

HYSBYSIAD YNGHYLCH GWELLIANNAU

NOTICE OF AMENDMENTS

Cyflwynwyd ar 20 Tachwedd 2024
Tabled on 20 November 2024

Bil Iechyd a Gofal Cymdeithasol (Cymru)

Health and Social Care (Wales) Bill

Mabon ap Gwynfor

56

Section 3, page 5, after line 34, insert –

‘() Registered independent visiting advocacy services

- (1) This section applies to a person who provides or wants to provide a care home service.
- (2) To be registered in respect of a restricted children’s service, a person must make arrangements for a registered independent visiting advocacy service to be made available to each child for whom it provides care home services.
- (3) For the purpose of this section, “registered independent visiting advocacy services” has the meaning prescribed in regulations.
- (4) Regulations made under subsection (3) must –
 - (a) provide for a register of independent visiting advocacy service providers,
 - (b) provide for the frequency at which the registered independent visiting advocacy service provider must attend,
 - (c) set a minimum standard of knowledge that all registered independent visiting advocacy service providers must have relating to children’s rights, and
 - (d) provide for such other matters as the Welsh Ministers think appropriate.
- (5) Before making regulations under subsection (3) the Welsh Ministers must consult such persons as they think appropriate.
- (6) For the purpose of this section, “care home service” has the meaning provided in section 2A(1)(a).’.

Adran 3, tudalen 5, ar ôl llinell 38, mewnosoder –

‘() Gwasanaethau ymweliadau eirioli annibynnol cofrestredig

- (1) Mae’r adran hon yn gymwys i berson sy’n darparu, neu sy’n dymuno darparu, gwasanaeth cartref gofal.
- (2) Er mwyn cael ei gofrestru mewn cysylltiad â gwasanaeth plant o dan gyfyngiad, rhaid i berson wneud trefniadau i roi gwasanaeth ymweliadau eirioli annibynnol cofrestredig ar gael i bob plentyn y mae’n darparu gwasanaethau cartrefi gofal ar ei gyfer.
- (3) At ddiben yr adran hon, mae i “gwasanaethau ymweliadau eirioli annibynnol cofrestredig” yr ystyr a ragnodir mewn rheoliadau.
- (4) Rhaid i reoliadau a wneir o dan is-adran (3) –
 - (a) darparu ar gyfer cofrestr o ddarparwyr gwasanaethau ymweliadau eirioli annibynnol,
 - (b) darparu ar gyfer pa mor aml y mae rhaid i’r darparwr gwasanaeth ymweliadau eirioli annibynnol cofrestredig fynychu,
 - (c) gosod safon ofynnol o wybodaeth y mae rhaid i bob darparwr gwasanaeth ymweliadau eirioli annibynnol cofrestredig feddu arni ynghylch hawliau plant, a
 - (d) darparu ar gyfer unrhyw faterion eraill sy’n briodol ym marn Gweinidogion Cymru.
- (5) Cyn gwneud rheoliadau o dan is-adran (3), rhaid i Weinidogion Cymru ymgynghori ag unrhyw bersonau sy’n briodol yn eu barn hwy.
- (6) At ddiben yr adran hon, mae i “gwasanaeth cartref gofal” yr ystyr a ddarperir yn adran 2A(1)(a).’.

Mabon ap Gwynfor

57

Section 4, page 8, after line 9, insert –

‘Existing service providers: notification and risk assessment

- () (1) This paragraph applies in respect of a service provider to whom paragraph 2 applies.
- (2) A service provider who decides that it wishes to become a not-for-profit entity must notify the Welsh Ministers in writing within one week of its decision.
- (3) A service provider who decides that it wishes to cease operations must notify the Welsh Ministers within one week of its decision.
- (4) The Welsh Ministers must prepare a risk assessment setting out –
 - (a) how many notifications they have received under sub-paragraph (2),
 - (b) how many notifications they have received under sub-



paragraph (3),

- (c) how many children are in placements that will be affected by the decisions that are notified under sub-paragraphs (2) and (3),
 - (d) what steps the Welsh Ministers are taking to mitigate the risks arising from the intentions of service providers who have submitted notifications under sub-paragraphs (2) or (3).
- (5) A risk assessment that is prepared under sub-paragraph (4) must be published within three months of when the transitional period begins and every three months thereafter.
- (6) Each risk assessment that is published under sub-paragraph (5) must be laid before Senedd Cymru as soon as reasonably practicable.’.

Adran 4, tudalen 8, ar ôl llinell 9, mewnosoder –

‘Darparwyr gwasanaethau presennol: hysbysu ac asesu risg

- () (1) Mae’r paragraff hwn yn gymwys mewn cysylltiad â darparwr gwasanaeth y mae paragraff 2 yn gymwys iddo.
- (2) Rhaid i ddarparwr gwasanaeth sy’n penderfynu ei fod yn dymuno dod yn endid nid-er-elw hysbysu Gweinidogion Cymru yn ysgrifenedig o fewn un wythnos i’w benderfyniad.
- (3) Rhaid i ddarparwr gwasanaeth sy’n penderfynu ei fod yn dymuno rhoi’r gorau i’w weithrediadau hysbysu Gweinidogion Cymru o fewn un wythnos i’w benderfyniad.
- (4) Rhaid i Weinidogion Cymru lunio asesiad risg sy’n nodi –
- (a) sawl hysbysiad a gawsant o dan is-baragraff (2),
 - (b) sawl hysbysiad a gawsant o dan is-baragraff (3),
 - (c) sawl plentyn sydd mewn lleoliadau y bydd y penderfyniadau yr hysbysir amdanynt o dan is-baragraffau (2) a (3) yn effeithio arnynt,
 - (d) pa gamau y mae Gweinidogion Cymru yn eu cymryd i liniaru’r risgiau sy’n deillio o fwriadau darparwyr gwasanaethau sydd wedi cyflwyno hysbysiadau o dan is-baragraff (2) neu (3).
- (5) Rhaid cyhoeddi asesiad risg a lunnir o dan is-baragraff (4) o fewn tri mis i’r dyddiad y mae’r cyfnod trosiannol yn dechrau a phob tri mis wedi hynny.
- (6) Rhaid gosod pob asesiad risg a gyhoeddir o dan is-baragraff (5) gerbron Senedd Cymru cyn gynted ag y bo’n rhesymol ymarferol.’.

Mabon ap Gwynfor

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Section 11, page 15, after line 34, insert –

- ‘() an assessment of the amount of accommodation required to meet the demand indicated by notifications provided to the Welsh Ministers under paragraph 4(4) of Schedule 1A to the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw

2), as referenced in the risk assessment published by the Welsh Ministers under paragraph (to be inserted by amendment 57)(5) of that Schedule;’.

Adran 11, tudalen 15, ar ôl llinell 34, mewnosoder –

‘() asesiad ynghylch faint o lety sydd ei angen i fodloni’r galw a nodir gan hysbysiadau a ddarperir i Weinidogion Cymru o dan baragraff 4(4) o Atodlen 1A i Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016 (dccc 2), fel y cyfeirir atynt yn yr asesiad risg a gyhoeddir gan Weinidogion Cymru o dan baragraff (paragraff i’w fewnosod gan welliant 57)(5) o’r Atodlen honno;’.

Mabon ap Gwynfor

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Page 22, after line 26, insert a new section –

‘() Registered independent visiting advocacy services

- (1) The 2014 Act is amended as follows.
- (2) After section 178 insert –

“178A Registered independent visiting advocacy services

- (1) A local authority must make arrangements for a registered independent visiting advocacy service to be made available to each child for whom it provides care home services.
- (2) For the purpose of this section “registered independent visiting advocacy services” has the meaning prescribed in regulations.
- (3) Regulations made under subsection (2) must –
 - (a) provide for a register of independent visiting advocacy service providers,
 - (b) provide for the frequency at which the local authority must arrange for the registered independent visiting advocacy service provider to attend at each of its care homes,
 - (c) set a minimum standard of knowledge that all registered independent visiting advocacy service providers must have relating to children’s rights, and
 - (d) provide for such other matters as the Welsh Ministers think appropriate.
- (4) Before making regulations under subsection (2) the Welsh Ministers must consult such persons as they think appropriate.
- (5) For the purpose of this section, “care home service” has the meaning provided in section 2A(1)(a).
- (6) This section does not prevent or affect the provision of any other advice, information, assistance or service provided under any provision of this Chapter.”’.



Tudalen 22, ar ôl llinell 29, mewnosoder adran newydd –

‘() Gwasanaethau ymweliadau eirioli annibynnol cofrestredig

- (1) Mae Deddf 2014 wedi ei diwygio fel a ganlyn.
- (2) Ar ôl adran 178 mewnosoder –

“178A Gwasanaethau ymweliadau eirioli annibynnol cofrestredig

- (1) Rhaid i awdurdod lleol wneud trefniadau i roi gwasanaeth ymweliadau eirioli annibynnol cofrestredig ar gael i bob plentyn y mae’n darparu gwasanaethau cartrefi gofal ar ei gyfer.
- (2) At ddiben yr adran hon, mae i “gwasanaethau ymweliadau eirioli annibynnol cofrestredig” yr ystyr a ragnodir mewn rheoliadau.
- (3) Rhaid i reoliadau a wneir o dan is-adran (2) –
 - (a) darparu ar gyfer cofrestr o ddarparwyr gwasanaethau ymweliadau eirioli annibynnol,
 - (b) darparu ar gyfer pa mor aml y mae rhaid i’r awdurdod lleol drefnu i’r darparwr gwasanaeth ymweliadau eirioli annibynnol cofrestredig fynychu pob un o’i gartrefi gofal,
 - (c) gosod safon ofynnol o wybodaeth y mae rhaid i bob darparwr gwasanaeth ymweliadau eirioli annibynnol cofrestredig feddu arni ynghylch hawliau plant, a
 - (d) darparu ar gyfer unrhyw faterion eraill sy’n briodol ym marn Gweinidogion Cymru.
- (4) Cyn gwneud rheoliadau o dan is-adran (2), rhaid i Weinidogion Cymru ymgynghori ag unrhyw bersonau sy’n briodol yn eu barn hwy.
- (5) At ddiben yr adran hon, mae i “gwasanaeth cartref gofal” yr ystyr a ddarperir yn adran 2A(1)(a).
- (6) Nid yw’r adran hon yn atal darparu unrhyw gyngor, gwybodaeth, cymorth neu wasanaeth arall a ddarperir o dan unrhyw ddarpariaeth yn y Bennod hon, nac yn effeithio ar eu darparu.”.

Mabon ap Gwynfor

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Schedule 1, page 42, after line 18, insert –

‘() In section 196(6)(a), after “168” insert “, 178A(2)”.’.

Atodlen 1, tudalen 42, ar ôl llinell 18, mewnosoder –

‘() Yn adran 196(6)(a), ar ôl “168” mewnosoder “, 178A(2)”.’.

Mabon ap Gwynfor

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Schedule 1, page 42, line 24, after ‘(2),’, insert ‘ –

- (a) after paragraph (c) insert –

“(ca) section (to be inserted by amendment 56) (registered independent visiting advocacy services);”.

Atodlen 1, tudalen 42, llinell 24, ar ôl ‘(2),’, mewnosoder ‘ –

(a) ar ôl paragraff (c) mewnosoder –

“(ca) adran (*adran i’w mewnosod gan welliant 56*) (gwasanaethau ymweliadau eirioli annibynnol cofrestredig);”.

