



**CYNULLIAD CENEDLAETHOL CYMRU**

**NATIONAL ASSEMBLY FOR WALES**

**OFFERYNNAU STATUDOL**

**STATUTORY INSTRUMENTS**

**2007 Rhif 307 (Cy.26)**

**2007 No. 307 (W.26)**

**GOFAL CYMDEITHASOL,  
CYMRU**

**SOCIAL CARE,  
WALES**

**Rheoliadau Adolygu Achosion  
Plant (Cymru) 2007**

**The Review of Children's Cases  
(Wales) Regulations 2007**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

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

Caiff y Rheoliadau hyn eu gwneud o dan ddarpariaethau Deddf Plant 1989 ac maent yn dirymu a disodli Rheoliadau Adolygu Achosion Plant 1991 i'r graddau y mae'r Rheoliadau hynny'n gymwys o ran Cymru. Mae'r Rheoliadau'n darparu ar gyfer adolygu'r trefniadau i leoli plant yng Nghymru sy'n derbyn gofal gan awdurdodau lleol neu sy'n cael eu lletya gan gyrff gwirfoddol neu gan gartrefi plant preifat.

These Regulations are made under the provisions of the Children Act 1989 and revoke and replace the Review of Children's Cases Regulations 1991 as far as those Regulations apply in relation to Wales. The Regulations make provision for review of the arrangements for placement of children in Wales who are looked after by local authorities or accommodated by voluntary organisations or private children's homes.

Mae rheoliad 2 yn ei gwneud yn ofynnol i awdurdodau cyfrifol adolygu lleoliadau plant.

Regulation 2 requires responsible authorities to review children's placements.

Mae rheoliad 3 yn ei gwneud yn ofynnol i awdurdodau cyfrifol benodi swyddogion adolygu annibynnol i gyflawni'r gwaith adolygu yn unol â'r Rheoliadau hyn.

Regulation 3 requires responsible authorities to appoint independent reviewing officers to undertake reviews in accordance with these Regulations.

Mae rheoliad 4 (yn ddarostyngedig i reoliad 12), yn darparu ar gyfer amseru ac amllder yr adolygiadau, ac mae'n caniatáu i'r swyddog adolygu annibynnol gyfarwyddo bod adolygiadau'n cael eu gwneud rhwng ysbeidiau byrrach na'r rhai a bennir yn y rheoliad.

Regulation 4 (subject to regulation 12), provides for the timing and frequency of reviews, and allows for the independent reviewing officer to direct reviews to be carried out at shorter intervals than those specified in the regulation.

Mae rheoliad 5 yn ei gwneud yn ofynnol i bob awdurdod cyfrifol osod eu trefniadau ar y dull y cynhelir yr adolygiadau o dan y Rheoliadau hyn, a dwyn y trefniadau hynny i sylw'r bobl a grybwyllir yn rheoliad 8. Os bydd plentyn yn derbyn gofal gan

Regulation 5 requires each responsible authority to set out their arrangements for the way in which reviews under these Regulations are to be conducted, and to draw those arrangements to the attention of the people mentioned in regulation 8. Where a responsible

awdurdod cyfrifol, mae'r rheoliad yn ei gwneud yn ofynnol i'r awdurdod gydgyssylltu'r adolygiadau a phenodi swyddog i gynorthwyo yn y broses honno, gan roi sylw i'r materion a nodir yn Atodlen 1 (Yr elfennau sydd i'w cynnwys yn yr adolygiad).

Mae rheoliad 6 yn ei gwneud yn ofynnol i bob awdurdod cyfrifol pan fydd yn adolygu achos plentyn, roi sylw i'r materion a nodir yn Atodlen 2 (Ystyriaethau y mae awdurdodau cyfrifol i roi sylw iddynt), ac Atodlen 3 (Ystyriaethau iechyd y mae awdurdodau cyfrifol i roi sylw iddynt).

Mae rheoliad 7 yn ei gwneud yn ofynnol i bob awdurdod cyfrifol drefnu ar gyfer asesiadau iechyd ac adroddiadau ysgrifenedig ynglŷn â phob plentyn sy'n derbyn gofal ganddynt, gan fynd i'r afael â'r materion a nodir yn Atodlen 3, darparu ar gyfer amllder yr asesiadau hynny ac yn ei gwneud yn ofynnol i gael adolygiad, rhwng ysbeidiau penodedig, o'r cynllun ar gyfer iechyd y plentyn yn y dyfodol, a wneir o dan Reoliadau Lleoli Plant (Cymru) 2007.

Mae rheoliad 8 yn ei gwneud yn ofynnol i awdurdod cyfrifol ymgynghori ag amryw o bobl a bennir yn y rheoliad er mwyn iddynt gymryd rhan yn yr adolygiad, gan gynnwys y plentyn, a hysbysu'r bobl hynny o fanylion canlyniad yr adolygiad ac unrhyw benderfyniad a wnaed yn ei sgil.

Mae rheoliad 9 yn ei gwneud yn ofynnol i awdurdod cyfrifol wneud trefniadau i weithredu unrhyw benderfyniad a wnaed wrth lunio adolygiad neu o ganlyniad i adolygiad, a hysbysu'r swyddog adolygu annibynnol o unrhyw fethiant i wneud y cyfryw drefniadau, neu o unrhyw newid arwyddocaol mewn amgylchiadau ar ôl yr adolygiad a all effeithio ar y trefniadau.

Mae rheoliad 10 yn ei gwneud yn ofynnol i awdurdod cyfrifol fonitro'r trefniadau ar gyfer adolygiadau er mwyn sicrhau ei fod yn cydymffurfio â'r Rheoliadau hyn.

Mae rheoliad 11 yn ei gwneud yn ofynnol i awdurdod cyfrifol lunio cofnod ysgrifenedig o'r adolygiad ar achos plentyn a'r materion cysylltiedig.

Mae rheoliad 12 yn darparu ar gyfer cymhwyso'r Rheoliadau hyn mewn amgylchiadau pan fo plentyn yn derbyn gofal neu pan ddarperir llety iddo am gyfres o gyfnodau byr (a ddiffinnir yn y rheoliad) ac mae'n darparu ar gyfer amserau ac amllder adolygiadau mewn achosion o'r fath.

Mae rheoliad 13 yn gwneud darpariaethau trosiannol.

authority is looking after a child, the regulation requires the authority to coordinate reviews and appoint an officer to assist in that process, and to have regard to the matters set out in Schedule 1 (Elements to be included in the review).

Regulation 6 requires each responsible authority when reviewing a child's case, to have regard to the matters set out in Schedule 2 (Considerations to which responsible authorities are to have regard), and Schedule 3 (Health considerations to which responsible authorities are to have regard).

Regulation 7 requires each responsible authority to arrange for health assessments and written reports in respect of each child looked after by them, addressing the matters set out in Schedule 3, provides for the frequency of such assessments and requires a review, at specified intervals, of the plan for the future health of the child, made under the Placement of Children (Wales) Regulations 2007.

Regulation 8 requires a responsible authority to consult and involve in the review, various people specified in the regulation, including the child, and to notify those people of details of the result of the review and of any decision taken as part of it.

Regulation 9 requires a responsible authority to make arrangements to implement any decision made in the course of or as a result of a review, and to notify the independent reviewing officer of any failure to make such arrangements, or of any significant change of circumstances after the review which might affect the arrangements.

Regulation 10 requires a responsible authority to monitor the arrangements for reviews to ensure compliance with these Regulations.

Regulation 11 requires a responsible authority to make a written record of the review of a child's case and of associated matters.

Regulation 12 provides for the application of these Regulations in circumstances where a child is looked after or provided with accommodation for a series of short periods (defined in the regulation) and provides for the timing and frequency of reviews in such cases.

Regulation 13 makes transitional provisions.

Mae rheoliad 14 yn eithrio mathau penodol o leoli plant o ofynion y Rheoliadau hyn.

Mae rheoliad 15 yn dirymu Rheoliadau Adolygu Achosion Plant 1991 o ran Cymru.

Regulation 14 excludes certain types of children's placement from the requirements of these Regulations.

Regulation 15 revokes the Review of Children's Cases Regulations 1991 in relation to Wales.

**2007 Rhif 307 (Cy.26)**

**GOFAL CYMDEITHASOL,  
CYMRU**

**Rheoliadau Adolygu Achosion  
Plant (Cymru) 2007**

*Wedi'u gwneud*                      *6 Chwefror 2007*  
*Yn dod i rym*                      *1 Gorffennaf 2007*

TREFN Y RHEOLIADAU

1. Enwi, cychwyn, dehongli a chymhwyso.
2. Dyletswydd i adolygu achosion plant
3. Swyddogion adolygu annibynnol
4. Amser pan fo'n rhaid adolygu pob achos
5. Y dull ar gyfer adolygu achosion
6. Ystyriaethau y mae awdurdodau cyfrifol i roi sylw iddynt
7. Adolygiadau iechyd
8. Ymgynghori, cymryd rhan a hysbysu
9. Trefniadau ar gyfer gweithredu penderfyniadau sy'n deillio o'r adolygiadau a hysbysu'r swyddog adolygu annibynnol
10. Monitro trefniadau ar gyfer adolygiadau
11. Cofnodi gwybodaeth am yr adolygiadau
12. Cymhwyso'r Rheoliadau i gyfnodau byr
13. Darpariaethau trosiannol
14. Eithriadau i gymhwysiad y Rheoliadau
15. Dirymu

ATODLENNI

1. Elfennau i'w cynnwys mewn adolygiad
2. Materion y mae awdurdodau cyfrifol i'w hystyried
3. Materion iechyd y mae awdurdodau cyfrifol i'w hystyried

**2007 No. 307 (W.26)**

**SOCIAL CARE,  
WALES**

**The Review of Children's Cases  
(Wales) Regulations 2007**

*Made*                                      *6 February 2007*  
*Coming into force*                      *1 July 2007*

ARRANGEMENT OF REGULATIONS

1. Title, commencement, interpretation and application
2. Duty to review children's cases
3. Independent reviewing officers
4. Time when each case is to be reviewed
5. Manner in which cases are to be reviewed
6. Considerations to which responsible authorities are to have regard
7. Health reviews
8. Consultation, participation and notification
9. Arrangements for implementation of decisions arising out of reviews and notification to independent reviewing officer
10. Monitoring arrangements for reviews
11. Recording review information
12. Application of Regulations to short periods
13. Transitional provisions
14. Exceptions to application of the Regulations
15. Revocation

SCHEDULES

1. Elements to be included in review
2. Considerations to which responsible authorities are to have regard
3. Health considerations to which authorities are to have regard

Mae Cynulliad Cenedlaethol Cymru drwy arfer y pwerau a roddwyd gan adrannau 26(1), (2), (2A) a (2B), 59(4)(a) a (5) a 104(1) a (4) o Ddeddf Plant 1989(1) a pharagraffau 10(1) a (2)(l) o Atodlen 6 iddi yn gwneud y rheoliadau a ganlyn:

### Enwi, cychwyn, dehongli a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Adolygu Achosion Plant (Cymru) 2007 a deuant i rym ar 1 Gorffennaf 2007.

(2) Yn y Rheoliadau hyn, onid yw'r cyd-destun yn mynnu fel arall-

ystyr "yr ardal y mae'r plentyn yn preswyllo ynddi fel arfer" ("*the area in which the child is ordinarily resident*") yw ardal yr awdurdod lleol lle mae cartref y plentyn;

ystyr "awdurdod cyfrifol" ("*responsible authority*") yw-

- (a) mewn perthynas â lleoliad gan awdurdod lleol (gan gynnwys un pan fo'r plentyn yn cael llety a chynhaliaeth mewn cartref gwirfoddol neu gartref preifat i blant), yw'r awdurdod lleol sy'n lleoli'r plentyn,
- (b) mewn perthynas â lleoliad gan sefydliad gwirfoddol o blentyn nad yw'n derbyn gofal awdurdod lleol, y sefydliad gwirfoddol sy'n lleoli'r plentyn, ac
- (c) mewn perthynas â lleoliad mewn cartref preifat i blant o blentyn nad yw naill ai'n derbyn gofal awdurdod lleol nac wedi'i letya mewn cartref o'r fath gan sefydliad gwirfoddol, y person sy'n rhedeg y cartref;

ystyr "y Ddeddf ("*the Act*") yw Deddf Plant 1989;

ystyr "gweithiwr dolen gyswllt" ("*link worker*") yw aelod o staff cartref i blant a benodwyd yn unol â Rheoliadau Cartrefi Plant (Cymru) 2002(2) gyda chyfrifoldeb penodol dros ddiogelu a hybu iechyd a lles addysgol plentyn unigol a thros gydgyssylltu â darparwyr addysg a gofal iechyd ar ran y plentyn hwnnw;

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- (1) 1989 p.41. Mae'r pwerau hyn yn arferadwy gan yr Ysgrifennydd Gwladol. O ran Cymru mae'r swyddogaethau wedi cael eu trosglwyddo i Gynulliad Cenedlaethol Cymru gan Erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 O.S. 1999/672 a'r cofnod ar gyfer Deddf 1989 Act yn Atodlen 1 iddo a chan adran 145(1) o Ddeddf Mabwysiadu a Phlant 2002. Diwygiwyd adran 26 gan adran 118 o Ddeddf Mabwysiadu a Phlant Act 2002 p.38.
  - (2) Rheoliadau Cartrefi Plant (Cymru) 2002 (O.S.2002/327 (Cy.40)). Mewnosodwyd y gofyniad i benodi "link worker" yn rheoliad 11 o Reoliadau Cartrefi Plant (Cymru) gan reoliad 2(c) o Reoliadau Cartrefi Plant (Cymru) (Diwygio) 2007 (2007/311 (Cy.28)).

The National Assembly for Wales in exercise of the powers conferred by sections 26(1), (2), (2A) and (2B), 59(4)(a) and (5) and 104(1) and (4) of, and paragraphs 10(1) and (2)(l) of Schedule 6 to, the Children Act 1989(1) makes the following regulations:

### Title, commencement, interpretation and application

1.-(1) The title of these Regulations is the Review of Children's Cases (Wales) Regulations 2007 and they will come into force on 1 July 2007.

(2) In these Regulations, unless the context otherwise requires-

"the Act" ("*y Ddeddf*") means the Children Act 1989;

"the area in which the child is ordinarily resident" ("*yr ardal y mae'r plentyn yn preswyllo ynddi fel arfer*") means the local authority area in which the child has his home;

"independent visitor" ("*ymwelydd annibynnol*") means an independent visitor appointed under paragraph 17 of Schedule 2 to the Act;

"link worker" ("*gweithiwr dolen gyswllt*") means a member of staff of a children's home appointed in accordance with the Children's Homes (Wales) Regulations 2002(2) with particular responsibility for protecting and promoting the health and educational welfare of an individual child and for liaison with education and health care providers on that child's behalf;

"panel" ("*panel*") means a panel of representatives from such agencies as may assist a responsible authority in planning the placement of a child and in meeting that child's needs during the placement;

"placed for adoption" ("*wedi'i leoli i'w fabwysiadu*") means placed pursuant to the Adoption and Children Act 2002(3) or the Adoption Act 1976(4);

"registered medical practitioner" ("*ymarferydd meddygol confrestredig*") means a fully registered person within the meaning of the Medical Act 1983(5);

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- (1) 1989 c.41. These powers are exercisable by the Secretary of State. In relation to Wales the functions are transferred to the National Assembly for Wales by Article 2 of, and the entry for the 1989 Act in Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 S.I. 1999/672 and section 145(1) of the Adoption and Children Act 2002. Section 26 was amended by section 118 of the Adoption and Children Act 2002 c.38.
  - (2) The Children's Homes (Wales) Regulations 2002 (S.I.2002/327 (W.40)). The requirement to appoint a "link worker" is inserted in regulation 11 of the Children's Homes (Wales) Regulations by regulation 2(c) of the Children's Homes (Wales) (Amendment) Regulations 2007 (2007/311 (W.28)).
  - (3) 2002 c.38.
  - (4) 1976 c.36.
  - (5) 1983 (c. 54).

ystyr "nyrs gofrestrdig" ("*registered nurse*") yw person a gofrestrwyd gyda'r Cyngor Nyrsio a Bydwreigiaeth(1);

ystyr "panel" ("*panel*") yw panel o gynrychiolwyr o'r asianteithiau hynny a all gynorthwyo awdurdod cyfrifol wrth gynllunio lleoliad plentyn ac wrth ddiwallu anghenion y plentyn hwnnw yn ystod cyfnod y lleoliad;

ystyr "wedi'i leoli i'w fabwysiadu" ("*placed for adoption*") yw wedi'i leoli yn unol â Deddf Mabwysiadu a Phlant 2002(2) neu Ddeddf Mabwysiadu 1976(3);

ystyr "ymarferydd meddygol cofrestrdig" ("*registered medical practitioner*") yw person cofrestrdig cyflawn o fewn ystyr Deddf Feddygol 1983(4); ac

ystyr "ymwelydd annibynnol" ("*independent visitor*") yw ymwelydd annibynnol a benodir o dan baragraff 17 o Atodlen 2 i'r Ddeddf.

(3) Rhaid i unrhyw hysbysiad sy'n ofynnol o dan y Rheoliadau hyn gael ei roi'n ysgrifenedig a chaniateir ei anfon drwy'r post.

(4) Yn y Rheoliadau hyn, onid yw'r cyd-destun yn mynnu fel arall -

- (a) mae unrhyw gyfeiriad at reoliad â rhif yn gyfeiriad at y rheoliad sy'n dwyn y rhif hwnnw yn y Rheoliadau hyn ac mae unrhyw gyfeiriad mewn rheoliad at baragraff â rhif yn gyfeiriad at y paragraff sy'n dwyn y rhif hwnnw yn y rheoliad hwnnw;
- (b) mae unrhyw gyfeiriad at Atodlen â rhif yn gyfeiriad at yr Atodlen sy'n dwyn y rhif hwnnw yn y Rheoliadau hyn.

(5) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

### **Dyletswydd i adolygu achosion plant**

2. Rhaid i bob awdurdod cyfrifol adolygu yn unol â'r Rheoliadau hyn achos pob plentyn tra bydd yn derbyn gofal neu tra bydd llety yn cael ei ddarparu iddo.

### **Swyddogion adolygu annibynnol**

3.-(1) Rhaid i bob awdurdod cyfrifol benodi person ("y swyddog adolygu annibynnol") ynglŷn â phob achos i gyflawni'r swyddogaethau canlynol-

- (a) cymryd rhan yn adolygiad yr achos sydd o dan sylw;
- (b) monitro perfformiad swyddogaethau'r awdurdod hwnnw o ran yr adolygiad;

(1) Sefydlwyd gan Orchymyn Cyngor Nyrsio a Bydwreigiaeth 2001 O.S. 2002/253 a daeth i rym ar 12 Chwefror 2002.

(2) 2002 p.38.

(3) 1976 p.36.

(4) 1983 (p. 54).

"registered nurse" ("*nyrs gofrestrdig*") means a person registered with the Nursing and Midwifery Council(1).

"responsible authority" ("*awdurdod cyfrifol*") means in relation to-

- (a) a placement by a local authority (including one in which the child is accommodated and maintained in a voluntary home or private children's home), the local authority which places the child,
- (b) a placement by a voluntary organisation of a child who is not looked after by a local authority, the voluntary organisation which places the child, and
- (c) a placement in a private children's home of a child who is neither looked after by a local authority nor accommodated in such a home by a voluntary organisation, the person carrying on the home.

(3) Any notice required under these Regulations is to be given in writing and may be sent by post.

(4) In these Regulations, unless the context otherwise requires-

- (a) any reference to a numbered regulation is to the regulation in these Regulations bearing that number and any reference in any regulation to a numbered paragraph is to the paragraph of that regulation bearing that number;
- (b) any reference to a numbered Schedule is to the Schedule to these Regulations bearing that number.

(5) These Regulations apply in relation to Wales.

### **Duty to review children's cases**

2. Each responsible authority must review in accordance with these Regulations the case of each child while he or she is being looked after or provided with accommodation by them.

### **Independent Reviewing Officers**

3. -(1) Each responsible authority must appoint a person ("the independent reviewing officer") in respect of each case to carry out the following functions-

- (a) participating in the review of the case in question;
- (b) monitoring the performance of that authority's functions in respect of the review;

(1) Established by the Nursing and Midwifery Council Order 2001 S.I. 2002/253 which came into force on 12 February 2002.



(c) cyfeirio'r achos at Swyddog Achosion Teuluol ar gyfer Cymru neu at swyddog Gwasanaeth Cynghori a Chynorthwyo Llys i Blant a Theuluoedd os yw'r plentyn fel arfer yn preswyllo yn Loegr os bydd y swyddog adolygu annibynnol yn ystyried bod hynny'n briodol.

(2) Rhaid bod gan y swyddog adolygu annibynnol brofiad sylweddol mewn gwaith cymdeithasol a rhaid i'r swyddog ddal Diploma mewn Gwaith Cymdeithasol neu Radd mewn Gwaith Cymdeithasol neu gymhwyster cyfatebol sy'n cael ei gydnabod gan Gyngor Gofal Cymru(1).

(3) Rhaid bod y swyddog adolygu annibynnol wedi'i gofrestru'n weithiwr cymdeithasol mewn cofrestr a gedwir gan Gyngor Gofal Cymru neu gan y Cyngor Gofal Cymdeithasol Cyffredinol, o dan adran 56 o Ddeddf Safonau Gofal 2000(2) neu mewn cofrestr gyfatebol a gedwir o dan gyfraith yr yr Alban neu Ogledd Iwerddon.

(4) Os bydd swyddog adolygu annibynnol yn cyflawni swyddogaethau o dan y rheoliadau hyn yng Nghymru a'i fod wedi'i gofrestru'n weithiwr cymdeithasol mewn cofrestr heblaw un a gedwir gan Gyngor Gofal Cymru, rhaid iddo gofrestru'n weithiwr cymdeithasol gyda Chyngor Gofal Cymru am y cyfnod y bydd yn cyflawni'r swyddogaethau hynny.

(5) Os yw'r swyddog adolygu annibynnol yn gyflogai i'r awdurdod cyfrifol rhaid i swydd y swyddog adolygu annibynnol beidio â bod o dan reolaeth uniongyrchol-

- (a) person sy'n ymwneud â rheolaeth yr achos;
- (b) person sydd â chyfrifoldebau rheoli ynglŷn â pherson a grybwyllir yn is-baragraff (a); neu
- (c) person sydd â rheolaeth dros yr adnoddau a ddyrennir i'r achos.

(6) Rhaid i'r swyddog adolygu annibynnol cyn belled ag y bo'n rhesymol ymarferol gadeirio unrhyw gyfarfod a gynhelir i ystyried achos y plentyn mewn cysylltiad ag adolygiad o'r achos hwnnw.

(7) Rhaid i'r swyddog adolygu annibynnol, cyn belled ag y bo'n rhesymol ymarferol, gymryd camau i sicrhau bod yr adolygiad yn cael ei gynnal yn unol â'r Rheoliadau hyn a sicrhau'n benodol-

- (a) bod barn y plentyn yn cael ei deall a'i chymryd i ystyriaeth;
- (b) bod y personau sy'n gyfrifol am weithredu unrhyw benderfyniad a wneir o ganlyniad i'r adolygiad yn cael eu dynodi; ac

(c) refer the case to a Welsh Family Proceedings Officer or an officer of the Children and Family Court Advisory and Support Service, where the child is ordinarily resident in England, if the independent reviewing officer considers it appropriate to do so.

(2) The independent reviewing officer must have significant experience in social work and hold a Diploma in Social Work or a Social Work Degree or an equivalent qualification recognised by the Care Council for Wales(1).

(3) The independent reviewing officer must be registered as a social worker in a register maintained by the Care Council for Wales or by the General Social Care Council, under section 56 of the Care Standards Act 2000(2) or in a corresponding register maintained under the law of Scotland or Northern Ireland.

(4) Where an independent reviewing officer carries out functions under these regulations in Wales and is registered as a social worker in a register other than that maintained by the Care Council for Wales, he or she must register as a social worker with the Care Council for Wales for the period in which he or she carries out those functions.

(5) Where the independent reviewing officer is an employee of the responsible authority the independent reviewing officer's post within that authority must not be under the direct management of-

- (a) a person involved in the management of the case;
- (b) a person with management responsibilities in relation to a person mentioned in subparagraph (a); or
- (c) a person with control over the resources allocated to the case.

(6) The independent reviewing officer must as far as reasonably practicable chair any meeting held to consider the child's case in connection with the review of that case.

(7) The independent reviewing officer must, as far as reasonably practicable, take steps to ensure that the review is conducted in accordance with these Regulations and in particular to ensure-

- (a) that the child's views are understood and taken into account;
- (b) that the persons responsible for implementing any decision taken in consequence of the review are identified; and

(1) Sefydlwyd gan adran 44(1)(b) o Ddeddf Safonau Gofal 2000 p.14.

(2) Deddf Safonau Gofal 2000 (p.14).

(1) Established by section 54(1)(b) of the Care Standards Act 2000 c.14.

(2) Care Standards Act 2000 (c.14).

- (c) bod unrhyw fethiant i adolygu'r achos yn unol â'r Rheoliadau hyn neu unrhyw fethiant i gymryd camau priodol neu wneud neu gyflawni trefniadau yn unol â rheoliad 9 yn cael ei ddwyn i sylw personau sydd ar lefel ddigonol o gyfrifoldeb yn yr awdurdod cyfrifol.

(8) Yn achos plentyn sy'n dymuno cymryd camau cyfreithiol o dan y Ddeddf, er enghraifft er mwyn gwneud cais i'r llys am orchymyn cyswllt neu am ryddhad o orchymyn gofal, swyddogaeth y swyddog adolygu annibynnol yw-

- (a) cynorthwyo'r plentyn i gael cyngor cyfreithiol; neu  
(b) cadarnhau a oes oedolyn priodol sy'n gallu ac sy'n barod i roi'r cymorth hwnnw neu ddwyn achos cyfreithiol ar ran y plentyn.

### **Amser pan fo'n rhaid adolygu pob achos**

4.-(1) Rhaid adolygu pob achos o fewn pedair wythnos ar ôl y dyddiad pan fydd y plentyn yn dechrau derbyn gofal gan yr awdurdod cyfrifol neu'n dechrau cael ei letya ganddo.

(2) Rhaid cyflawni'r ail adolygiad dim mwy na thri mis ar ôl yr adolygiad cyntaf ac wedyn rhaid cyflawni adolygiadau dilynol dim mwy na chwe mis ar ôl dyddiad yr adolygiad blaenorol.

(3) Nid oes dim byd yn y rheoliad hwn yn rhwystro'r awdurdod cyfrifol rhag adolygu'r achos cyn yr amser a bennir ym mharagraff (1) neu (2) ac, yn benodol, rhaid iddo wneud hynny os yw'r swyddog adolygu annibynnol yn cyfarwyddo hynny.

(4) Mae'r rheoliad hwn yn ddarostyngedig i reoliad 12 (cymhwyso'r Rheoliadau i gyfnodau byr).

### **Y dull ar gyfer adolygu achosion**

5.-(1) Rhaid i bob awdurdod cyfrifol gosod allan mewn ysgrifen ei drefniadau sy'n llywodraethu'r dull y bydd achos pob plentyn yn cael ei adolygu a rhaid iddo ddwyn y trefniadau ysgrifenedig i sylw'r rheini a bennir yn rheoliad 8(1).

(2) Rhaid i'r awdurdod cyfrifol y mae plentyn yn derbyn gofal ganddo neu sy'n darparu llety i blentyn wneud trefniadau i gydgyssylltu cyflawni pob agwedd ar yr adolygiad o achos y plentyn hwnnw.

(3) Rhaid i'r awdurdod cyfrifol benodi un o'i swyddogion i gynorthwyo'r awdurdod i gydgyssylltu pob agwedd ar yr adolygiad.

(4) Rhaid i'r dull yr adolygir pob achos, i'r graddau y mae'n ymarferol, gynnwys yr elfennau a bennir yn Atodlen 1.

(5) Nid oes dim byd yn y Rheoliadau hyn ddylai rwystro cyflawni unrhyw adolygiad o dan y

- (c) that any failure to review the case in accordance with these Regulations or to take proper steps to make or carry out arrangements in accordance with regulation 9 is brought to the attention of persons at an appropriate level of seniority within the responsible authority.

(8) In the case of a child who wishes to take proceedings under the Act, for example to apply to the court for contact or for a discharge of a care order, it is the function of the independent reviewing officer-

- (a) to assist the child to obtain legal advice; or  
(b) to establish whether an appropriate adult is able and willing to provide such assistance or bring the proceedings on the child's behalf.

### **Time when each case to be reviewed**

4.-(1) Each case must first be reviewed within four weeks of the date on which the child begins to be looked after or provided with accommodation by the responsible authority.

(2) The second review must be carried out no more than three months after the first and thereafter subsequent reviews must be carried out no more than six months after the date of the previous review.

(3) Nothing in this regulation prevents the responsible authority from reviewing the case before the time specified in paragraph (1) or (2) and, in particular, they must do so if the independent reviewing officer so directs.

(4) This regulation is subject to regulation 12 (application of regulations to short periods).

### **Manner in which cases are to be reviewed**

5.-(1) Each responsible authority must set out in writing their arrangements governing the manner in which the case of each child is to be reviewed and must draw the written arrangements to the attention of those specified in regulation 8(1).

(2) The responsible authority which is looking after or providing accommodation for a child must make arrangements to co-ordinate the carrying out of all aspects of the review of that child's case.

(3) The responsible authority must appoint one of their officers to assist the authority in the co-ordination of all the aspects of the review.

(4) The manner in which each case is reviewed must, so far as practicable, include the elements specified in Schedule 1.

(5) Nothing in these Regulations must prevent the carrying out of any review under these Regulations and



Rheoliadau hyn nac unrhyw adolygiad, asesiad neu ystyriaeth arall o dan unrhyw ddarpariaeth arall ar yr un pryd.

### **Ystyriaethau y mae awdurdodau cyfrifol i roi sylw iddynt**

6. Yr ystyriaethau y mae awdurdod cyfrifol i roi sylw iddynt i'r graddau y mae'n rhesymol ymarferol wrth adolygu pob achos yw'r ystyriaethau cyffredinol a bennir yn Atodlen 2 a'r ystyriaethau ynghylch iechyd y plentyn a bennir yn Atodlen 3.

### **Adolygiadau iechyd**

7.-(1) Yn ddarostyngedig i baragraff (5), rhaid i'r awdurdod cyfrifol, o ran pob plentyn sy'n parhau i dderbyn gofal neu y darperir llety iddo ganddo, wneud trefniadau bod ymarferydd meddygol cofrestredig neu nyrs gofrestrdedig, yn cynnal asesiad, a all gynnwys archwiliad corfforol, o gyflwr iechyd y plentyn-

- (a) o leiaf unwaith, ac yn amlach os bydd lles y plentyn yn gwneud hynny'n ofynnol, ym mhob cyfnod o chwe mis cyn pen-blwydd y plentyn yn bump oed; ac
- (b) o leiaf unwaith, ac yn amlach os bydd lles y plentyn yn gwneud hynny'n ofynnol, ym mhob cyfnod o ddeuddeng mis ar ôl pen-blwydd y plentyn yn bump oed.

(2) Rhaid i'r awdurdod cyfrifol ei gwneud yn ofynnol i'r person a gyflawnodd yr asesiad o dan baragraff (1) baratoi adroddiad ysgrifenedig sy'n ymdrin â'r materion a restrir yn Atodlen 3, gyda chyfeiriad penodol at gyflwr iechyd meddwl y plentyn.

(3) Rhaid i'r awdurdod cyfrifol adolygu'r cynllun ar gyfer iechyd y plentyn yn y dyfodol a gafodd ei baratoi yn unol â rheoliad 8(1)(ch) o Reoliadau Lleoli Plant (Cymru) 2007(1) yn ôl y cyfnodau a bennir yn is-baragraffau (a) a (b) o baragraff (1).

(4) Mae'r cyfeiriad ym mharagraff (3) at gynllun ar gyfer iechyd y plentyn yn y dyfodol yn cynnwys cynllun a gafodd ei baratoi yn unol â rheoliad 7(1)(c) o Reoliadau Trefniadau ar gyfer Lleoli Plant (Cyffredinol) 1991(2)

(5) Nid yw paragraff (1) yn gymwys os yw'r plentyn, ac yntau'n deall digon i wneud hynny, yn gwrthod cydsynio i'r asesiad.

any other review, assessment or consideration under any other provision at the same time.

### **Considerations to which responsible authorities are to have regard**

6. The considerations to which the responsible authority are to have regard so far as is reasonably practicable in reviewing each case are the general considerations specified in Schedule 2 and the considerations concerning the health of the child specified in Schedule 3.

### **Health reviews**

7.-(1) Subject to paragraph (5), the responsible authority must, in respect of each child who continues to be looked after or provided with accommodation by them, make arrangements for a registered medical practitioner or a registered nurse, to conduct an assessment, which may include a physical examination, of the child's state of health-

- (a) at least once, and more frequently if the child's welfare requires it, in every period of six months before the child's fifth birthday; and
- (b) at least once, and more frequently if the child's welfare requires it, in every period of twelve months after the child's fifth birthday.

(2) The responsible authority must require the person who carried out the assessment under paragraph (1) to prepare a written report which addresses the matters listed in Schedule 3, with particular reference to the child's state of mental health.

(3) The responsible authority must review the plan for the future health of the child prepared in accordance with regulation 8(1)(d) of the Placement of Children (Wales) Regulations 2007(1) at the intervals set out in sub-paragraphs (a) and (b) of paragraph (1).

(4) The reference in paragraph (3) to a plan for the future health of the child includes a plan prepared in accordance with regulation 7(1)(c) of the Arrangements for Placement of Children (General) Regulations 1991(2)

(5) Paragraph (1) does not apply if the child, being of sufficient understanding to do so, refuses to consent to the assessment.

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(1) Rheoliadau Lleoli Plant (Cymru) 2007 (O.S.2007/310 (Cy.27).

(2) Dirymwyd Rheoliadau Trefniadau ar gyfer Lleoli Plant (Cyffredinol) 1991 (O.S. 1991/890) ac ailddeddfwyd hwy o ran Cymru ar 1 Gorffennaf 2007 gan Reoliadau Lleoli Plant (Cymru) 2007 O.S. 2007/310 (Cy.27).

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(1) Placement of Children (Wales) Regulations 2007 (S.I.2007/310 (W.27).

(2) The Arrangements for Placement of Children (General) Regulations 1991 (S.I. 1991/890) were revoked and re-enacted in relation to Wales on 1 July 2007 by the Placement of Children (Wales) Regulations 2007 S.I. 2007/310 (W.27).

## Ymgynghori, cymryd rhan a hysbysu

8.-(1) Cyn cynnal unrhyw adolygiad rhaid i'r awdurdod cyfrifol, os nad yw hynny'n rhesymol ymarferol, geisio barn a chymryd i ystyriaeth farn-

- (a) y plentyn;
- (b) ei rieni;
- (c) unrhyw berson nad yw'n rhiant iddo ond sydd â chyfrifoldeb rhiant drosto;
- (ch) os cafodd y plentyn ei leoli mewn cartref plant, gweithiwr dolen gyswllt y plentyn; a
- (d) unrhyw berson arall y mae'r awdurdod yn ystyried bod ei farn yn berthnasol;

gan gynnwys, yn benodol, farn y personau hynny o ran unrhyw fater penodol sydd i'w ystyried yn ystod yr adolygiad.

(2) Rhaid i'r awdurdod cyfrifol cyn belled ag y bo'n rhesymol ymarferol gael y personau y gofynnir am eu barn o dan baragraff (1) i gymryd rhan yn yr adolygiad gan gynnwys, os yw'r awdurdod yn ystyried bod hynny'n briodol, presenoldeb y personau hynny mewn rhan o gyfarfod neu mewn cyfarfod cyfan sydd i ystyried achos unrhyw blentyn mewn cysylltiad ag unrhyw agwedd ar adolygiad yr achos hwnnw.

(3) Rhaid i'r awdurdod cyfrifol, cyn belled ag y bo'n rhesymol ymarferol, hysbysu'r canlynol o fanylion canlyniad yr adolygiad ac o unrhyw benderfyniad a wnaed ganddo yn sgil yr adolygiad-

- (a) y plentyn;
- (b) ei rieni;
- (c) unrhyw berson nad yw'n rhiant iddo ond sydd â chyfrifoldeb rhiant drosto;
- (ch) os cafodd y plentyn ei leoli mewn cartref plant, gweithiwr dolen gyswllt y plentyn; a
- (d) unrhyw berson arall y mae'r awdurdod yn ystyried y dylid ei hysbysu.

## Trefniadau ar gyfer gweithredu penderfyniadau sy'n deillio o'r adolygiadau a hysbysu'r swyddog adolygu annibynnol

9.-(1) Rhaid i'r awdurdod cyfrifol wneud a chyflawni trefniadau eu hunain neu gyda phersonau eraill i weithredu unrhyw benderfyniad y mae'r awdurdod yn bwriadu ei wneud yn ystod adolygiad o achos plentyn neu o ganlyniad iddo.

(2) Rhaid i'r awdurdod cyfrifol hysbysu'r swyddog adolygu annibynnol -

- (a) o unrhyw fethiant arwyddocaol i wneud neu gyflawni trefniadau yn unol â pharagraff (1); a
- (b) o unrhyw newid arwyddocaol mewn amgylchiadau sy'n digwydd ar ôl yr adolygiad sy'n effeithio ar y trefniadau hynny.

## Consultation, participation and notification

8.-(1) Before conducting any review the responsible authority must, unless it is not reasonably practicable to do so, seek and take into account the views of-

- (a) the child;
- (b) his or her parents;
- (c) any person who is not a parent of the child but who has parental responsibility for him or her;
- (d) where the child is placed in a children's home, the child's link worker; and
- (e) any other person whose views the authority consider to be relevant;

including, in particular, the views of those persons in relation to any particular matter which is to be considered in the course of the review.

(2) The responsible authority must so far as is reasonably practicable involve the persons whose views are sought under paragraph (1) in the review including, where the authority consider appropriate, the attendance of those persons at part or all of any meeting which is to consider the child's case in connection with any aspect of the review of that case.

(3) The responsible authority must, so far as is reasonably practicable, notify details of the result of the review and of any decision taken by them in consequence of the review to-

- (a) the child;
- (b) his or her parents;
- (c) any person who is not a parent of the child but who has parental responsibility for him or her;
- (d) where the child is placed in a children's home, the child's link worker; and
- (e) any other person whom they consider ought to be notified.

## Arrangements for implementation of decisions arising out of reviews and notification to independent reviewing officer

9.-(1) The responsible authority must make and carry out arrangements themselves or with other persons to implement any decision which the authority propose to make in the course, or as a result of, the review of a child's case.

(2) The responsible authority must inform the independent reviewing officer of-

- (a) any significant failure to make or carry out arrangements in accordance with paragraph (1); and
- (b) any significant change of circumstances occurring after the review that affects those arrangements.

## Monitro trefniadau ar gyfer adolygiadau

10. Rhaid i bob awdurdod cyfrifol fonitro'r trefniadau a wnaeth er mwyn sicrhau eu bod yn cydymffurfio â'r Rheoliadau hyn.

## Cofnodi gwybodaeth am yr adolygiadau

11. Rhaid i bob awdurdod cyfrifol sicrhau bod-
- (a) gwybodaeth a geir ynglŷn ag adolygiad achos plentyn; a
  - (b) manylion o'r trafodion mewn unrhyw gyfarfod a drefnwyd gan yr awdurdod yr ystyrir achos y plentyn ynddo mewn cysylltiad ag unrhyw agwedd ar adolygiad yr achos hwnnw; ac
  - (c) manylion o unrhyw benderfyniadau a wnaed yn ystod yr adolygiad neu o ganlyniad iddo;
- yn cael eu cofnodi'n ysgrifenedig.

## Cymhwyso'r Rheoliadau i gyfnodau byr

12.-(1) Mae'r rheoliad hwn yn gymwys i achosion y mae awdurdod cyfrifol wedi trefnu bod plentyn i dderbyn gofal neu bod llety yn cael ei ddarparu iddo am gyfres o gyfnodau byr yn yr un lle a bod y trefniant o'r fath na fydd unrhyw gyfnod unigol yn para am fwy na phedair wythnos ac na fydd cyfanswm parhad y cyfnodau'n fwy na 120 o ddiwrnodau mewn unrhyw gyfnod o 12 mis.

(2) Nid yw rheoliad 4 yn gymwys i achos y mae'r rheoliad hwn yn gymwys iddo, ond yn hytrach-

- (a) mae pob achos o'r fath i gael ei adolygu o fewn tri mis ar ôl dechrau'r cyfnod cyntaf o'r cyfnodau byr;
- (b) os bydd yr achos yn parhau, rhaid cyflawni'r ail adolygiad ddim mwy na chwe mis ar ôl yr adolygiad cyntaf; ac
- (c) wedyn, os bydd yr achos yn parhau, rhaid cyflawni adolygiadau dilynol ddim mwy na chwe mis ar ôl dyddiad yr adolygiad blaenorol.

(3) At ddibenion rheoliad 7, rhaid ymdrin â phlentyn fel un sy'n parhau i dderbyn gofal neu y darperir llety iddo drwy'r cyfnod y mae'r rheoliad hwn yn gymwys i'w achos.

## Darpariaethau trosiannol

13.-(1) Os yw plentyn, yn union cyn 1 Gorffennaf 2007 yn cael ei letya gan awdurdod lleol, corff gwirfoddol neu mewn cartref plant preifat, bydd y Rheoliadau hyn yn effeithiol yn ddarostyngedig i ddarpariaethau canlynol y rheoliad hwn.

(2) Os cafodd plentyn ei letya gan awdurdod lleol, corff gwirfoddol neu mewn cartref plant preifat cyn 1 Gorffennaf 2007 ac na fu adolygiad o'i achos, neu os nad oes adolygiad wedi'i gyflawni o dan

## Monitoring arrangements for reviews

10. Each responsible authority must monitor the arrangements which they have made with a view to ensuring that they comply with these Regulations.

## Recording review information

11. Each responsible authority must ensure that-
- (a) information obtained in respect of the review of a child's case;
  - (b) details of the proceedings at any meeting arranged by the authority at which the child's case is considered in connection with any aspect of the review of that case; and
  - (c) details of any decisions made in the course of, or as a result of the review;
- are recorded in writing.

## Application of Regulations to short periods

12.-(1) This regulation applies to cases in which a responsible authority has arranged that a child should be looked after or provided with accommodation for a series of short periods at the same place and the arrangement is such that no single period is to last for more than four weeks and the total duration of the periods is not to exceed 120 days in any period of 12 months.

(2) Regulation 4 does not apply to a case to which this regulation applies, but instead-

- (a) each such case is first to be reviewed within three months of the beginning of the first of the short periods;
- (b) if the case continues, the second review must be carried out not more than six months after the first; and
- (c) thereafter, if the case continues, subsequent reviews must be carried out not more than six months after the date of the previous review.

(3) For the purposes of regulation 7, a child must be treated as continuing to be looked after or provided with accommodation throughout the period that this regulation applies to his or her case.

## Transitional Provisions

13.-(1) Where immediately before 1 July 2007 a child is being accommodated by a local authority, a voluntary organisation or in a private children's home, these Regulations will have effect subject to the following provisions of this regulation.

(2) Where a child has been accommodated by a local authority, voluntary organisation or in a private children's home before 1 July 2007 and there has not been a review of their case, or where a review is

ddarpariaethau Rheoliadau Adolygu Achosion Plant 1991(1), rhaid adolygu achos y plentyn hwnnw ddim hwyrach na phedair wythnos ar ôl 1 Gorffennaf 2007 a rhaid i adolygiadau dilynol ddigwydd yn unol â rheoliad 4(2) neu 12(2) yn ôl y digwydd.

(3) Os bydd rheoliad 4 yn gymwys, a bod plentyn wedi cael ei letya gan awdurdod lleol, corff gwirfoddol neu mewn cartref plant preifat cyn 1 Gorffennaf 2007 a bod adolygiad o'i achos wedi cael ei gynnal cyn y dyddiad hwnnw, rhaid cyflawni adolygiad nesaf o achos y plentyn-

- (a) os oedd yr adolygiad cyn 1 Gorffennaf 2007 yn adolygiad cyntaf, dri mis ar ôl dyddiad yr adolygiad hwnnw; neu
- (b) os oedd yr adolygiad diwethaf cyn 1 Gorffennaf 2007 yn ail adolygiad neu'n adolygiad dilynol, chwe mis ar ôl dyddiad yr adolygiad hwnnw; ac

yn y naill achos a'r llall rhaid i adolygiadau dilynol ddigwydd yn unol â rheoliad 4(2).

(4) Os bydd rheoliad 12 yn gymwys, a bod plentyn wedi cael ei letya gan awdurdod lleol, corff gwirfoddol neu mewn cartref plant preifat cyn 1 Gorffennaf 2007 a bod adolygiad o'i achos wedi cael ei gynnal cyn y dyddiad hwnnw, rhaid cyflawni adolygiad nesaf o achos y plentyn-

- (a) os oedd yr adolygiad diwethaf cyn 1 Gorffennaf 2007 yn adolygiad cyntaf, chwe mis ar ôl dyddiad yr adolygiad hwnnw; neu
- (b) os oedd yr adolygiad diwethaf cyn 1 Gorffennaf 2007 yn ail adolygiad neu'n adolygiad dilynol, chwe mis ar ôl dyddiad yr adolygiad hwnnw; ac

yn y naill achos a'r llall rhaid i adolygiadau dilynol ddigwydd yn unol â rheoliad 12(2).

#### **Eithriadau i gymhwysiad y Rheoliadau**

**14.-(1)** Nid yw'r Rheoliadau hyn yn gymwys yn achos plentyn y darperir llety iddo, heblaw gan awdurdod lleol neu gan gorff gwirfoddol, mewn ysgol sydd yn gartref plant o fewn ystyr adran 1(6) o Ddeddf Safonau Gofal 2000(1).

(2) Nid yw'r Rheoliadau hyn yn gymwys yn achos plentyn a leolir ar gyfer ei fabwysiadu.

overdue under the provisions of the Review of Children's Cases Regulations 1991(1), that child's case must be reviewed not later than four weeks from 1 July 2007 and subsequent reviews must take place in accordance with regulation 4(2) or 12(2) as the case may be.

(3) Where regulation 4 applies, and a child has been accommodated by a local authority, voluntary organisation or in a private children's home before 1 July 2007 and there has been a review of the case before that date, the next review of the child's case must be carried out-

- (a) where the review before 1 July 2007 was a first review, three months from the date of that review; or
- (b) where the last review before 1 July 2007 was a second or subsequent review, six months from the date of that review; and

in either case subsequent reviews must take place in accordance with regulation 4(2).

(4) Where regulation 12 applies, and a child has been accommodated by a local authority, voluntary organisation or in a private children's home before 1 July 2007 and there has been a review of the case before that date, the next review of the child's case must be carried out-

- (a) where the review before 1 July 2007 was a first review, six months from the date of that review; or
- (b) where the last review before 1 July 2007 was a second or subsequent review, if the case continues, six months from the date of that review; and

in either case subsequent reviews must take place in accordance with regulation 12(2).

#### **Exceptions to application of Regulations**

**14.-(1)** These Regulations do not apply in the case of a child who is being provided with accommodation, otherwise than by a local authority or a voluntary organisation, in a school which is a children's home within the meaning of section 1(6) of the Care Standards Act 2000(1).

(2) These Regulations do not apply in the case of a child who is placed for adoption.

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(1) 2000 p.14.

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(1) 2000 c.14.

**Dirymu**

15. Mae'r Rheoliadau hyn yn dirymu Rheoliadau Adolygu Achosion Plant 1991 o ran Cymru(1).

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(2).

6 Chwefror 2007

Llywydd y Cynulliad Cenedlaethol

**Revocation**

15. These Regulations revoke the Review of Children's Cases Regulations 1991 in relation to Wales(1).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(2).

6 February 2007

*D. Elis-Thomas*

The Presiding Officer of the National Assembly

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(1) 1991 O.S.1991/895.

(2) 1998 p.38.

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(1) 1991 S.I.1991/895.

(2) 1998 C.38.



## ATODLEN 1

Elfennau sydd i'w cynnwys mewn adolygiad

Rheoliad 5(4)

1. Sicrhau gwybodaeth gyson am y trefniadau wrth i'r plentyn dderbyn gofal ac o unrhyw newid perthnasol yn amgylchiadau'r plentyn.
2. Sicrhau gwybodaeth gyson am enw a chyfeiriad unrhyw berson y dylid ystyried ei farn yn ystod yr adolygiad.
3. Gwneud y paratodau angenrheidiol a darparu unrhyw wybodaeth berthnasol i'r rhai sy'n cymryd rhan mewn unrhyw gyfarfod gan yr awdurdod cyfrifol sy'n ystyried achos y plentyn mewn cysylltiad ag unrhyw agwedd ar yr adolygiad.
4. Rhoi cychwyn i gyfarfodydd personél perthnasol yr awdurdod cyfrifol a phersonau perthnasol eraill i ystyried adolygiad o achos y plentyn.
5. Esbonio i'r plentyn unrhyw gamau y caiff eu cymryd o dan y Ddeddf gan gynnwys, pan fo'n briodol-
  - (a) ei hawl i wneud cais, gyda chaniatâd, am orchymyn adran 8 (preswyllo, cyswllt a gorchymynion eraill ynglŷn phlant),
  - (b) os yw mewn gofal, ei hawl i wneud cais am ryddhad o'r gorchymyn gofal, ac
  - (c) bod y weithdrefn a sefydlwyd o dan y Ddeddf ar gael er mwyn ystyried cynrychioliadau.
6. Gwneud penderfyniadau neu gymryd camau yn dilyn penderfyniadau adolygu sy'n deillio o'r adolygiad neu'n dod yn ei sgil.

## ATODLEN 2

Ystyriaethau y mae awdurdodau cyfrifol i roi sylw iddynt

Rheoliad 6

1. Yn achos plentyn sydd mewn gofal, a ddylid gwneud cais i ryddhau'r gorchymyn gofal.
2. Os yr awdurdod cyfrifol yw'r awdurdod lleol, a ddylai geisio newid yn statws gyfreithiol y plentyn.
3. Trefniadau ar gyfer cyswllt, ac a oes angen gwneud newidiadau i'r trefniadau er mwyn hybu cyswllt gyda theulu'r plentyn ac eraill cyn belled ag bônt yn gyson â'i les.

## SCHEDULE 1

Elements to be included in review

Regulation 5(4)

1. Keeping informed of the arrangements for looking after the child and of any relevant change in the child's circumstances.
2. Keeping informed of the name and address of any person whose views should be taken into account in the course of the review.
3. Making necessary preparations and providing any relevant information to the participants in any meeting of the responsible authority which considers the child's case in connection with any aspect of the review.
4. Initiating meetings of relevant personnel of the responsible authority and other relevant persons to consider the review of the child's case.
5. Explaining to the child any steps which he or she may take under the Act including, where appropriate-
  - (a) his or her right to apply, with leave, for a section 8 order (residence, contact and other orders with respect to children),
  - (b) where he or she is in care, his or her right to apply for the discharge of the care order, and
  - (c) the availability of the procedure established under the Act for considering representations.
6. Making decisions or taking steps following review decisions arising out of or resulting from the review.

## SCHEDULE 2

Considerations to which responsible authorities are to have regard

Regulation 6

1. In the case of a child who is in care, whether an application should be made to discharge the care order.
2. Where the responsible authority are a local authority whether they should seek a change in the child's legal status.
3. Arrangements for contact, and whether there is any need for changes in the arrangements in order to promote contact with the child's family and others so far as is consistent with his or her welfare.

4. Unrhyw drefniadau arbennig sydd wedi cael eu gwneud neu angen i'w gwneud ar gyfer y plentyn, gan gynnwys cynnal asesiadau naill ai gan awdurdod lleol neu gan bersonau eraill, megis y rhai ynghylch angen addysgol arbennig o dan Ddeddf Addysg 1996(1).

5. Trefniadau di-oes a thymor hir yr awdurdod cyfrifol o ran bod y plentyn yn derbyn gofal neu o ran darparu llety i'r plentyn (a wnaed yn unol â darpariaethau Rheoliadau Lleoli Plant (Cymru) 2007, a oes angen newid y trefniadau hynny ac ystyried camau gweithredu amgen.

6. A ydyw'r awdurdod cyfrifol wedi cydymffurfio â gofynion Rheoliadau Lleoli Plant (Cymru) 2007(2) ac yn benodol â rheoliadau 4 ac 8.

7. Os yw'r awdurdod cyfrifol yn awdurdod lleol, a ddylid penodi ymwelydd annibynnol os na phenodwyd un eisoes.

8. Anghenion addysgol y plentyn, ei gynnydd a'i ddatblygiad addysgol gan gynnwys, pan fo'n gymwys, a drosglwyddwyd y cofnodion addysgol perthnasol.

9. Os yw plentyn wedi cael ei leoli y tu allan i'r ardal lle mae fel arfer yn preswyllo ynddi, a ddylai achos y plentyn gael ei drosglwyddo i banel.

10. A oes angen gwneud trefniadau ar gyfer yr amser pan na fydd y plentyn yn derbyn gofal neu pan na ddarperir llety iddo gan yr awdurdod cyfrifol.

11. A oes angen paratoi cynlluniau i ddod o hyd i deulu dirprwyol parhaol ar gyfer y plentyn.

4. Any special arrangements that have been made or need to be made for the child, including the carrying out of assessments either by a local authority or other persons, such as those in respect of special educational need under the Education Act 1996(1).

5. The responsible authority's immediate and long term arrangements for looking after the child or providing the child with accommodation (made pursuant to the provisions of the Placement of Children (Wales) Regulations 2007(2) or the Arrangements for Placement of Children (General) Regulations 1991, if the arrangements were made before 1 July 2007), whether a change in those arrangements is needed and consideration of alternative courses of action.

6. Whether the responsible authority has complied with the requirements of the Placement of Children (Wales) Regulations 2007 and in particular, regulations 4 and 8.

7. Where the responsible authority are a local authority, whether an independent visitor should be appointed if one has not already been appointed.

8. The child's educational needs, progress and development including, where applicable, whether the transfer of relevant education records has taken place.

9. Where a child is placed outside the area in which he or she is normally resident, whether the child's case should be referred to a panel.

10. Whether arrangements need to be made for the time when the child will no longer be looked after or provided with accommodation by the responsible authority.

11. Whether plans need to be made to find a permanent substitute family for the child.

### ATODLEN 3

Ystyriaethau iechyd y mae awdurdodau cyfrifol i roi sylw iddynt

Rheoliad 6

1. Cyflwr iechyd y plentyn gan gynnwys ei iechyd corfforol, geneuol, iechyd emosiynol ac iechyd meddwl.

2. Hanes iechyd y plentyn gan gynnwys, i'r graddau y mae hynny'n ymarferol, hanes iechyd ei deulu.

3. Effaith iechyd a hanes iechyd y plentyn ar ei ddatblygiad.

### SCHEDULE 3

Health considerations to which responsible authorities are to have regard

Regulation 6

1. The child's state of health including his physical, oral, emotional and mental health.

2. The child's health history including, as far as practicable, his family health history.

3. The effect of the child's health and health history on his development.

(1) 1996 p.56.

(2) O.S. 2007/(Cy.27).

(1) 1996 c.56.

(2) 2007 S.I. 2007/310 (W.27).

4. Y trefniadau presennol ar gyfer gofal a thriniaeth feddygol a deintyddol y plentyn ac ar gyfer goruchwyllo ei ofal meddygol a deintyddol, ac yn benodol, os cafodd plentyn ei asesu yn blentyn y mae angen gwasanaethau iechyd meddwl arno, a yw'r plentyn yn derbyn y gwasanaethau hynny.

5. A yw'r awdurdod cyfrifol wedi cydymffurfio â gofynion rheoliad 6 (i'r graddau y mae'n ymwneud ag iechyd y plentyn) a rheoliad 8 o Reoliadau Lleoli Plant (Cymru) 2007(1).

6. A drosglwyddwyd, pan fo hynny'n briodol, y cofnodion meddygol perthnasol.

7. Yr angen posibl am ddull priodol o weithredu y dylid ei ddynodi i gynorthwyo newid angenrheidiol mewn gofal, triniaeth neu oruchwyliaeth o'r fath fel y cyfeirir ato ym mharagraff (4).

8. Yr angen posibl am fesurau ataliol, megis brechu ac imiwneiddio, sgrinio ar gyfer y golwg a'r clyw ac am gyngor a chyfarwyddyd ar iechyd, (gan gynnwys iechyd meddwl a iechyd geneud) ac ar faterion gofal personol a hybu materion iechyd sy'n briodol i anghenion y plentyn.

4. Existing arrangements for the child's medical and dental care and treatment and health and dental surveillance, and in particular, where a child has been assessed as requiring mental health services, whether the child receives those services.

5. Whether the responsible authority has complied with the requirements of regulations 6 (so far as it relates to the child's health) and 8 of the Placement of Children (Wales) Regulations 2007(1).

6. Whether, where applicable, the transfer of relevant medical records has taken place.

7. The possible need for an appropriate course of action which should be identified to assist necessary change of such care, treatment or surveillance as is referred to in paragraph (4).

8. The possible need for preventive measures, such as vaccination and immunisation, and screening for vision and hearing, and for advice and guidance on health (including mental health and oral health), personal care and health promotion issues appropriate to the child's needs.

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(1) 2007 (O.S. 2007/310 (Cy.27)).

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(1) 2007 (S.I. 2007/310 (W.27)).

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