OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2019 Rhif 545 (Cy. 119)

2019 No. 545 (W. 119)

GOFAL CYMDEITHASOL, CYMRU

SOCIAL CARE, WALES

Rheoliadau Gwasanaethau Maethu Awdurdodau Lleol (Cymru) (Diwygio) 2019

The Local Authority Fostering Services (Wales) (Amendment) Regulations 2019

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Gwasanaethau Maethu Awdurdodau Lleol (Cymru) 2018 (O.S. 2018/1339 (Cy. 261)) ("Rheoliadau 2018").

Mae rheoliad 2(a) yn diwygio rheoliad 7 o Reoliadau 2018 er mwyn caniatáu i ddarparwr awdurdod lleol benodi swyddog o awdurdod lleol arall i fod yn gyfrifol am reoli'r gwasanaeth maethu.

Mae rheoliad 2(b) yn gwneud diwygiad i destun Cymraeg rheoliad 10 o Reoliadau 2018, i sicrhau cyfwerthedd â'r testun Saesneg.

Mae rheoliad 2(c) yn gwneud diwygiad i destun Saesneg rheoliad 11 o Reoliadau 2018, i sicrhau cyfwerthedd â'r testun Cymraeg.

Mae rheoliad 2(d) yn diwygio rheoliad 26 o Reoliadau 2018 i bennu bod y cyfeiriad yn y rheoliad hwnnw at iechyd a datblygiad yn cael ei newid i iechyd a datblygiad corfforol, meddyliol ac emosiynol.

Mae rheoliad 2(e) yn diwygio rheoliad 29 o Reoliadau 2018 fel mai 1 Ebrill 2022 sy'n cael ei roi fel y dyddiad na chaiff darparwyr awdurdodau lleol gyflogi person i reoli'r gwasanaeth maethu awdurdod lleol ohono oni bai bod y person hwnnw wedi ei gofrestru fel rheolwr gofal cymdeithasol â Gofal Cymdeithasol Cymru.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Authority Fostering Services (Wales) Regulations 2018 (S.I. 2018/1339 (W. 261)) ("the 2018 Regulations").

Regulation 2(a) amends regulation 7 of the 2018 Regulations in order to allow a local authority provider to appoint an officer from another local authority to be responsible for the management of the fostering service.

Regulation 2(b) makes an amendment to the Welsh text of regulation 10 of the 2018 Regulations, to effect equivalence with the English text.

Regulation 2(c) makes an amendment to the English text of regulation 11 of the 2018 Regulations, to effect equivalence with the Welsh text.

Regulation 2(d) amends regulation 26 of the 2018 Regulations to specify that the reference in that regulation to health and development is changed to physical, mental and emotional health and development.

Regulation 2(e) amends regulation 29 of the 2018 Regulations so that 1 April 2022 is substituted as the date from which local authority providers may only employ a person to manage the local authority fostering service if that person is registered as a social care manager with Social Care Wales.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

2019 Rhif 545 (Cy. 119)

GOFAL CYMDEITHASOL, CYMRU

Rheoliadau Gwasanaethau Maethu Awdurdodau Lleol (Cymru) (Diwygio) 2019

Gwnaed *12 Mawrth 2019*

Gosodwyd gerbron Cynulliad Cenedlaethol Cymru *13 Mawrth 2019*

Yn dod i rym *29 Ebrill 2019*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir iddynt gan adrannau 87, 92, 94A a 196(2) o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014(**1**).

Enwi a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Gwasanaethau Maethu Awdurdodau Lleol (Cymru) (Diwygio) 2019.

(2) Daw'r Rheoliadau hyn i rym ar 29 Ebrill 2019.

Diwygio Rheoliadau Gwasanaethau Maethu Awdurdodau Lleol (Cymru) 2018

2. Mae Rheoliadau Gwasanaethau Maethu Awdurdodau Lleol (Cymru) 2018(**2**) wedi eu diwygio fel a ganlyn—

(a) yn rheoliad 7(1) (gofyniad i benodi rheolwr awdurdod lleol), yn lle "un o'i swyddogion" rhodder "swyddog";

(**1**) 2014 dccc 4; *gweler* adran 197(1) am y diffiniad o "rheoliadau" a "penodedig", "a bennir" ac "a bennwyd".
(**2**) O.S. 2018/1339 (Cy. 261).

2019 No. 545 (W. 119)

SOCIAL CARE, WALES

The Local Authority Fostering Services (Wales) (Amendment) Regulations 2019

Made *12 March 2019*

Laid before the National Assembly for Wales *13 March 2019*

Coming into force *29 April 2019*

The Welsh Ministers make the following Regulations in exercise of the powers conferred upon them by sections 87, 92, 94A and 196(2) of the Social Services and Well-being (Wales) Act 2014(**1**).

Title and commencement

1.—(1) The title of these Regulations is the Local Authority Fostering Services (Wales) (Amendment) Regulations 2019.

(2) These Regulations come into force on 29 April 2019.

Amendment of the Local Authority Fostering Services (Wales) Regulations 2018

2. The Local Authority Fostering Services (Wales) Regulations 2018(**2**) are amended as follows—

(a) in regulation 7(1) (requirement to appoint a local authority manager), for "one of its officers" substitute "an officer";

(**1**) 2014 anaw 4; *see* section 197(1) for the definition of "regulations" and "specified".
(**2**) S.I. 2018/1339 (W. 261).

(b) yn nhestun Cymraeg rheoliad 10(5) (gofyniad i ddarparu'r gwasanaeth yn unol â pholisïau a gweithdrefnau), yn lle "baragraff (1)(a), (b), (g) ac (i)" rhodder "baragraff (1)(a), (b), (c) ac (h)";

(c) yn nhestun Saesneg rheoliad 11 (dyletswydd gonestrwydd)—

(i) yn lle paragraff (d) rhodder—

"(d) in the case of a child who is placed with an area authority, that area authority.";

(ii) hepgorer paragraff (e);

(d) yn rheoliad 26(1) (mynediad i wasanaethau iechyd), yn lle "iechyd a datblygiad" rhodder "iechyd a datblygiad corfforol, meddyliol ac emosiynol";

(e) yn rheoliad 29(2)(e) (addasrwydd staff), yn lle "1 Medi 2022" rhodder "1 Ebrill 2022".

(b) in the Welsh text of regulation 10(5) (requirement to provide the service in accordance with policies and procedures), for "baragraff (1)(a), (b), (g) ac (i)" substitute "baragraff (1)(a), (b), (c) ac (h)";

(c) in the English text of regulation 11 (duty of candour)—

(i) for paragraph (d) substitute—

"(d) in the case of a child who is placed with an area authority, that area authority.";

(ii) omit paragraph (e);

(d) in regulation 26(1) (access to health services), for "the health and development" substitute "the physical, mental and emotional health and development";

(e) in regulation 29(2)(e) (fitness of staff), for "1 September 2022" substitute "1 April 2022".

Julie Morgan

Y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol, o dan awdurdod y Gweinidog Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru
12 Mawrth 2019

Deputy Minister for Health and Social Services, under authority of the Minister for Health and Social Services, one of the Welsh Ministers

12 March 2019

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