

HYSBYSIAD YNGHYLCH GWELLIANNAU

NOTICE OF AMENDMENTS

Cyflwynwyd ar 17 Ionawr 2025
Tabled on 17 January 2025

Bil Iechyd a Gofal Cymdeithasol (Cymru)

Health and Social Care (Wales) Bill

Dawn Bowden

1

Section 1, page 1, line 12, after ‘children’, insert ‘(children’s home services)’.

Adran 1, tudalen 1, llinell 12, ar ôl ‘blant’, mewnosoder ‘(gwasanaethau cartrefi plant)’.

Dawn Bowden

2

Section 2, page 2, line 19, leave out ‘care home services at a place at which the service is provided wholly or mainly to children’ and insert ‘children’s home services’.

Adran 2, tudalen 2, llinell 20, hepgorer ‘gofal mewn man y mae’r gwasanaeth yn cael ei ddarparu’n gyfan gwbl neu’n bennaf i blant ynddo’ a mewnosoder ‘plant’.

Dawn Bowden

3

Section 2, page 2, line 26, leave out ‘provided at a place at which the service is provided wholly or mainly to children’ and insert ‘in so far as the service is a children’s home service’.

Adran 2, tudalen 2, llinell 28, hepgorer ‘a ddarperir mewn man y mae’r gwasanaeth yn cael ei ddarparu’n gyfan gwbl neu’n bennaf i blant ynddo’ a mewnosoder ‘i’r graddau y mae’r gwasanaeth yn wasanaeth cartref plant’.

Dawn Bowden

4

Section 2, page 2, after line 29, insert –

‘() For the purposes of subsection (1), a “children’s home service” is a care home service provided at one or more places at which the service is provided wholly or mainly to children.’.



Adran 2, tudalen 2, ar ôl llinell 32, mewnosoder –

‘() At ddibenion is-adran (1), mae “gwasanaeth cartref plant” yn wasanaeth cartref gofal a ddarperir mewn un neu ragor o fannau y mae’r gwasanaeth yn cael ei ddarparu’n gyfan gwbl neu’n bennaf i blant ynddo neu ynddynt.’.

Dawn Bowden

5

Section 2, page 2, line 33, leave out ‘paragraph’ and insert ‘sub-paragraph’.

Adran 2, tudalen 2, llinell 37, hepgorer ‘paragraff’ a mewnosoder ‘is-baragraff’.

Dawn Bowden

6

Section 2, page 2, line 34, leave out ‘restricted children’s’ and insert ‘children’s home’.

Adran 2, tudalen 2, llinell 37, hepgorer ‘plant o dan gyfyngiad’ a mewnosoder ‘cartref plant’.

Dawn Bowden

7

Section 4, page 6, line 7, leave out ‘regulated’ and insert ‘restricted children’s’.

Adran 4, tudalen 6, llinell 7, hepgorer ‘rheoleiddiedig’ a mewnosoder ‘plant o dan gyfyngiad’.

Dawn Bowden

8

Section 4, page 6, line 27, leave out ‘care home service provided at a place at which the service is provided wholly or mainly to children’ and insert ‘children’s home service’.

Adran 4, tudalen 6, llinell 27, hepgorer ‘gofal a ddarperir mewn man y mae’r gwasanaeth yn cael ei ddarparu’n gyfan gwbl neu’n bennaf i blant ynddo’ a mewnosoder ‘plant’.

Dawn Bowden

9

Section 4, page 6, after line 35, insert –

‘() In this Schedule, in relation to a provider, references to the existing service are to the service in respect of which the provider is registered as described in sub-paragraph (1).’.

Adran 4, tudalen 6, ar ôl llinell 36, mewnosoder –

‘() Yn yr Atodlen hon, mewn perthynas â darparwr, mae cyfeiriadau at y gwasanaeth presennol yn gyfeiriadau at y gwasanaeth y mae’r darparwr wedi ei gofrestru mewn cysylltiad ag ef fel y’i disgrifir yn is-baragraff (1).’.

Dawn Bowden

10

Section 4, page 6, line 36, leave out ‘whom this paragraph applies is registered in respect of a service described in sub-paragraph (1)(a) to (1)(c) –

- (a) the registration of the provider is not subject to the requirement in section 6A(1) (and any reference to that requirement is to be read accordingly), and
- (b) (in consequence) the entry in the register maintained under section 38 in respect of a provider must show that the provider does not meet the requirement in section 6A(1).’

and insert ‘which this paragraph applies is registered in respect of the existing service –

- (a) the registration of the provider is not subject to the requirement in section 6A(1) (and any reference to that requirement is to be read accordingly), and
- (b) (in consequence) the entry in the register in respect of the provider must show –
 - (i) that the provider’s registration in respect of the existing service is not subject to the requirement in section 6A(1), and
 - (ii) that the condition in section 7(3)(aa) is not imposed on the provider’s registration in respect of that service.’.

Adran 4, tudalen 6, llinell 38, hepgorer ‘â gwasanaeth a ddisgrifir yn is-baragraff (1)(a) i (1)(c) –

- (a) nid yw cofrestriad y darparwr yn ddarostyngedig i’r gofyniad yn adran 6A(1) (ac mae unrhyw gyfeiriad at y gofyniad hwnnw i’w ddarllen yn unol â hynny), a
- (b) (o ganlyniad) rhaid i’r cofnod yn y gofrestr a gynhelir o dan adran 38 mewn cysylltiad â darparwr ddangos nad yw’r darparwr yn bodloni’r gofyniad yn adran 6A(1).’

a mewnosoder ‘â’r gwasanaeth presennol –

- (a) nid yw cofrestriad y darparwr yn ddarostyngedig i’r gofyniad yn adran 6A(1) (ac mae unrhyw gyfeiriad at y gofyniad hwnnw i’w ddarllen yn unol â hynny), a
- (b) (o ganlyniad) rhaid i’r cofnod yn y gofrestr mewn cysylltiad â’r darparwr ddangos –
 - (i) nad yw cofrestriad y darparwr mewn cysylltiad â’r gwasanaeth presennol yn ddarostyngedig i’r gofyniad yn adran 6A(1), a
 - (ii) nad yw’r amod yn adran 7(3)(aa) wedi ei osod ar gofrestriad y darparwr mewn cysylltiad â’r gwasanaeth hwnnw.’.

Dawn Bowden

11

Section 4, page 7, line 7, leave out ‘(3) does not apply for the purposes of an application made by the service provider under section 6(1), section 11(1)(a)(i) or 11(1)(a)(ii)’

and insert ‘(4) does not apply for the purposes of an application made by the service provider –

- (a) in relation to the existing service, under section 11(1)(a)(ii);
- (b) in respect of any other service, under section 11(1)(a)(i)'.

Adran 4, tudalen 7, llinell 7, hepgorer '(3) yn gymwys at ddibenion cais a wneir gan y darparwr gwasanaeth o dan adran 6(1), adran 11(1)(a)(i) nac 11(1)(a)(ii)'

a mewnosoder '(4) yn gymwys at ddibenion cais a wneir gan y darparwr gwasanaeth –

- (a) mewn perthynas â'r gwasanaeth presennol, o dan adran 11(1)(a)(ii);
- (b) mewn cysylltiad ag unrhyw wasanaeth arall, o dan adran 11(1)(a)(i)'.

Dawn Bowden

12

Section 4, page 7, line 12, leave out 'whom' and insert 'which'.

Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version.

Dawn Bowden

13

Section 4, page 7, line 29, after 'place', insert 'at which the existing service is provided'.

Adran 4, tudalen 7, llinell 30, ar ôl 'man', mewnosoder 'y mae'r gwasanaeth presennol yn cael ei ddarparu ynddo'.

Dawn Bowden

14

Section 4, page 7, line 31, after 'registration', insert 'in respect of the existing service'.

Adran 4, tudalen 7, llinell 32, ar ôl 'darparwr', mewnosoder 'mewn cysylltiad â'r gwasanaeth presennol'.

Dawn Bowden

15

Section 4, page 7, leave out lines 34 to 36.

Adran 4, tudalen 7, hepgorer llinellau 35 hyd at 37.

Dawn Bowden

16

Section 4, page 8, line 2, leave out 'to whom paragraph 2 applies' and insert 'that is registered in respect of an existing service'.

Adran 4, tudalen 8, llinell 3, hepgorer 'y mae paragraff 2 yn gymwys iddo' a mewnosoder 'sydd wedi ei gofrestru mewn cysylltiad â gwasanaeth presennol'.

Dawn Bowden

17

Section 4, page 8, line 4, leave out 'whom this paragraph applies may apply to the Welsh Ministers to be registered' and insert 'which this paragraph applies may apply to the Welsh Ministers for the provider's registration in respect of the existing service to be'.

Adran 4, tudalen 8, llinell 6, hepgorer 'gael ei gofrestru' a mewnosoder 'gofrestriad y darparwr mewn cysylltiad â'r gwasanaeth presennol fod'.

Dawn Bowden

18

Section 4, page 8, after line 6, insert –

- ‘() But where a service provider to which this paragraph applies makes an application under section 11(1)(a)(i) or (ii) in respect of a restricted children’s service that is not the existing service, the provider must apply to the Welsh Ministers for the provider’s registration in respect of the existing service to be subject to the requirement in section 6A(1).’.

Adran 4, tudalen 8, ar ôl llinell 6, mewnosoder –

- ‘() Ond pan fo darparwr gwasanaeth y mae’r paragraff hwn yn gymwys iddo yn gwneud cais o dan adran 11(1)(a)(i) neu (ii) mewn cysylltiad â gwasanaeth plant o dan gyfyngiad ac nad hwnnw yw’r gwasanaeth presennol, rhaid i’r darparwr wneud cais i Weinidogion Cymru i gofrestriad y darparwr mewn cysylltiad â’r gwasanaeth presennol fod yn ddarostyngedig i’r gofyniad yn adran 6A(1).’.

Dawn Bowden

19

Section 4, page 8, line 7, leave out ‘sub-paragraph (2)’ and insert ‘this paragraph’.

Adran 4, tudalen 8, llinell 7, hepgorer ‘is-baragraff (2)’ a mewnosoder ‘y paragraff hwn’.

Dawn Bowden

20

Section 4, page 8, line 12, leave out ‘sub-paragraph (2)’ and insert ‘this paragraph’.

Adran 4, tudalen 8, llinell 12, hepgorer ‘is-baragraff (2)’ a mewnosoder ‘y paragraff hwn’.

Dawn Bowden

21

Section 4, page 8, line 22, leave out ‘vary the provider’s registration to –

- (a) show that the provider meets the requirement in section 6A(1), and
- (b) impose the condition in section 7(3)(aa) on the provider’s registration’

and insert ‘, in so far as the provider is registered in respect of the existing service –

- (a) impose the condition in section 7(3)(aa) on the provider’s registration;
- (b) show in the register that –
 - (i) the provider’s registration in respect of the existing service is subject to the requirement in section 6A(1), and
 - (ii) the condition in section 7(3)(aa) is imposed on the provider’s registration in respect of that service’.

Adran 4, tudalen 8, llinell 22, hepgorer ‘amrywio cofrestriad y darparwr –

- (a) i ddangos bod y darparwr yn bodloni’r gofyniad yn adran 6A(1), a
- (b) i osod yr amod yn adran 7(3)(aa) ar gofrestriad y darparwr’

a mewnosoder ‘, i’r graddau y mae’r darparwr wedi ei gofrestru mewn cysylltiad â’r gwasanaeth presennol –

- (a) gosod yr amod yn adran 7(3)(aa) ar gofrestriad y darparwr;
- (b) dangos yn y gofrestr –
 - (i) bod cofrestriad y darparwr mewn cysylltiad â’r gwasanaeth presennol yn ddarostyngedig i’r gofyniad yn adran 6A(1), a
 - (ii) bod yr amod yn adran 7(3)(aa) wedi ei osod ar gofrestriad y darparwr mewn cysylltiad â’r gwasanaeth hwnnw’.

Dawn Bowden

22

Section 4, page 8, after line 30, insert –

‘Interpretation

5 In this Schedule –

- (a) “looked after children” means children who are looked after by local authorities as described in section 74(1) of the 2014 Act;
- (b) references to the “register” are to the register maintained under section 38 of this Act.’.

Adran 4, tudalen 8, ar ôl llinell 30, mewnosoder –

‘Dehongli

5 Yn yr Atodlen hon –

- (a) ystyr “plant sy’n derbyn gofal” yw plant sy’n derbyn gofal gan awdurdodau lleol fel y’u disgrifir yn adran 74(1) o Ddeddf 2014;
- (b) mae cyfeiriadau at y “cofrestr” yn gyfeiriadau at y gofrestr a gynhelir o dan adran 38 o’r Ddeddf hon.’.

Dawn Bowden

23

Section 7, page 12, line 28, leave out ‘whom’ and insert ‘which’.

Nid oes angen diwygio’r fersiwn Cymraeg. There is no need to amend the Welsh version.

Dawn Bowden

24

Section 9, page 13, line 35, leave out ‘, after subsection (2) insert –

“(2A) In the case of an entry in the register in respect of a provider that –

- (a) is registered in respect of a restricted children’s service, and
- (b) is subject to the requirement in section 6A(1),

the entry must also show that the provider meets that requirement.’

and insert ‘ –

- (a) in subsection (2) –
 - (i) after paragraph (a) insert –

“(aa) whether any of those services is a restricted children’s service;”;

(ii) after paragraph (d) insert –

“(da) in the case of a provider of a restricted children’s service –

(i) that the provider’s registration in respect of that service is subject to the requirement in section 6A(1), and

(ii) that the condition in section 7(3)(aa) is imposed on the provider’s registration in respect of that service;”;

(b) after subsection (2) insert – ‘.

Adran 9, tudalen 13, llinell 40, hepgorer ‘, ar ôl is-adran (2) mewnosoder –

“(2A) Yn achos cofnod yn y gofrestr mewn cysylltiad â darparwr –

(a) sydd wedi ei gofrestru mewn cysylltiad â gwasanaeth plant o dan gyfyngiad, a

(b) sy’n ddarostyngedig i’r gofyniad yn adran 6A(1),

rhaid i’r cofnod hefyd ddangos bod y darparwr yn bodloni’r gofyniad hwnnw.’

a mewnosoder –

(a) yn is-adran (2) –

(i) ar ôl paragraff (a) mewnosoder –

“(aa) a yw unrhyw un neu ragor o’r gwasanaethau hynny yn wasanaeth plant o dan gyfyngiad;”;

(ii) ar ôl paragraff (d) mewnosoder –

“(da) yn achos darparwr gwasanaeth plant o dan gyfyngiad –

(i) bod cofrestriad y darparwr mewn cysylltiad â’r gwasanaeth hwnnw yn ddarostyngedig i’r gofyniad yn adran 6A(1), a

(ii) bod yr amod yn adran 7(3)(aa) wedi ei osod ar gofrestrriad y darparwr mewn cysylltiad â’r gwasanaeth hwnnw;”;

(b) ar ôl is-adran (2) mewnosoder – ‘.

Dawn Bowden

25

Section 10, page 14, line 32, leave out ‘in respect of which a person is registered under Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 to provide a care home service (within the meaning of paragraph 1 of Schedule 1 to that Act) wholly or mainly to children’ and insert ‘at which a children’s home service (within the meaning of section 2A(2) of the Regulation and Inspection of Social Care (Wales) Act 2016) is provided’.

Adran 10, tudalen 14, llinell 36, hepgorer ‘person wedi ei gofrestru o dan Ran 1 o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016 mewn cysylltiad ag ef i ddarparu gwasanaeth cartref gofal (o fewn ystyr paragraff 1 o Atodlen 1 i’r Ddeddf honno) yn gyfan gwbl neu’n bennaf i blant’ a mewnosoder ‘gwasanaeth cartref plant (o fewn ystyr adran 2A(2) o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016) yn cael ei ddarparu ynddo’.

Dawn Bowden

26

Section 13, page 18, line 37, leave out ‘as meeting’ and insert ‘subject to’.

Adran 13, tudalen 18, llinell 37, hepgorer ‘y cofrestrwyd ei fod yn bodloni’r’ a mewnosoder ‘sydd wedi ei gofrestru yn ddarostyngedig i’r’.

Dawn Bowden

27

Section 13, page 19, line 6, leave out ‘as meeting’ and insert ‘subject to’.

Adran 13, tudalen 19, llinell 6, hepgorer ‘y cofrestrwyd ei fod yn bodloni’r’ a mewnosoder ‘sydd wedi ei gofrestru yn ddarostyngedig i’r’.

Dawn Bowden

28

Section 16, page 23, line 23, leave out ‘Subsection (3) amends’ and insert ‘Subsections (2) and (3) amend’.

Adran 16, tudalen 23, llinell 23, hepgorer ‘is-adran’ a mewnosoder ‘is-adrannau (2) a’.

Dawn Bowden

29

Section 17, page 24, after line 37, insert –

‘() after “think” insert “it”’.

Adran 17, tudalen 24, ar ôl llinell 39, mewnosoder –

‘() yn y testun Saesneg, ar ôl “think” mewnosoder “it”’.

Dawn Bowden

30

Section 17, page 26, leave out lines 17 to 20 and insert –

‘is committing or has committed an offence under this Part’.

Adran 17, tudalen 26, hepgorer llinellau 21 hyd at 26 a mewnosoder –

‘yn cyflawni neu wedi cyflawni trosedd o dan y Rhan hon’.

Dawn Bowden

31

Section 17, page 26, after line 23, insert –

‘() omit “and inspect”’.

Adran 17, tudalen 26, ar ôl llinell 29, mewnosoder –

‘() yn lle “ac arolygu” rhodder “i”’.

Dawn Bowden

32

Section 17, page 26, after line 23, insert –

‘() in subsection (2), omit “and inspect”’.

Adran 17, tudalen 26, ar ôl llinell 29, mewnosoder –

‘() yn is-adran (2), yn lle “ac arolygu mangre” rhodder “i fangre”’.

Dawn Bowden

33

Section 24, page 39, after line 21, insert –

‘() Where the Welsh Ministers make payments under subsection (1), they must, having regard to the purposes for which the payments are made, make arrangements for the provision to the patient, payee or their representative of such information, advice or other support, as the Welsh Ministers consider appropriate.’.

Adran 24, tudalen 39, ar ôl llinell 21, mewnosoder –

‘() Where the Welsh Ministers make payments under subsection (1), they must, having regard to the purposes for which the payments are made, make arrangements for the provision to the patient, payee or their representative of such information, advice or other support, as the Welsh Ministers consider appropriate.’.

Dawn Bowden

34

Section 24, page 39, after line 30, insert –

‘() make provision in respect of information, advice or other support to be provided by a Local Health Board to patients, payees or their representatives in connection with the payments’.

Adran 24, tudalen 39, ar ôl llinell 30, mewnosoder –

‘() make provision in respect of information, advice or other support to be provided by a Local Health Board to patients, payees or their representatives in connection with the payments’.

Dawn Bowden

35

Section 29, page 43, line 8, leave out ‘2(6), 3(b), 4(4)’ and insert ‘2(1) and (6), 3(b), 4(1) and (4)’.

Adran 29, tudalen 43, llinell 8, hepgorer ‘2(6), 3(b), 4(4)’ a mewnosoder ‘2(1) a (6), 3(b), 4(1) a (4)’.

Dawn Bowden

36

Schedule 1, page 44, after line 18, insert –

‘() In section 197(1), in the appropriate places insert –

““for-profit provider” (“*darparwr er elw*”) has the meaning given by section 75A(4);”;

““private provider” (“*darparwr preifat*”) has the meaning given by section 75A(5);”.

Atodlen 1, tudalen 44, ar ôl llinell 18, mewnosoder –

‘() Yn adran 197(1), yn y lleoedd priodol mewnosoder –

“mae i “darparwr er elw” (“*for-profit provider*”) yr ystyr a roddir gan adran 75A(4);”;

“mae i “darparwr preifat” (“*private provider*”) yr ystyr a roddir gan adran 75A(5);”.

Dawn Bowden

37

Schedule 1, page 44, after line 33, insert –

““children’s home service” (“*gwasanaeth cartrefplant*”) has the meaning given by section 2A;”.

Atodlen 1, tudalen 44, ar ôl llinell 32, mewnosoder –

“mae i “gwasanaeth cartref plant” (“*children’s home service*”) yr ystyr a roddir gan adran 2A;”.

Dawn Bowden

38

Schedule 1, page 45, after line 10, insert –

‘() in paragraph 1(1) –

(i) for the words “at a place” substitute “,”;

(ii) after the words “in Wales” omit “,”.

Atodlen 1, tudalen 45, ar ôl llinell 14, mewnosoder –

‘() ym mharagraff 1(1) –

(i) yn lle’r geiriau “mewn man” rhodder “,”;

(ii) ar ôl y geiriau “yng Nghymru” hepgorer “,”.

Dawn Bowden

39

Schedule 1, page 45, after line 30, insert –

‘Safeguarding Vulnerable Groups Act 2006 (c. 47)

[] (1) The Safeguarding Vulnerable Groups Act 2006 is amended as follows.

(2) In section 6, after subsection (8G) (as inserted by paragraph 4(2) of Schedule 2) insert –

“(8H) A local authority does not make arrangements for another to engage in a regulated activity by virtue of anything the authority does under regulations under section 49A of, or Schedule A1 to, the Social Services and Well-being (Wales) Act 2014 (anaw 4);

- (8I) A person (P) who is authorised as mentioned in subsection (5)(a) of section 50 of, or paragraph 4(5)(a) of Schedule A1 to, the Social Services and Well-being (Wales) Act 2014 does not make arrangements for another to engage in a regulated activity by virtue of anything that P does under subsection (5)(b) or (6)(b) of section 50 or paragraph 4(5)(b) or (6)(b) of Schedule A1."

(3) In section 30(8), for "sections 50 to 53 of" substitute "section 49A of, or Schedule A1 to,"'.
Atodlen 1, tudalen 45, ar ôl llinell 32, mewnosoder –

'Deddf Diogelu Grwpiau Hyglwyf 2006 (p. 47)

- [] (1) Mae Deddf Diogelu Grwpiau Hyglwyf 2006 wedi ei diwygio fel a ganlyn.
- (2) Yn adran 6, ar ôl is-adran (8G) (fel y'i mewnosodir gan baragraff 4(2) o Atodlen 2) mewnosoder –
- "(8H) A local authority does not make arrangements for another to engage in a regulated activity by virtue of anything the authority does under regulations under section 49A of, or Schedule A1 to, the Social Services and Well-being (Wales) Act 2014 (anaw 4);
- (8I) A person (P) who is authorised as mentioned in subsection (5)(a) of section 50 of, or paragraph 4(5)(a) of Schedule A1 to, the Social Services and Well-being (Wales) Act 2014 does not make arrangements for another to engage in a regulated activity by virtue of anything that P does under subsection (5)(b) or (6)(b) of section 50 or paragraph 4(5)(b) or (6)(b) of Schedule A1."
- (3) Yn adran 30(8), yn lle "sections 50 to 53 of" rhodder "section 49A of, or Schedule A1 to,"'.

Dawn Bowden

40

Schedule 1, page 47, after line 3, insert –

'() In the heading of section 34, omit "and inspect"'.
Atodlen 1, tudalen 47, ar ôl llinell 3, mewnosoder –

'() Ym mhennawd adran 34, yn lle "ac arolygu mangreoedd" rhodder "i fangreoedd"'.

Dawn Bowden

41

Schedule 1, page 47, after line 22, insert –

'Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016 (S.I. 2016/413 (W. 131))

- [] (1) The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016 are amended as follows.
- (2) Omit –
- (a) regulation 2(5);
- (b) regulation 253.'.

Atodlen 1, tudalen 47, ar ôl llinell 23, mewnosoder –

‘Rheoliadau Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (Diwygiadau Canlyniadol) 2016
(O.S. 2016/413 (Cy. 131))

[] (1) Mae Rheoliadau Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014
(Diwygiadau Canlyniadol) 2016 wedi eu diwygio fel a ganlyn.

(2) Hepgorer –

(a) rheoliad 2(5);

(b) rheoliad 253.’.

