



HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 5 Tachwedd 2013
Tabled on 5 November 2013

Bil Gwasanaethau Cymdeithasol a Llesiant (Cymru) Social Services and Well-being (Wales) Bill

Mae'r gwelliannau â * ar eu pwys yn rhai newydd neu'n rhai sydd wedi'u haddasu
Amendments marked * are new or have been altered

Lindsay Whittle **468**

Section 34, page 25, line 10, leave out 'towards the cost of meeting' and insert 'as a means of meeting the cost of'.

Adran 34, tudalen 25, llinell 11, hepgorer 'tuag at y gost o ddiwallu' a mewnosoder 'fel ffordd o dalu cost'.

Lindsay Whittle **469**

Section 34, page 26, after line 14, insert—

- '(8) Regulations under this section must not provide for the making of direct payments as the sole means of meeting the cost of an adult's needs for care and support under sections 21 and 22.'

Adran 34, tudalen 26, ar ôl llinell 17, mewnosoder—

- '(8) Ni chaniateir i reoliadau o dan yr adran hon ddarparu mai taliadau uniongyrchol yw'r unig ffordd o dalu cost anghenion oedolyn am ofal a chymorth o dan adrannau 21 a 22.'

Gwenda Thomas **251A**

As an amendment to amendment 251, line 1, leave out ‘any outcomes specified in any’, and insert ‘that guidance and to any outcomes specified in a’.

Fel gwelliant i welliant 251, llinell 1, hepgorer ‘unrhyw ganlyniadau a bennir mewn unrhyw’ a mewnosoder ‘y canllawiau hynny ac i unrhyw ganlyniadau a bennir mewn’.

Gwenda Thomas **251B**

As an amendment to amendment 251, line 2, leave out ‘and to’.

Fel gwelliant i welliant 251, llinell 2, hepgorer ‘ac i’.

Gwenda Thomas **470**

Section 150, page 95, line 5, leave out ‘their functions under’ and insert ‘functions conferred on them under or by virtue of’.

Adran 150, tudalen 95, llinell 5, hepgorer ‘eu swyddogaethau o dan’ a mewnosoder ‘swyddogaethau a roddir iddynt o dan neu yn rhinwedd’.

Gwenda Thomas **471**

Section 150, page 95, line 6, leave out ‘any guidance given by the Welsh Ministers’.

Adran 150, tudalen 95, llinell 6, hepgorer ‘unrhyw ganllawiau a roddir gan Weinidogion Cymru’.

Elin Jones **472**

Section 6, page 7, after line 8, insert—

‘() A Local Health Board must provide or arrange for the provision of a range and level of services which it considers will achieve or contribute to the achievement of the purposes in subsection (2) in its area.’

Adran 6, tudalen 7, ar ôl llinell 7, mewnosoder—

‘() Rhaid i Fwrdd Iechyd Lleol ddarparu neu drefnu i ddarparu ystod a lefel o wasanaethau a fydd yn ei farn ef yn sicrhau’r dibenion neu’n cyfrannu at sicrhau’r dibenion yn is-adran (2) yn ei ardal.’

Elin Jones **473**

Section 6, page 7, line 31, leave out subsection (5).

Adran 6, tudalen 7, llinell 31, hepgorer is-adran (5).

Elin Jones

474

Section 9, page 10, after line 9, insert—

‘() identifies a specific linguistic need of a person.’

Adran 9, tudalen 10, ar ôl llinell 9, mewnosoder—

‘() adnabod angen ieithyddol benodol person.’

Elin Jones

475

To insert a new section—

‘Welsh in care and support

() Strategic plans

- (1) A local authority and a Local Health Board providing services in the area of that local authority must jointly prepare and publish a Welsh in care and support and well-being strategic plan for the local authority’s area.
- (2) The plan must be kept under review, and if necessary, revised.’

I fewnosod adran newydd—

‘Y Gymraeg mewn gofal a chymorth

() Cynlluniau strategol

- (1) Rhaid i awdurdod lleol a Bwrdd Iechyd Lleol sy’n darparu gwasanaethau yn ardal yr awdurdod lleol hwnnw lunio a chyhoeddi ar y cyd gynllun strategol ar gyfer y Gymraeg mewn gofal a chymorth a llesiant ar gyfer ardal yr awdurdod lleol.
- (2) Rhaid adolygu’r cynllun yn gyson, ac os oes angen, ei ddiwygio.’

Elin Jones

476

To insert a new section—

‘() Strategic plans: further provisions

A Welsh in care and support and well-being strategic plan is a plan which contains—

- (a) a local authority’s proposals on how it will carry out its functions under this Act to improve the provision of its services under this Act through the medium of Welsh;
- (b) a Local Health Board’s proposals on how in exercising its functions under this Act or any other enactment it will collaborate with the local authority in its duty under paragraph (a).’

I fewnosod adran newydd –

‘() **Cynlluniau strategol: darpariaethau pellach**

- (1) Mae cynllun strategol y Gymraeg mewn gofal a chymorth a llesiant yn gynllun sy'n cynnwys –
- (a) cynigion awdurdod lleol ynghylch sut y bydd yn cyflawni ei swyddogaethau o dan y Ddeddf hon i wella ei ddarpariaeth o wasanaethau o dan y Ddeddf hon drwy gyfrwng y Gymraeg;
 - (b) cynigion Bwrdd Iechyd Lleol ynghylch sut, wrth arfer ei swyddogaethau o dan y Ddeddf hon neu unrhyw ddeddfiad arall, y bydd yn cydweithio â'r awdurdod lleol o ran ei ddyletswydd o dan baragraff (a).’.

Elin Jones

477

To insert a new section –

‘() **Assessments: language of choice**

An assessment under Part 3 must be conducted in the language of choice of the person being assessed.’.

I fewnosod adran newydd –

‘() **Asesiadau: dewis iaith**

Rhaid cynnal asesiad o dan Ran 3 yn newis iaith y person a asesir.’.

WITHDRAWN/TYNNWYD YN ÔL

*** Elin Jones**

478

To insert a new section –

‘() **Meeting needs: linguistic choice**

A local authority must, whenever practicable, carry out its functions under this Part in accordance with the linguistic preference of the adult, child or carer concerned.’.

I fewnosod adran newydd –

‘() **Diwallu anghenion: dewis ieithyddol**

Rhaid i awdurdod lleol, pa bryd bynnag y bydd yn ymarferol, gyflawni ei swyddogaethau o dan y Rhan hon yn unol â dewis ieithyddol yr oedolyn, y plentyn neu'r gofalwr o dan sylw.’.

Elin Jones

479

Section 31, page 23, line 10, leave out 'not meet a person's needs for care and support (including a carer's needs for support) under sections 21 to 29 by providing or arranging for the provision of a service or facility which is required to be provided under the National Health Service (Wales) Act 2006 or the National Health Service Act 2006, unless' and insert 'meet a person's needs for care and support (including a carer's needs for support) under sections 21 to 29 by providing or arranging for the provision of a service or facility which is required to be provided under the National Health Services (Wales) Act 2006 or the National Health Service Act 2006, where'.

Adran 31, tudalen 23, llinell 10, hepgorer 'Ni chaiff awdurdod lleol ddiwallu anghenion person am ofal a chymorth (gan gynnwys anghenion gofalwr am gymorth) o dan adrannau 21 i 29 drwy ddarparu neu drwy drefnu i ddarparu gwasanaeth neu gyfleuster y mae'n ofynnol ei ddarparu o dan Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 neu Ddeddf y Gwasanaeth Iechyd Gwladol 2006, oni bai' a mewnosoder 'Caiff awdurdod lleol ddiwallu anghenion person am ofal a chymorth (gan gynnwys anghenion gofalwr am gymorth) o dan adrannau 21 i 29 drwy ddarparu neu drwy drefnu i ddarparu gwasanaeth neu gyfleuster y mae'n ofynnol ei ddarparu o dan Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 neu Ddeddf y Gwasanaeth Iechyd Gwladol 2006, lle'.

Elin Jones

480

Section 31, page 23, line 15, leave out 'not secure services or facilities for a person under section 6 (preventative services) that are required to be provided under the National Health Service (Wales) Act 2006 or the National Health Service Act 2006, unless' and insert 'secure services or facilities for a person under section 6 (preventative services) that are required to be provided under the National Health Services (Wales) Act 2006 or the National Health Service Act 2006, where'.

Adran 31, tudalen 23, llinell 16, hepgorer 'Ni chaiff awdurdod lleol sicrhau gwasanaethau neu gyfleusterau i berson o dan adran 6 (gwasanaethau ataliol) y mae'n ofynnol eu darparu o dan Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 neu Ddeddf y Gwasanaeth Iechyd Gwladol 2006, oni bai' a mewnosoder 'Caiff awdurdod lleol sicrhau gwasanaethau neu gyfleusterau i berson o dan adran 6 (gwasanaethau ataliol) y mae'n ofynnol eu darparu o dan Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 neu Ddeddf y Gwasanaeth Iechyd Gwladol 2006, lle'.

Elin Jones

481

Section 57, page 43, after line 2, insert—

- '() provide for appeals against the decision of the local authority to require payment under subsection (2).'

Adran 57, tudalen 43, ar ôl llinell 2, mewnosoder—

- '() darparu ar gyfer apeliadau yn erbyn penderfyniad gan yr awdurdod lleol i'w gwneud yn ofynnol bod taliad yn cael ei wneud o dan is-adran (2).'

Elin Jones 482

Section 62, page 46, line 23, after 'background', insert 'particularly in relation to a child whose first language is Welsh'.

Adran 62, tudalen 46, llinell 25, ar ôl 'plentyn', mewnosoder 'yn enwedig mewn perthynas â phlentyn y mae'r Gymraeg yn iaith gyntaf iddo'.

Elin Jones 483

Section 127, page 82, after line 30, insert—

'(3) Where the Welsh Ministers give a warning notice under subsection (1), they must—

- (a) within 21 days of the giving of the notice lay a copy of the notice before the National Assembly for Wales, and
- (b) within 90 days report to the National Assembly for Wales on the steps taken under subsection (1).'

Adran 127, tudalen 82, ar ôl llinell 30, mewnosoder—

'(3) Pan fo Gweinidogion Cymru yn rhoi hysbysiad rhybuddio o dan is-adran (1), rhaid iddynt—

- (a) o fewn 21 diwrnod o roi'r hysbysiad osod copi ohono gerbron Cynulliad Cenedlaethol Cymru, a
- (b) o fewn 90 diwrnod adrodd i Gynulliad Cenedlaethol Cymru ynghylch y camau sy'n cael eu cymryd o dan is-adran (1).'

Elin Jones 484

Section 128, page 83, after line 6, insert—

'() The Welsh Ministers must, within 90 days, report to the National Assembly for Wales on the steps taken to intervene in the social services functions of a local authority.'

Adran 128, tudalen 83, ar ôl llinell 7, mewnosoder—

'() Rhaid i Weinidogion Cymru, o fewn 90 diwrnod, adrodd i Gynulliad Cenedlaethol Cymru ynghylch y camau a gymerir i ymyrryd â swyddogaethau gwasanaethau cymdeithasol awdurdod lleol.'

Elin Jones 485

Section 128, page 83, after line 14, insert—

'() Until such time as notice is given under subsection (5), the Welsh Ministers must report every 6 months to the National Assembly for Wales on the steps being taken pursuant to the intervention.'

Adran 128, tudalen 83, ar ôl llinell 14, mewnosoder—

'() Hyd nes y rhoddir hysbysiad o dan is-adran (5), rhaid i Weinidogion Cymru adrodd i Gynulliad Cenedlaethol Cymru bob 6 mis ynghylch y camau sy'n cael eu cymryd yn unol â'r ymyriad.'

Elin Jones

486

To insert a new section –

‘() Intervention: duty to report

Where the Welsh Ministers exercise their power of direction under section 129, 130, 131 or 133, they must –

- (a) within 21 days lay a copy of the direction before the National Assembly for Wales,
- (b) within 90 days report the giving of the direction to the National Assembly for Wales, and
- (c) report to the National Assembly for Wales on the steps taken by the local authority to comply with the direction.’.

I fewnosod adran newydd –

‘() Ymyrryd: dyletswydd i adrodd

- (1) Pan fo Gweinidogion Cymru yn arfer eu pŵer i roi cyfarwyddyd o dan adran 129, 130, 131 neu 133, rhaid iddynt –

- (a) o fewn 21 diwrnod osod copi o’r cyfarwyddyd gerbron Cynulliad Cenedlaethol Cymru,
- (b) o fewn 90 diwrnod adrodd i Gynulliad Cenedlaethol Cymru eu bod yn rhoi’r cyfarwyddyd iddo, ac
- (c) adrodd i Gynulliad Cenedlaethol Cymru ynghylch y camau a gymerwyd gan yr awdurdod lleol i gydymffurfio â’r cyfarwyddyd.’.

Elin Jones

487

Section 137, page 86, line 9, after ‘must’, insert ‘within 3 years following commencement of this Act,’.

Adran 137, tudalen 86, llinell 10, ar ôl ‘Cymru’, mewnosoder ‘o fewn 3 blynedd ar ôl cychwyn y Ddeddf hon,’.

Elin Jones

488

Section 137, page 86, after line 25, insert –

- ‘(6) Statements under this section must be reviewed every 2 years from the issue of the first statement.’.

Adran 137, tudalen 86, ar ôl llinell 27, mewnosoder –

- ‘(6) Rhaid adolygu datganiadau o dan yr adran hon bob 2 flynedd ar ôl dyroddi’r datganiad cyntaf.’.

Elin Jones 489

Section 148, page 94, line 4, leave out 'may' and insert 'must'.

Adran 148, tudalen 94, llinell 4, hepgorer 'Caiff' a mewnosoder 'Rhaid i'.

Elin Jones 490

Section 148, page 94, after line 8, insert –

'() A local authority or a Local Health Board must establish and maintain a pooled fund.'

Adran 148, tudalen 94, ar ôl llinell 8, mewnosoder –

'() Rhaid i awdurdod lleol neu Fwrdd Iechyd Lleol sefydlu a chynnal cronfa gyfun.'

Elin Jones 491

Section 148, page 94, line 12, leave out 'may' and insert 'must'.

Adran 148, tudalen 94, llinell 12, hepgorer 'Caiff rheoliadau' a mewnosoder 'Rhaid i reoliadau'.

Elin Jones 492

Section 148, page 94, leave out lines 14 to 15.

Adran 148, tudalen 94, hepgorer llinellau 14 hyd at 15.

Elin Jones 493

Section 149, page 94, line 34, leave out 'may' and insert 'under subsection (1) must'.

Adran 149, tudalen 94, llinell 35, hepgorer 'Caiff rheoliadau' a mewnosoder 'O dan is-adran (1) rhaid i reoliadau'.