OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2020 Rhif 486 (Cy. 111)

2020 No. 486 (W. 111)

GOFAL CYMDEITHASOL, CYMRU

SOCIAL CARE, WALES

Rheoliadau Gwasanaethau Rheoleiddiedig (Datganiadau Blynyddol) (Cymru) (Diwygio) (Coronafeirws) 2020

The Regulated Services (Annual Returns) (Wales) (Amendment) (Coronavirus) Regulations 2020

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn wedi eu gwneud o dan bwerau a roddir i Weinidogion Cymru gan Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016 (dccc 2) ("y Ddeddf"). Maent yn diwygio gofyniad penodol a osodir ar ddarparwyr gofal cymdeithasol cofrestredig ac maent wedi eu gwneud mewn ymateb i ledaeniad coronafeirws syndrom anadlol acíwt difrifol 2 (SARS-CoV-2) yng Nghymru.

Mae Rhan 1 o'r Ddeddf yn gosod gofynion ar ddarparwyr y gwasanaethau gofal cymdeithasol a reoleiddir gan y Ddeddf. Maent yn cynnwys gofyniad yn adran 10 i gyflwyno datganiad blynyddol i Weinidogion Cymru. Mae Rheoliadau Gwasanaethau Rheoleiddiedig (Datganiadau Blynyddol) (Cymru) 2017 (O.S. 2017/1097) (Cy. 277)) ("y Rheoliadau Datganiadau Blynyddol") yn darparu manylion pellach am y datganiadau blynyddol. Maent yn cynnwys darpariaeth a wneir o dan adran 10(4) ynghylch y dyddiadau erbyn pryd y mae rhaid cyflwyno'r datganiadau.

Mae'r Rheoliadau hyn wedi eu gwneud o dan adran 10(4) o'r Ddeddf ac maent yn diwygio rheoliadau 9A a 10 o'r Rheoliadau Datganiadau Blynyddol. Mae'r rheoliadau hynny yn ymwneud â'r dyddiad erbyn pryd y mae rhaid cyflwyno datganiadau blynyddol. Effaith y diwygiadau yw bod rhaid i ddarparwyr pob math o wasanaethau rheoleiddiedig gyflwyno datganiadau blynyddol sy'n ymwneud â'r blynyddoedd ariannol

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under powers given to the Welsh Ministers by the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2) ("the Act"). They amend a particular requirement placed on registered providers of social care and are made in response to the spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales.

Part 1 of the Act places requirements on providers of the social care services that are regulated by the Act. They include a requirement in section 10 to submit an annual return to the Welsh Ministers. The Regulated Services (Annual Returns) (Wales) Regulations 2017 (S.I. 2017/1097 (W. 277)) ("the Annual Returns Regulations") provide further details about the annual returns. They include provision made under section 10(4) about the dates by which the returns must be submitted.

These Regulations are made under section 10(4) of the Act and amend regulations 9A and 10 of the Annual Returns Regulations. Those regulations relate to the date by which annual returns have to be submitted. The effect of the amendments is that providers of all types of regulated services must submit annual returns relating to financial years 2018-19, 2019-20 and 2020-21 no later than 26 May 2021.

2018-19, 2019-20 a 2020-21 heb fod yn hwyrach na 26 Mai 2021. Yn flaenorol, roedd yn ofynnol i ddarparwyr gwasanaethau sydd wedi eu cofrestru i ddarparu gwasanaeth cartref gofal, gwasanaeth llety diogel, gwasanaeth canolfan breswyl i deuluoedd neu wasanaeth cymorth cartref gyflwyno eu set gyntaf o ddatganiadau blynyddol heb fod yn hwyrach na 31 Rhagfyr 2020.

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.

Previously, service providers who are registered to provide a care home service, a secure accommodation service, a residential family centre service or a domiciliary support service were required to submit their first set of annual returns no later than 31 December 2020.

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.

OFFERYNNAU STATUDOL CYMRU

2020 Rhif 486 (Cy. 111)

GOFAL CYMDEITHASOL, CYMRU

Rheoliadau Gwasanaethau Rheoleiddiedig (Datganiadau Blynyddol) (Cymru) (Diwygio) (Coronafeirws) 2020

Gwnaed *4 Mai 2020*

Gosodwyd gerbron Cynulliad Cenedlaethol Cymru *5 Mai 2020*

Yn dod i rym *26 Mai 2020*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir gan adrannau 10(4) a 187(1) o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016(**1**).

Enwi a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Gwasanaethau Rheoleiddiedig (Datganiadau Blynyddol) (Cymru) (Diwygio) (Coronafeirws) 2020.

(2) Daw'r Rheoliadau hyn i rym ar 26 Mai 2020.

Diwygiadau i Reoliadau Gwasanaethau Rheoleiddiedig (Datganiadau Blynyddol) (Cymru) 2017

2. Mae Rheoliadau Gwasanaethau Rheoleiddiedig (Datganiadau Blynyddol) (Cymru) 2017(**2**) wedi eu diwygio yn unol â rheoliadau 3 a 4.

3. Hepgorer rheoliad 9A (amser ar gyfer cyflwyno'r datganiadau blynyddol cyntaf).

(**1**) 2016 dccc 2; *gweler* y diffiniad o "a ragnodir" a "rhagnodedig" yn adran 189.

(**2**) O.S. 2017/1097 (Cy. 277), a ddiwygiwyd gan O.S. 2019/233 (Cy. 52).

WELSH STATUTORY INSTRUMENTS

2020 No. 486 (W. 111)

SOCIAL CARE, WALES

The Regulated Services (Annual Returns) (Wales) (Amendment) (Coronavirus) Regulations 2020

Made *4 May 2020*

Laid before the National Assembly for Wales *5 May 2020*

Coming into force *26 May 2020*

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 10(4) and 187(1) of the Regulation and Inspection of Social Care (Wales) Act 2016(**1**).

Title and commencement

1.—(1) The title of these Regulations is the Regulated Services (Annual Returns) (Wales) (Amendment) (Coronavirus) Regulations 2020.

(2) These Regulations come into force on 26 May 2020.

Amendments to the Regulated Services (Annual Returns) (Wales) Regulations 2017

2. The Regulated Services (Annual Returns) (Wales) Regulations 2017(**2**) are amended in accordance with regulations 3 and 4.

3. Omit regulation 9A (time for submission of first annual returns).

(**1**) 2016 anaw 2; *see* the definition of "prescribed" in section 189.

(**2**) S.I. 2017/1097 (W. 277), amended by S.I. 2019/233 (W. 52).

4. Yn lle rheoliad 10 (terfyn amser ar gyfer cyflwyno datganiadau blynyddol) rhodder—

"Terfyn amser ar gyfer cyflwyno datganiadau blynyddol

"**10.**—(1) Rhaid i ddatganiad blynyddol sy'n ymwneud ag unrhyw un neu ragor o'r blynyddoedd ariannol 2018-19, 2019-20 neu 2020-21 gael ei gyflwyno i Weinidogion Cymru heb fod yn hwyrach na 26 Mai 2021.

(2) Rhaid i ddatganiad blynyddol sy'n ymwneud â blwyddyn ariannol ddilynol gael ei gyflwyno i Weinidogion Cymru o fewn 56 o ddiwrnodau i ddiwedd y flwyddyn ariannol y mae'n ymwneud â hi."

4. For regulation 10 (time limit for submission of annual returns) substitute—

"Time limit for submission of annual returns

10.—(1) An annual return relating to any of the financial years 2018-19, 2019-20 or 2020-21 must be submitted to the Welsh Ministers no later than 26 May 2021.

(2) An annual return relating to a subsequent financial year must be submitted to the Welsh Ministers within 56 days of the end of the financial year to which it relates."

Julie Morgan

Y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol o dan awdurdod y Gweinidog Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru
4 Mai 2020

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

4 May 2020

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