



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2023 Rhif 1325 (Cy. 236)

2023 No. 1325 (W. 236)

**GOFAL CYMDEITHASOL,
CYMRU**

SOCIAL CARE, WALES

Rheoliadau'r Gofrestr o
Ddarparwyr Gwasanaethau
(Gwybodaeth Ragnodedig a
Diwygiadau Amrywiol) (Cymru)
2023

The Register of Service Providers
(Prescribed Information and
Miscellaneous Amendments)
(Wales) Regulations 2023

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) ("Deddf 2016"). Diben y Rheoliadau hyn yw rhagnodi gwybodaeth ychwanegol benodol y mae rhaid ei dangos ar bob cofnod yn y gofrestr o ddarparwyr gwasanaethau a gynhelir gan Weinidogion Cymru o dan adran 38(1) o Ddeddf 2016. Mae'r Rheoliadau hyn hefyd yn ei gwneud yn ofynnol i ddarparwyr gwasanaethau hysbysu Gweinidogion Cymru am newidiadau i rif ffôn a chyfeiriad post electronig gwasanaethau sy'n cael eu rheoleiddio o dan Ddeddf 2016.

Mae rheoliad 2 yn darparu bod gwybodaeth ychwanegol, ar ffurf cyfeiriad post electronig a rhif ffôn y gwasanaeth, yn cael ei rhagnodi o dan y pŵer a roddir gan adran 38(2)(g) o Ddeddf 2016. Rhaid i'r wybodaeth ragnodedig ychwanegol hon gael ei dangos ar y gofrestr mewn cysylltiad â phob man lle y darperir gwasanaeth, pob man y darperir gwasanaeth ohono, neu bob man y darperir gwasanaeth mewn perthynas ag ef.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under powers conferred on the Welsh Ministers by the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2) ("the 2016 Act"). The purpose of these Regulations is to prescribe certain additional information which must be shown on each entry in the register of service providers maintained by the Welsh Ministers under section 38(1) of the 2016 Act. These Regulations also require service providers to notify the Welsh Ministers of telephone number and electronic mail address changes for services regulated under the 2016 Act.

Regulation 2 provides that additional information, in the form of an electronic mail address and telephone number for the service, is prescribed under the power conferred by section 38(2)(g) of the 2016 Act. This additional prescribed information must be shown on the register in respect of each place at, from or in relation to which, a service is provided.

Mae rheoliadau 3 a 4 yn diwygio Rheoliadau Gwasanaethau Rheoleiddiedig (Cofrestru) (Cymru) 2017 i osod gofyniad ar ymgeiswyr sy'n ceisio darparu gwasanaeth cartref gofal, gwasanaeth llety diogel neu wasanaeth canolfan breswyl i deuluoedd i ddarparu cyfeiriad post electronig y fangre y bwriedir darparu'r gwasanaeth rheoleiddiedig ynddi. Mae'r diwygiad hwn yn sicrhau bod rhaid i bob ymgeisydd ddarparu'r wybodaeth hon wrth wneud ceisiadau i gofrestru ac i amrywio cofrestriad ar gyfer pob gwasanaeth rheoleiddiedig o dan Ddeddf 2016.

Mae rheoliadau 5 a 6 yn diwygio Rheoliadau Gwasanaethau Rheoleiddiedig (Datganiadau Blynyddol) (Cymru) 2017 i gynnwys gofyniad i'r cyfeiriad post electronig a'r rhif ffôn mewn cysylltiad â phob man lle y darperir gwasanaeth, pob man y darperir gwasanaeth ohono, neu bob man y darperir gwasanaeth mewn perthynas ag ef, gael eu cynnwys fel rhan o ddatganiad blynyddol darparwr gwasanaeth.

Mae rheoliadau 7 i 16 yn diwygio'r Rheoliadau canlynol i ychwanegu gofyniad hysbysu ychwanegol ar ddarparwyr gwasanaethau o ran unrhyw newid i gyfeiriad post electronig neu rif ffôn gwasanaeth rheoleiddiedig:

- (a) Rheoliadau Gwasanaethau Rheoleiddiedig (Darparwyr Gwasanaethau ac Unigolion Cyfrifol) (Cymru) 2017,
- (b) Rheoliadau Gwasanaethau Maethu Rheoleiddiedig (Darparwyr Gwasanaethau ac Unigolion Cyfrifol) (Cymru) 2019,
- (c) Rheoliadau Gwasanaethau Eirioli Rheoleiddiedig (Darparwyr Gwasanaethau ac Unigolion Cyfrifol) (Cymru) 2019,
- (d) Rheoliadau Gwasanaethau Lleoli Oedolion (Darparwyr Gwasanaethau ac Unigolion Cyfrifol) (Cymru) 2019, ac
- (e) Rheoliadau Gwasanaethau Mabwysiadu Rheoleiddiedig (Darparwyr Gwasanaethau ac Unigolion Cyfrifol) (Cymru) 2019.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Yr Adran Iechyd a Gwasanaethau Cymdeithasol, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ ac fe'i cyhoeddir ar www.llyw.cymru.

Regulations 3 and 4 amend the Regulated Services (Registration) (Wales) Regulations 2017 to impose a requirement on applicants seeking to provide a care home service, a secure accommodation service or a residential family centre service to provide the electronic mail address for the premises at which it is intended to provide the regulated service. This amendment ensures that all applicants must provide this information when making applications for registration and for variation of registration for all regulated services under the 2016 Act.

Regulations 5 and 6 amend the Regulated Services (Annual Returns) (Wales) Regulations 2017 to include a requirement for the electronic mail address and telephone number in respect of each place at, from or in relation to which, a service is provided to be included as part of a service provider's annual return.

Regulations 7 to 16 amend the following Regulations to add an additional notification requirement on service providers of any change in a regulated service's electronic mail address or telephone number:

- (a) the Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017,
- (b) the Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019,
- (c) the Regulated Advocacy Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019,
- (d) the Adult Placement Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019, and
- (e) the Regulated Adoption Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Department of Health and Social Services, Welsh Government, Cathays Park, Cardiff, CF10 3NQ and is published on www.gov.wales.

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**Rheoliadau'r Gofrestr o
Ddarparwyr Gwasanaethau
(Gwybodaeth Ragnodedig a
Diwygiadau Amrywiol) (Cymru)
2023**

**The Register of Service Providers
(Prescribed Information and
Miscellaneous Amendments)
(Wales) Regulations 2023**

Gwnaed am 12.12 p.m. ar 6 Rhagfyr 2023

Made at 12.12 p.m. on 6 December 2023

Yn dod i rym yn unol â rheoliad 1(2) a (3)

*Coming into force in accordance with regulation
1(2) and (3)*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adrannau 6(1)(d), 10(2)(a)(ix), 11(3)(a)(iii), 27(1) a 38(2)(g) o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016(1) (“Deddf 2016”), yn gwneud y Rheoliadau a ganlyn(2).

The Welsh Ministers, in exercise of the powers conferred upon them by sections 6(1)(d), 10(2)(a)(ix), 11(3)(a)(iii), 27(1) and 38(2)(g) of the Regulation and Inspection of Social Care (Wales) Act 2016(1) (the “2016 Act”), make the following Regulations(2).

Mae Gweinidogion Cymru wedi ymgynghori â'r personau hynny y maent yn meddwl eu bod yn briodol fel sy'n ofynnol gan adran 27(4)(a) o Ddeddf 2016, ac maent wedi cyhoeddi datganiad ynghylch yr ymgynghoriad fel sy'n ofynnol gan adran 27(4)(b) o Ddeddf 2016. Mae Gweinidogion Cymru wedi gosod copi o'r datganiad gerbron Senedd Cymru fel sy'n ofynnol gan adran 27(5) o Ddeddf 2016.

The Welsh Ministers have consulted such persons as they think appropriate as required by section 27(4)(a) of the 2016 Act and have published a statement about the consultation as required by section 27(4)(b) of the 2016 Act. The Welsh Ministers have laid a copy of the statement before Senedd Cymru as required by section 27(5) of the 2016 Act.

Gosodwyd drafft o'r Rheoliadau hyn gerbron Senedd Cymru o dan adran 187(2)(f) o Ddeddf 2016 ac fe'i cymeradwywyd ganddi drwy benderfyniad(3).

A draft of these Regulations was laid before Senedd Cymru under section 187(2)(f) of the 2016 Act and has been approved by a resolution of Senedd Cymru(3).

(1) 2016 decc 2; gweler y diffiniad o “a ragnodir” a “ragnodedig” yn adran 189 o Ddeddf 2016.
(2) Gweler adran 40 o Ddeddf Deddfwriaeth (Cymru) 2019 (decc 4) am ddarpariaeth ynghylch y weithdrefn sy'n gymwys i'r offeryn hwn.
(3) Mae'r cyfeiriadau yn adrannau 27(5) a 187(2) o Ddeddf 2016 at Gynulliad Cenedlaethol Cymru bellach yn cael effaith fel cyfeiriadau at Senedd Cymru, yn rhinwedd adran 150A(2) o Ddeddf Llywodraeth Cymru 2006 (p. 32).

(1) 2016 anaw 2; see the definition of “prescribed” in section 189 of the 2016 Act.
(2) See section 40 of the Legislation (Wales) Act 2019 (anaw 4) for provision about the procedure that applies to this instrument.
(3) The references in sections 27(5) and 187(2) of the 2016 Act to the National Assembly for Wales now have effect as references to Senedd Cymru, by virtue of section 150A(2) of the Government of Wales Act 2006 (c. 32).

RHAN 1

Cyffredinol

Enwi a dod i rym

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gofrestr o Ddarparwyr Gwasanaethau (Gwybodaeth Ragnodedig a Diwygiadau Amrywiol) (Cymru) 2023.

(2) Daw'r Rheoliadau hyn, heblaw rheoliad 2, i rym ar 31 Rhagfyr 2023.

(3) Daw rheoliad 2 i rym ar 30 Medi 2024.

RHAN 2

Gwybodaeth Ragnodedig

Cofrestr o ddarparwyr gwasanaethau: gwybodaeth ragnodedig

2. Mae'r wybodaeth a ganlyn wedi ei rhagnodi o dan adran 38(2)(g) o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016 fel gwybodaeth y mae rhaid ei dangos mewn cofnod yn y gofrestr o ddarparwyr gwasanaethau—

- (a) cyfeiriad post electronig,
- (b) rhif ffôn y gwasanaeth,

mewn cysylltiad â phob man lle y darperir gwasanaeth, pob man y darperir gwasanaeth ohono, neu bob man y darperir gwasanaeth mewn perthynas ag ef.

RHAN 3

Gofyniad am Wybodaeth Bellach gan Ddarparwyr Gwasanaethau

Diwygio Rheoliadau Gwasanaethau Rheoleiddiedig (Cofrestru) (Cymru) 2017

3. Mae Rheoliadau Gwasanaethau Rheoleiddiedig (Cofrestru) (Cymru) 2017(1) wedi eu diwygio yn unol â rheoliad 4.

4. Yn Atodlen 1, ym mharagraff 32(a), ar ôl “cyfeiriad” mewnosoder “, cyfeiriad post electronig”.

PART 1

General

Title and coming into force

1.—(1) The title of these Regulations is the Register of Service Providers (Prescribed Information and Miscellaneous Amendments) (Wales) Regulations 2023.

(2) These Regulations, other than regulation 2, come into force on 31 December 2023.

(3) Regulation 2 comes into force on 30 September 2024.

PART 2

Prescribed Information

Register of service providers: prescribed information

2. The following information is prescribed under section 38(2)(g) of the Regulation and Inspection of Social Care (Wales) Act 2016 as information which must be shown in an entry in the register of service providers—

- (a) an electronic mail address,
- (b) a telephone number of the service,

in respect of each place at, from or in relation to which, a service is provided.

PART 3

Requirement for Further Information from Service Providers

Amendment of the Regulated Services (Registration) (Wales) Regulations 2017

3. The Regulated Services (Registration) (Wales) Regulations 2017(1) are amended in accordance with regulation 4.

4. In Schedule 1, in paragraph 32(a), after “address” insert “, electronic mail address”.

(1) O.S. 2017/1098 (Cy. 278).

(1) S.I. 2017/1098 (W. 278).

Diwygio Rheoliadau Gwasanaethau Rheoleiddiedig (Datganiadau Blynyddol) (Cymru) 2017

5. Mae Rheoliadau Gwasanaethau Rheoleiddiedig (Datganiadau Blynyddol) (Cymru) 2017(1) wedi eu diwygio yn unol â rheoliad 6.

6. Yn yr Atodlen, ym mharagraff 1, ar ôl “Manylion cyswllt”, hepgorer yr atalnod llawn a mewnosoder “gan gynnwys cyfeiriad post electronig a rhif ffôn.”

Diwygio Rheoliadau Gwasanaethau Rheoleiddiedig (Darparwyr Gwasanaethau ac Unigolion Cyfrifol) (Cymru) 2017

7. Mae Rheoliadau Gwasanaethau Rheoleiddiedig (Darparwyr Gwasanaethau ac Unigolion Cyfrifol) (Cymru) 2017(2) wedi eu diwygio yn unol â rheoliad 8.

8. Yn Rhan 1 o Atodlen 3, ar ôl paragraff 25 mewnosoder y paragraff canlynol—

“25A. Unrhyw newid i rif ffôn neu gyfeiriad post electronig y gwasanaeth.”

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

9. Mae Rheoliadau Gwasanaethau Maethu Rheoleiddiedig (Darparwyr Gwasanaethau ac Unigolion Cyfrifol) (Cymru) 2019(3) wedi eu diwygio yn unol â rheoliad 10.

10. Yn Rhan 1 o Atodlen 3, ar ôl paragraff 22, mewnosoder y paragraff canlynol—

“22A. Unrhyw newid i rif ffôn neu gyfeiriad post electronig y gwasanaeth.”

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

11. Mae Rheoliadau Gwasanaethau Eirioli Rheoleiddiedig (Darparwyr Gwasanaethau ac Unigolion Cyfrifol) (Cymru) 2019(4) wedi eu diwygio yn unol â rheoliad 12.

12. Yn Atodlen 3, ar ôl paragraff 18, mewnosoder y paragraff canlynol—

“18A. Unrhyw newid i rif ffôn neu gyfeiriad post electronig y gwasanaeth.”

Amendment of the Regulated Services (Annual Returns) (Wales) Regulations 2017

5. The Regulated Services (Annual Returns) (Wales) Regulations 2017(1) are amended in accordance with regulation 6.

6. In the Schedule, in paragraph 1, after “Contact details”, omit the full stop and insert “including electronic mail address and telephone number.”

Amendment of the Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017

7. The Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017(2) are amended in accordance with regulation 8.

8. In Part 1 of Schedule 3, after paragraph 25 insert the following paragraph—

“25A. Any change of telephone number or electronic mail address for the service.”

Amendment of the Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019

9. The Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019(3) are amended in accordance with regulation 10.

10. In Part 1 of Schedule 3, after paragraph 22, insert the following paragraph—

“22A. Any change of telephone number or electronic mail address for the service.”

Amendment of the Regulated Advocacy Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019

11. The Regulated Advocacy Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019(4) are amended in accordance with regulation 12.

12. In Schedule 3, after paragraph 18, insert the following paragraph—

“18A. Any change of telephone number or electronic mail address for the service.”

(1) O.S. 2017/1097 (Cy. 277).

(2) O.S. 2017/1264 (Cy. 295).

(3) O.S. 2019/169 (Cy. 42).

(4) O.S. 2019/165 (Cy. 41).

(1) S.I. 2017/1097 (W. 277).

(2) S.I. 2017/1264 (W. 295).

(3) S.I. 2019/169 (W. 42).

(4) S.I. 2019/165 (W. 41).

Diwygio Rheoliadau Gwasanaethau Lleoli Oedolion (Darparwyr Gwasanaethau ac Unigolion Cyfrifol) (Cymru) 2019

13. Mae Rheoliadau Gwasanaethau Lleoli Oedolion (Darparwyr Gwasanaethau ac Unigolion Cyfrifol) (Cymru) 2019(1) wedi eu diwygio yn unol â rheoliad 14.

14. Yn Atodlen 3, ar ôl paragraff 21, mewnosoder y paragraff canlynol—

“22. Unrhyw newid i rif ffôn neu gyfeiriad post electronig y gwasanaeth.”

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

15. Mae Rheoliadau Gwasanaethau Mabwysiadu Rheoleiddiedig (Darparwyr Gwasanaethau ac Unigolion Cyfrifol) (Cymru) 2019(2) wedi eu diwygio yn unol â rheoliad 16.

16. Yn Rhan 1 o Atodlen 3, ar ôl paragraff 18, mewnosoder y paragraff canlynol—

“18A. Unrhyw newid i rif ffôn neu gyfeiriad post electronig y gwasanaeth.”

Amendment of the Adult Placement Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019

13. The Adult Placement Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019(1) are amended in accordance with regulation 14.

14. In Schedule 3, after paragraph 21, insert the following paragraph—

“22. Any change of telephone number or electronic mail address for the service.”

Amendment of the Regulated Adoption Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019

15. The Regulated Adoption Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019(2) are amended in accordance with regulation 16.

16. In Part 1 of Schedule 3, after paragraph 18, insert the following paragraph—

“18A. Any change of telephone number or electronic mail address for the service.”

Julie Morgan

Y Dirprwy Weinidog Gwasanaethau Cymdeithasol o dan awdurdod y Gweinidog Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru
Am 12.12 p.m. ar 6 Rhagfyr 2023

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Jeff James, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd Deddfau Senedd y Brenin.

Deputy Minister for Social Services under authority of the Minister for Health and Social Services, one of the Welsh Ministers
At 12.12 p.m. on 6 December 2023

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(1) O.S. 2019/163 (Cy. 40).
(2) O.S. 2019/762 (Cy. 145).

(1) S.I. 2019/163 (W. 40).
(2) S.I. 2019/762 (W. 145).

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