



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2019 Rhif 757 (Cy. 142)

2019 No. 757 (W. 142)

**GOFAL CYMDEITHASOL,
CYMRU**

SOCIAL CARE, WALES

**Rheoliadau Gwasanaethau
Rheoleiddiedig (Darparwyr
Gwasanaethau ac Unigolion
Cyfrifol) (Cymru) (Diwygio) 2019**

**The Regulated Services (Service
Providers and Responsible
Individuals) (Wales) (Amendment)
Regulations 2019**

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Gwasanaethau Rheoleiddiedig (Darparwyr Gwasanaethau ac Unigolion Cyfrifol) (Cymru) 2017 ("Rheoliadau 2017"). Mae Rheoliadau 2017 yn nodi'r gofynion rheoleiddiol sy'n gymwys i ddarparwyr gwasanaethau penodol sy'n cael eu rheoleiddio o dan Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016. Y rhain yw gwasanaethau cartrefi gofal, gwasanaethau llety diogel, gwasanaethau canolfannau preswyl i deuluoedd a gwasanaethau cymorth cartref.

Mae rheoliad 3 yn diwygio Rheoliadau 2017 i nodi'r mathau o wasanaethau rheoleiddiedig y mae'r Rheoliadau hynny yn gymwys iddynt. Mae rheoliad 4 yn gwneud nifer o ddiwygiadau i reoliad 2 o Rheoliadau 2017 sy'n ymdrin ag amgylchiadau pan yw person wedi ei esemptio o'r gofyniad i gofrestru fel darparwr gwasanaeth cartref gofal. Mae rhai o'r diwygiadau hyn yn addasiadau er mwyn rhwystro'r eithriadau yn rheoliad 2(1)(e), (f) ac (i) rhag peidio â bod yn gymwys os yw'r plant y darperir gofal a llety ar eu cyfer yn cynnwys plentyn sy'n anabl. Yn achos gwasanaeth sy'n darparu llety a gofal i blant at un o'r dibenion a bennir yn rheoliad 2(1)(i) o Rheoliadau 2017, effaith y diwygiad yw esemptio o'r gofyniad i gofrestru wasanaethau a ddarperir am hyd at 28 o ddiwrnodau yn gyfan gwbl neu'n bennaf ar gyfer plant anabl pan fo hysbysiad ymlaen llaw wedi ei roi i Weinidogion Cymru.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017 ("the 2017 Regulations"). The 2017 Regulations set out the regulatory requirements which apply to providers of certain services regulated under the Regulation and Inspection of Social Care (Wales) Act 2016. These are care home services, secure accommodation services, residential family centre services and domiciliary support services.

Regulation 3 amends the 2017 Regulations to identify the types of regulated services to which those Regulations apply. Regulation 4 makes a number of amendments to regulation 2 of the 2017 Regulations dealing with circumstances when a person is exempted from the requirement to register as the provider of a care home service. Some of these amendments are adjustments to avoid the exceptions in regulation 2(1)(e), (f) and (i) ceasing to apply if the children for whom care and accommodation are provided include a child who is disabled. In the case of a service providing accommodation and care to children for one of the purposes specified in regulation 2(1)(i) of the 2017 Regulations, the effect of the amendment is to exempt from the requirement to register services provided for up to 28 days wholly or mainly for disabled children where prior notification has been given to Welsh Ministers.

Mae'r diwygiad yn rheoliad 4(c) yn creu eithriad pellach i'r diffiniad o wasanaeth cartref gofal o dan amgylchiadau pan fo gofal a llety yn cael eu darparu i blant. Bydd yr eithriad newydd yn esemptio person sy'n darparu gofal a llety yn ei gartref ei hunan i un plentyn (neu i grŵp o frodyr a chwiorydd) am 28 o ddiwrnodau neu lai bob blwyddyn fel nad yw'n ofynnol iddo gofrestru.

Mae rheoliad 5 yn diwygio rheoliad 3 o Reoliadau 2017 i bennu nad yw gofal nyrsio a ddarperir gan nyrs gofrestredig yn dod o fewn cwrmpas gweithgaredd gwasanaeth cymorth cartref. Mae'n creu eithriad ar wahân ar gyfer gwasanaethau gofal a chymorth a ddarperir gan Fwrdd Iechyd Lleol pan fo hyn yn gysylltiedig ag angen am ofal nyrsio.

Mae rheoliad 8 yn ychwanegu gofyniad at reoliad 28 o Reoliadau 2017 ynghylch polisi a gweithdrefnau darparwr gwasanaeth ar gyfer cynilion plant.

Mae rheoliad 9 yn diwygio rheoliad 35 o Reoliadau 2017 i ohirio tan 1 Ebrill 2020 y gofyniad bod rhaid i reolwr gwasanaeth rheoleiddiedig fod wedi ei gofrestru â Gofal Cymdeithasol Cymru yn achos rheolwyr asiantaethau a oedd wedi eu cofrestru fel asiantaethau nyrsys o dan Ran 2 o Ddeddf Safonau Gofal 2000 cyn 2 Ebrill 2018 ond nad oeddent hefyd wedi eu cofrestru fel asiantaethau gofal cartref.

Mae rheoliadau 10 i 12 yn gwneud diwygiadau i Ran 13 o Reoliadau 2017 sy'n ymdrin â'r amgylchiadau pan fo gofynion ychwanegol ynghylch safon mangreodd yn gymwys i wasanaethau newydd. Mae'r diwygiadau yn egluro sut y mae'r gofynion ychwanegol yn gymwys yn achos estyniadau a gaiff eu hadeiladu ar fangreodd presennol gwasanaeth llety.

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 amendment in regulation 4(c) creates a further exception to the definition of care home service in circumstances where care and accommodation are provided to children. The new exception will exempt a person who provides care and accommodation in their own home to a single child (or sibling group) for 28 days or fewer per year from being required to register.

Regulation 5 amends regulation 3 of the 2017 Regulations to stipulate that nursing care provided by a registered nurse does not come within the scope of activity of a domiciliary support service. It creates a separate exception for care and support services provided by a Local Health Board where this is related to a need for nursing care.

Regulation 8 adds a requirement to regulation 28 of the 2017 Regulations concerning a service provider's policy and procedures for children's savings.

Regulation 9 amends regulation 35 of the 2017 Regulations to postpone until 1 April 2020 the requirement that the manager of a regulated service must be registered with Social Care Wales in the case of managers of agencies which were registered as nurses agencies under Part 2 of the Care Standards Act 2000 prior to 2 April 2018 but were not also registered as domiciliary care agencies.

Regulations 10 to 12 make amendments to Part 13 of the 2017 Regulations which deals with the circumstances where additional requirements about the standard of premises apply to new services. The amendments clarify how the additional requirements apply in the case of extensions built on to existing premises of an accommodation-based service.

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.

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SOCIAL CARE, WALES

**Rheoliadau Gwasanaethau
Rheoleiddiedig (Darparwyr
Gwasanaethau ac Unigolion
Cyfrifol) (Cymru) (Diwygio) 2019**

**The Regulated Services (Service
Providers and Responsible
Individuals) (Wales) (Amendment)
Regulations 2019**

Gwnaed

29 Mawrth 2019

Made

29 March 2019

Yn dod i rym

1 Ebrill 2019

Coming into force

1 April 2019

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adrannau 2(3) a 27 o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016(1), ac ar ôl ymgynghori â'r personau hynny y maent yn meddwl eu bod yn briodol, ar ôl cyhoeddi datganiad ynghylch yr ymgynghoriad ac ar ôl gosod copi o'r datganiad gerbron Cynulliad Cenedlaethol Cymru yn unol ag adran 27(4) a (5), yn gwneud y Rheoliadau a ganlyn.

Gosodwyd drafft o'r Rheoliadau hyn gerbron Cynulliad Cenedlaethol Cymru o dan adran 187(2)(b) ac (f) ac fe'i cymeradwywyd ganddo drwy benderfyniad.

Enwi a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Gwasanaethau Rheoleiddiedig (Darparwyr Gwasanaethau ac Unigolion Cyfrifol) (Cymru) (Diwygio) 2019.

(2) Daw'r Rheoliadau hyn i rym ar 1 Ebrill 2019.

The Welsh Ministers, in exercise of the powers conferred by sections 2(3) and 27 of the Regulation and Inspection of Social Care (Wales) Act 2016(1), and having consulted such persons as they think appropriate, having published a statement about the consultation and having laid a copy of the statement before the National Assembly for Wales in accordance with section 27(4) and (5) make the following Regulations.

A draft of these Regulations was laid before the National Assembly for Wales under section 187(2)(b) and (f) and has been approved by a resolution of the National Assembly for Wales.

Title and commencement

1.—(1) The title of these Regulations is the Regulated Services (Service Providers and Responsible Individuals) (Wales) (Amendment) Regulations 2019.

(2) These Regulations come into force on 1 April 2019.

(1) 2016 dccc 2.

(1) 2016 anaw 2.

Diwygiadau i Reoliadau Gwasanaethau Rheoleiddiedig (Darparwyr Gwasanaethau ac Unigolion Cyfrifol) (Cymru) 2017

2. Mae Rheoliadau Gwasanaethau Rheoleiddiedig (Darparwyr Gwasanaethau ac Unigolion Cyfrifol) (Cymru) 2017(1) wedi eu diwygio yn unol â'r rheoliadau a ganlyn.

Dehongli

3. Yn rheoliad 1(3), yn y lle priodol yn ôl trefn yr wyddor, mewnosoder y diffiniad a ganlyn—

“ystyr “gwasanaethau rheoleiddiedig” (“*regulated services*”) yw gwasanaethau cartrefi gofal, gwasanaethau cymorth cartref, gwasanaethau llety diogel neu wasanaethau canolfannau preswyl i deuluoedd;”.

Eithrio rhag cwpas gwasanaeth cartref gofal

4. Yn rheoliad 2—

(a) yn lle is-baragraff (1)(e) rhodder—

“(e) y ddarpariaeth o lety, ynghyd â gofal, pan fo'r gofal a ddarperir yn gyfystyr â gwarchod plant o fewn ystyr adran 19(2), neu ofal dydd o fewn ystyr adran 19(3), o Fesur Plant a Theuluoedd (Cymru) 2010(2) ond nid yw'r eithriad hwn yn gymwys—

(i) os oes, mewn unrhyw gyfnod o 12 mis, 28 neu ragor o gyfnodau o 24 awr y darperir mwy na 15 awr o warchod plant neu ofal dydd ynddynt mewn perthynas ag unrhyw un plentyn; neu

(ii) os darperir y gofal yn gyfan gwbl neu'n bennaf ar gyfer plant anabl;”

(b) yn is-baragraff (1)(f), yn lle “yw'r llety wedi ei ddarparu i blentyn anabl” rhodder “darperir gofal yn gyfan gwbl neu'n bennaf ar gyfer plant anabl”;

(c) yn is-baragraff (1)(i)—

(i) yn y geiriau cyflwyno hepgorer “oherwydd eu hyglwyfedd neu eu hangen”;

Amendments to the Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017

2. The Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017(1) are amended in accordance with the following regulations.

Interpretation

3. In regulation 1(3), in the appropriate alphabetical order, insert the following definition—

““regulated services” (“*gwasanaethau rheoleiddiedig*”) means care home services, domiciliary support services, secure accommodation services or residential family centre services;”.

Exception from scope of care home service

4. In regulation 2—

(a) for subparagraph (1)(e), substitute—

“(e) the provision of accommodation, together with care, where the care provided constitutes child minding within the meaning of section 19(2), or day care within the meaning of section 19(3) of the Children and Families (Wales) Measure 2010(2) but this exception does not apply if—

(i) in any 12 month period there are 28 or more periods of 24 hours during which more than 15 hours of child minding or day care are provided in relation to any one child; or

(ii) the care is provided wholly or mainly for disabled children;”;

(b) in subparagraph (1)(f), for “the accommodation is provided to a disabled child”, substitute “care is provided wholly or mainly for disabled children”;

(c) in subparagraph (1)(i)—

(i) in the introductory words omit “because of their vulnerability or need”;

(1) O.S. 2017/1264 (Cy. 295).
(2) 2010 mccc 1.

(1) S.I. 2017/1264 (W. 295).
(2) 2010 nawm 1.

- (ii) yn is-baragraff (i) o'r rhan o'r cymal sy'n nodi pryd nad yw'r eithriad yn gymwys, yn lle "pan fo'r llety wedi ei ddarparu i blentyn anabl" rhodder "pan fo gofal yn cael ei ddarparu yn gyfan gwbl neu'n bennaf ar gyfer plant anabl oni bai bod y darparwr gwasanaeth yn gyntaf wedi hysbysu Gweinidogion Cymru yn ysgrifenedig am y trefniadau";
- (d) ar ddiwedd is-baragraff (1)(i), yn lle "." rhodder ",";
- (e) ar ôl is-baragraff (1)(i) mewnosoder yr is-baragraff a ganlyn—
 - "(j) y ddarpariaeth o lety, ynghyd â gofal, i un plentyn neu i grŵp o frodyr a chwiorydd gan berson yng nghartref y person hwnnw ei hunan a phan na fo gofal a llety yn cael eu darparu gan y person hwnnw am gyfanswm o fwy nag 28 o ddiwrnodau mewn unrhyw gyfnod o 12 mis.";
- (f) ar ôl paragraff (3) mewnosoder—
 - "(4) Yn is-baragraff (1)(j) o'r rheoliad hwn, mae "grŵp o frodyr a chwiorydd" yn cynnwys brodyr a chwiorydd a hanner brodyr a hanner chwiorydd."

Eithriadau rhag cwmpas gwasanaeth cymorth cartref

5. Yn rheoliad 3(1)—

- (a) yn is-baragraff (g), yn lle "." rhodder ",";
- (b) ar ôl is-baragraff (g) mewnosoder—
 - "(h) y ddarpariaeth o ofal nyrsio gan nyrs gofrestredig;
 - (i) y ddarpariaeth o ofal a chymorth gan Fwrdd Iechyd Lleol i ddiwallu anghenion sy'n gysylltiedig ag anghenion unigolion am ofal nyrsio."

Mân ddiwygiad i reoliad 12

6. Yn rheoliad 12(1), yn y cromfachau ar ôl "Derbyniadau a chychwyn y gwasanaeth", yn lle "Rhan 5" rhodder "Rhan 4".

Polisi a gweithdrefnau ar gyfer cynilion plant

7. Yn rheoliad 28 (cefnogi unigolion i reoli eu harian), ar ôl paragraff (2) ychwaneger y paragraff a ganlyn—

"(2A) Pan fo gwasanaeth yn darparu llety ar gyfer plant, rhaid i'r polisi a'r gweithdrefnau sy'n ofynnol gan y rheoliad hwn nodi'r camau y

- (ii) in subparagraph (i) of the part of the clause setting out when the exception does not apply, for "the accommodation is provided to a disabled child", substitute "care is provided wholly or mainly for disabled children unless the service provider has first notified the Welsh Ministers of the arrangements in writing";
- (d) at the end of subparagraph (1)(i), for "." substitute ",";
- (e) after subparagraph (1)(i) insert the following subparagraph—
 - "(j) the provision of accommodation, together with care, to a single child or to a sibling group by a person in that person's own home and where care and accommodation are not provided by that person for a total of more than 28 days in any 12 month period.";
- (f) after paragraph (3) insert—
 - "(4) In subparagraph (1)(j) of this regulation, "sibling group" includes both brothers and sisters, and half-brothers and half-sisters."

Exceptions from the scope of domiciliary support service

5. In regulation 3(1)—

- (a) in subparagraph (g), for "." substitute ",";
- (b) after subparagraph (g) insert—
 - "(h) the provision of nursing care by a registered nurse;
 - (i) the provision of care and support by a Local Health Board to meet needs which are related to the needs of individuals for nursing care."

Minor amendment to regulation 12

6. In regulation 12(1), in the parentheses after "Admissions and commencement of the service", for "Part 5" substitute "Part 4".

Policy and procedures for children's savings

7. In regulation 28 (supporting individuals to manage their money), after paragraph (2) add the following paragraph—

"(2A) Where a service provides accommodation for children, the policy and procedures required by this regulation must set out the steps which the service provider will

bydd y darparwr gwasanaeth yn eu cymryd i sicrhau y caiff cynilion a wneir gan neu ar ran plant eu goruchwyllo a'u monitro'n ddigonol, gan gynnwys trefniadau ar gyfer cadw cofnodion o gynilion (a gwariant o gynilion) a throsglwyddo'r cofnodion hyn pan ddaw lleoliad i ben.”

Mân ddiwygiad i reoliad 34

8. Yn y testun Saesneg yn rheoliad 34(5), hepgorer y gair “as” yn yr ail le y mae'n ymddangos.

Diwygiad i'r gofyniad o ran addasrwydd rheolwyr gwasanaethau cymorth cartref o dan amgylchiadau penodol

9. Yn rheoliad 35—

- (a) yn is-baragraff (2)(e), ar y dechrau, mewnosoder “yn ddarostyngedig i baragraff (10) o'r rheoliad hwn,”;
- (b) ym mharagraff (9), yn lle'r geiriau o “adran 1” hyd at y diwedd rhodder “adran 87(1) o Ddeddf Diogelu Rhyddidau 2012(1)”;
- (c) ar ôl paragraff (9) mewnosoder—

“(10) Tan 1 Ebrill 2020, nid yw'r gofyniad o dan baragraff (2)(e) i reolwr fod wedi ei gofrestru â Gofal Cymdeithasol Cymru yn gymwys i reolwr sydd wedi ei benodi i reoli ymgymeriad—

- (a) y mae person wedi ei gofrestru, neu wedi gwneud cais i gofrestru, mewn cysylltiad ag ef, fel darparwr gwasanaeth cymorth cartref, a
- (b) yr oedd person wedi ei gofrestru mewn cysylltiad ag ef i gynnal asiantaeth nyrsys o dan Ran 2 o Ddeddf Safonau Gofal 2000(2) yn union cyn 2 Ebrill 2018 ond nad oedd hefyd wedi ei gofrestru i gynnal asiantaeth gofal cartref.”

Diwygio rheoliad 49 – Cymhwysio Rhan 13

10. Yn rheoliad 49—

- (a) ym mharagraff (2), yn y testun sy'n disgrifio mangre Categori B, yn lle'r geiriau o “estyniad” i “sy'n” rhodder “adeilad neu adeiladau yr ychwanegir estyniad ato neu atynt ac mae'r estyniad yn”;

take to ensure adequate oversight and monitoring of savings made by or on behalf of children including arrangements for keeping records of savings (and expenditure from savings) and passing on these records when a placement comes to an end.”

Minor amendment to regulation 34

8. In regulation 34(5), in the English text, remove the word “as” in the second place where it appears.

Amendment to requirement about fitness of managers of domiciliary support services in certain circumstances

9. In regulation 35—

- (a) in subparagraph (2)(e), at the beginning, insert “subject to paragraph (10) of this regulation”;
- (b) in paragraph (9), for the words from “section 1” to the end, substitute “section 87(1) of the Protection of Freedoms Act 2012(1)”;
- (c) after paragraph (9) insert—

“(10) Until 1 April 2020, the requirement under paragraph (2)(e) for a manager to be registered with Social Care Wales does not apply to a manager who is appointed to manage an undertaking—

- (a) in respect of which a person is registered, or has applied to register, as the provider of a domiciliary support service, and
- (b) in respect of which a person was registered as carrying on a nurses agency under Part 2 of the Care Standards Act 2000(2) immediately before 2 April 2018 but was not also registered as carrying on a domiciliary care agency.”

Amendment of regulation 49 – Application of Part 13

10. In regulation 49 —

- (a) in paragraph (2), in the text describing Category B premises, omit from “an extension” to “which” and substitute “a building or buildings to which an extension is added and the extension”;

(1) 2012 p. 9.
(2) 2000 p. 14.

(1) 2012 c. 9.
(2) 2000 c. 14.

- (b) ym mharagraff (3), ar ôl “54” mewnosoder “ond yn achos mangre Categori B, nid yw’r gofynion ond yn gymwys i’r rhan o’r fangre sy’n cynnwys yr estyniad (neu yn achos rheoliad 53, i unrhyw rannau o’r tiroedd allanol sydd wedi eu datblygu ar y cyd â’r estyniad)”.

Diwygio rheoliad 52 – gofynion ychwanegol – lle cymunedol

11. Yn rheoliad 52—

- (a) ar y dechrau, yn lle “Rhaid” rhodder “(1) Yn ddarostyngedig i baragraff (2), rhaid”;
- (b) ar y diwedd, ychwaneger y paragraff a ganlyn—
- “(2) Ar gyfer mangre Categori B, mae’r rheoliad hwn yn gymwys fel bod rhaid i’r gofyniad o ran lle gael ei fodloni mewn perthynas ag unrhyw ystafelloedd ychwanegol i unigolion.”

Diwygio rheoliad 53 – gofynion ychwanegol – lle yn yr awyr agored

12. Yn rheoliad 53, ar ôl “allanol”, mewnosoder “(neu, yn achos mangre Categori B, unrhyw ran o’r tiroedd allanol a ddatblygir ar y cyd ag adeiladu’r estyniad)”.

Mân ddiwygiad i reoliad 67

13. Yn rheoliad 67(4), yn lle “rheoliad 34(2)” rhodder “rheoliad 35(2)”.

Mân ddiwygiad i reoliad 73

14. Yn rheoliad 73(2), yn lle “unrhyw wasanaethau rheoleiddiedig eraill” rhodder “gwasanaeth cymorth cartref”.

Mân ddiwygiad i reoliad 85

15. Yn rheoliad 85(4), yn y rhestr o reoliadau, yn lle “33(1)” rhodder “33(2)”.

Diwygiadau i Atodlen 2

16. Ym mharagraff 5 o Atodlen 2—

- (a) yn is-baragraff (a), yn lle “, anaf, neu salwch” rhodder “neu anaf”;
- (b) yn is-baragraff (f), yn lle “wlserau” rhodder “niwed”.

- (b) in paragraph (3) after “with” insert “but in the case of Category B premises, the requirements only apply to the part of the premises comprising the extension (or in the case of regulation 53, to any parts of the external grounds developed in conjunction with the extension)”.

Amendment of regulation 52 – additional requirements – communal space

11. In regulation 52—

- (a) at the beginning, for “The” substitute “(1) Subject to paragraph (2), the”;
- (b) at the end, add the following paragraph —

“(2) For Category B premises, this regulation applies so that the space requirement must be met in relation to any additional rooms for individuals.”

Amendment of regulation 53 – additional requirements – outdoor space

12. In regulation 53, after “grounds”, insert “(or, in the case of Category B premises, any part of the external grounds developed in conjunction with the building of the extension)”.

Minor amendment to regulation 67

13. In regulation 67(4), for “regulation 34(2)” substitute “regulation 35(2)”.

Minor amendment to regulation 73

14. In regulation 73(2), for “any other regulated services” substitute “a domiciliary support service”.

Minor amendment to regulation 85

15. In regulation 85(4), in the list of regulations, for “33(1)” substitute “33(2)”.

Amendments to Schedule 2

16. In paragraph 5 of Schedule 2—

- (a) in subparagraph (a) omit “, injury or illness” and substitute “or injury”;
- (b) in subparagraph (f) omit “ulcers” and substitute “damage”.

Diwygiadau i Atodlen 3

17. Yn Atodlen 3—

- (a) ym mharagraff 13, ar ôl “staff” ychwaneger “a/neu wirfoddolwr”;
- (b) ym mharagraff 16, yn lle’r geiriau o “wlsr pwyso categori 3 neu 4” i’r diwedd rhodder “niwed pwyso categori 3 neu 4 neu niwed pwyso nad oes modd ei osod ar unrhyw gam”;
- (c) ym mharagraff 17, yn lle “, anaf neu salwch” rhodder “neu anaf”;
- (d) ym mharagraff 30, yn lle “Achos o gamfanteisio’n rhywiol ar blentyn neu o amheuaeth o gamfanteisio’n rhywiol ar blentyn” rhodder “Unrhyw achos o gamfanteisio’n rhywiol neu’n droseddol ar blentyn neu o amheuaeth o gamfanteisio’n rhywiol neu’n droseddol ar blentyn”;
- (e) ym mharagraff 33, yn lle “, anaf neu salwch” rhodder “neu anaf”;
- (f) ym mharagraff 34, yn lle’r geiriau o “wlsr pwyso categori 3 neu 4” i’r diwedd rhodder “niwed pwyso categori 3 neu 4 neu niwed pwyso nad oes modd ei osod ar unrhyw gam.”;
- (g) ym mhob un o baragraffau 42, 44 a 46, yn lle “Unrhyw achos o gamfanteisio’n rhywiol ar blentyn neu o amheuaeth o gamfanteisio’n rhywiol ar blentyn” rhodder “Unrhyw achos o gamfanteisio’n rhywiol neu’n droseddol ar blentyn neu o amheuaeth o gamfanteisio’n rhywiol neu’n droseddol ar blentyn”.

Amendments to Schedule 3

17. In Schedule 3—

- (a) in paragraph 13, after “staff” add “and/or a volunteer”;
- (b) in paragraph 16, omit from “a category 3 or 4” to the end and substitute “category 3 or 4 pressure damage or unstageable pressure damage”;
- (c) in paragraph 17, for “, injury to or illness of” substitute “or injury to”;
- (d) in paragraph 30, for “Incident of child sexual exploitation or suspected child sexual exploitation” substitute “Any incident of child sexual or criminal exploitation or suspected child sexual or criminal exploitation”;
- (e) in paragraph 33, for “, injury to or illness of” substitute “or injury to”;
- (f) in paragraph 34 omit from “a category 3 or 4” to the end and substitute “category 3 or 4 pressure damage or unstageable pressure damage.”;
- (g) in each of paragraphs 42, 44 and 46, for “Any incident of child sexual exploitation or suspected child exploitation”, substitute “Any incident of child sexual or criminal exploitation or suspected child sexual or criminal exploitation”.

Julie Morgan

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

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