 6(5)(a) words inserted by S.I. 2012/2404 Sch. 3 para. 22(2)(c)
- reg. 6(5)(a) words inserted by S.I. 2012/2404 Sch. 3 para. 22(3)(a) (amendment to Welsh text)
- reg. 6(5)(a) words inserted by S.I. 2012/2404 Sch. 3 para. 22(3)(c) (amendment to Welsh text)
- reg. 6(5)(a) words omitted by S.I. 2012/2404 Sch. 3 para. 22(2)(b)
- reg. 6(5)(a) words omitted by S.I. 2012/2404 Sch. 3 para. 22(3)(b) (amendment to Welsh text)
- reg. 6(5)(a) words substituted by S.I. 2016/481 Sch. 2 para. 15(b) (Welsh text)
- reg. 7 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 8 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 8(2)(c) substituted by S.I. 2009/2541 reg. 6(3)(a)
- reg. 8(2)(c)(iii) inserted by S.I. 2002/2622 reg. 3(3)(a)
- reg. 8(2D) reg. 8(2E) renumbered as reg. 8(2D) by S.I. 2017/52 Sch. 1 para. 5(4)(a) (ii) (Welsh language text)
- reg. 8(2D) words substituted by S.I. 2017/52 Sch. 1 para. 5(4)(a)(ii) (Welsh language text)
- reg. 8(2E) substituted by S.I. 2009/2541 reg. 6(3)(b)
- reg. 8(2E) words substituted by S.I. 2017/52 Sch. 1 para. 5(2)para. 5(3)(a) (English language text)
- reg. 8(3) omitted by S.I. 2009/2541 reg. 6(3)(c)
- reg. 8(3) substituted by S.I. 2002/2622 reg. 3(3)(b)
- reg. 9 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 10 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 11 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 11(3) inserted by S.I. 2007/311 reg. 2(5)
- reg. 12 applied (with modifications) by S.I. 2002/324 reg. 33(2)
- reg. 12 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 12(1)(b) words inserted by S.I. 2007/311 reg. 2(6)
- reg. 13 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 14 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 15-18 applied (with modifications) by S.I. 2002/324 reg. 33(2)
- reg. 15 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 15(2)(b) words inserted by S.I. 2005/774 reg. 6(2)
- reg. 15(2)(e) words inserted by S.I. 2016/211 Sch. 3 para. 46
- reg. 16 coming into force by S.I. 2002/327 reg. 1(1)

- reg. 17 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 18 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 18(1)(b) word omitted by S.I. 2007/311 reg. 2(7)(a)
- reg. 18(1)(d) inserted by S.I. 2007/311 reg. 2(7)(b)
- reg. 18(1)(d) words inserted by S.I. 2016/216 reg. 3(2)
- reg. 18(1)(d) words substituted by S.I. 2016/211 Sch. 3 para. 188
- reg. 19 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 20 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 20(2)(a) words inserted by S.I. 2007/311 reg. 2(8)(a)
- reg. 20(2)(g) inserted by S.I. 2007/311 reg. 2(8)(b)
- reg. 20(2)(g) words inserted by S.I. 2016/216 reg. 3(3)
- reg. 20(2)(g) words substituted by S.I. 2016/211 Sch. 3 para. 188
- reg. 21 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 22 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 23 applied (with modifications) by S.I. 2002/324 reg. 33(2)
- reg. 23 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 24 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 25 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 25(1A) inserted by S.I. 2007/311 reg. 2(9)(a)
- reg. 25(2A) inserted by S.I. 2007/311 reg. 2(9)(b)
- reg. 26 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 26(1) words inserted by S.I. 2002/2622 reg. 3(4)(a)
- reg. 26(2)(d) substituted by S.I. 2009/2541 reg. 6(4)(a)
- reg. 26(2A)-(2G) inserted by S.I. 2007/311 reg. 2(10)
- reg. 26(2D) words substituted by S.I. 2017/52 Sch. 1 para. 5(4)(b) (Welsh language text)
- reg. 26(2E) words substituted by S.I. 2017/52 Sch. 1 para. 5(4)(b) (Welsh language text)
- reg. 26(2F) words substituted by S.I. 2017/52 Sch. 1 para. 5(2)para. 5(3)(b) (English language text)
- reg. 26(2G) words substituted by S.I. 2017/52 Sch. 1 para. 5(2)para. 5(3)(b) (English language text)
- reg. 26(3) substituted by S.I. 2002/2622 reg. 3(4)(b)
- reg. 26(4)(b) words substituted by S.I. 2009/2541 reg. 6(4)(b)
- reg. 26(5) words substituted by S.I. 2002/2622 reg. 3(4)(c)
- reg. 26(5)(b) substituted by S.I. 2009/2541 reg. 6(4)(c)
- reg. 26(5A) inserted by S.I. 2002/2622 reg. 3(4)(d)
- reg. 27 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 27(4A) inserted by S.I. 2007/311 reg. 2(11)
- reg. 28 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 29 applied (with modifications) by S.I. 2002/324 reg. 33(2)
- reg. 29 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 29(5) inserted by S.I. 2017/51 reg. 4
- reg. 29A inserted by S.I. 2017/51 reg. 5
- reg. 30 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 31 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 31(1) words substituted by S.I. 2005/1541 Sch. 3 para. 13(a)
- reg. 31(1) words substituted by S.I. 2005/1541 Sch. 3 para. 13(b) (This amendment not applied to legislation.gov.uk. It applies to the Welsh text version only)
- reg. 31(1) words substituted by S.I. 2005/2929 art. 68(a)
- reg. 31(1A) inserted by S.I. 2005/1541 Sch. 3 para. 13(c)
- reg. 31(1A) inserted by S.I. 2005/1541 Sch. 3 para. 13(d) (This amendment not applied to legislation.gov.uk. It applies to the Welsh text version only)
- reg. 31(2) substituted by S.I. 2005/2929 art. 68(b)
- reg. 32 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 33 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 33 reg. 33 substituted for reg. 33 33A 33B by S.I. 2006/3251 reg. 3(a)
- reg. 33(2)(c)(iv) words substituted by S.I. 2007/311 reg. 2(12)(a)

- reg. 33(4)(a) words substituted by S.I. 2007/311 reg. 2(12)(b)
- reg. 34 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 35 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 36 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 37 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 38 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 39 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 40 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 41 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 42 coming into force by S.I. 2002/327 reg. 1(1)
- reg. 43 coming into force by S.I. 2002/327 reg. 1(1)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 8(2A)-(2E) inserted by S.I. 2007/311 reg. 2(4)