



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2016 Rhif 1111 (Cy. 268)

2016 No. 1111 (W. 268)

**GOFAL CYMDEITHASOL,
CYMRU**

SOCIAL CARE, WALES

Rheoliadau Gofal Cymdeithasol
Cymru (Rhestr o Bersonau sydd
wedi eu Tynnu oddi ar y Gofrestr)
2016

The Social Care Wales (List of
Persons Removed from the
Register) Regulations 2016

NODYN ESBONIADOL

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

O dan adran 80(1) o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016 ("y Ddeddf"), rhaid i Ofal Cymdeithasol Cymru ("GCC") gadw cofrestr o weithwyr cymdeithasol, gweithwyr gofal cymdeithasol penodol a gweithwyr cymdeithasol sydd ar ymweliad o Wladwriaethau Ewropeaidd perthnasol. Mae adran 110(1) o'r Ddeddf yn darparu bod rhaid hefyd i GCC gadw rhestr o'r personau y mae eu cofnodion yn y gofrestr wedi eu dileu o dan yr amgylchiadau a bennir yn adran 110(2) a (4) o'r Ddeddf.

Yn y Rheoliadau hyn, mae Gweinidogion Cymru yn gwneud darpariaeth ynghylch cynnwys y rhestr o bersonau sydd wedi eu tynnu oddi ar y gofrestr a chyhoeddi'r rhestr, neu wybodaeth benodedig o'r rhestr, yn unol ag adran 110(6) o'r Ddeddf.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau 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.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Under section 80(1) of the Regulation and Inspection of Social Care (Wales) Act 2016 ("the Act"), Social Care Wales ("SCW") must keep a register of social workers, certain social care workers and visiting social workers from relevant European States. Section 110(1) of the Act provides that SCW must also keep a list of persons whose entries in the register have been removed in the circumstances specified in section 110(2) and (4) of the Act.

In these Regulations, the Welsh Ministers make provision about the content of the list of persons removed from the register and the publication of the list, or specified information from the list, pursuant to section 110(6) of the Act.

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.

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**Rheoliadau Gofal Cymdeithasol
Cymru (Rhestr o Bersonau sydd
wedi eu Tynnu oddi ar y Gofrestr)
2016**

Gwnaed 15 Tachwedd 2016

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 22 Tachwedd 2016

Yn dod i rym 3 Ebrill 2017

Mae Gweinidogion Cymru drwy arfer y pwerau a roddir iddynt gan adrannau 110(6) a 187(1)(b) o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016(1) yn gwneud y Rheoliadau a ganlyn.

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Gofal Cymdeithasol Cymru (Rhestr o Bersonau sydd wedi eu Tynnu oddi ar y Gofrestr) 2016.

(2) Daw'r Rheoliadau hyn i rym ar 3 Ebrill 2017.

(3) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

Dehongli

2. Yn y Rheoliadau hyn—

ystyr “y Ddeddf” (“*the Act*”) yw Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016;

ystyr “GCC” (“*SCW*”) yw Gofal Cymdeithasol Cymru(2).

2016 No. 1111 (W. 268)

SOCIAL CARE, WALES

**The Social Care Wales (List of
Persons Removed from the
Register) Regulations 2016**

Made 15 November 2016

Laid before the National Assembly for Wales
22 November 2016

Coming into force 3 April 2017

The Welsh Ministers in exercise of the powers conferred upon them by sections 110(6) and 187(1)(b) of the Regulation and Inspection of Social Care (Wales) Act 2016(1) make the following Regulations.

Title, commencement and application

1.—(1) The title of these Regulations is the Social Care Wales (List of Persons Removed from the Register) Regulations 2016.

(2) These Regulations come into force on 3 April 2017.

(3) These Regulations apply in relation to Wales.

Interpretation

2. In these Regulations—

“the Act” (“*y Ddeddf*”) means the Regulation and Inspection of Social Care (Wales) Act 2016;

“SCW” (“*GCC*”) means Social Care Wales(2).

(1) 2016 dccc 2.

(2) Ailenwyd Cyngor Gofal Cymru yn Ofal Cymdeithasol Cymru gan adran 67(3) o'r Ddeddf.

(1) 2016 anaw 2.

(2) The Care Council for Wales was renamed Social Care Wales by section 67(3) of the Act.

Cynnwys y rhestr

3. Rhaid i gofnod ar y rhestr o bersonau sydd wedi eu tynnu oddi ar y gofrestr y mae rhaid i GCC ei chadw o dan adran 110(1) o'r Ddeddf ddangos mewn cysylltiad â phob person—

- (a) enw'r person,
- (b) y dyddiad y cafodd y person ei dynnu oddi ar y gofrestr, ac
- (c) pa un neu ba rai o'r amgylchiadau yn adran 110(2) neu (4) o'r Ddeddf a berodd i'w gofnod yn y gofrestr gael ei ddileu.

Cyhoeddi

4.—(1) Rhaid i GCC gyhoeddi ar ei wefan restr gyfredol o'r personau sydd wedi eu tynnu oddi ar y gofrestr, y mae rhaid iddi gynnwys yr wybodaeth a bennir ym mharagraffau (a) i (c) o reoliad 3.

(2) Rhaid i GCC gydymffurfio ag unrhyw gais rhesymol a wneir gan berson i gael copi o'r rhestr neu wybodaeth benodedig o'r rhestr.

Content of the list

3. An entry on the list of persons removed from the register which must be kept by SCW under section 110(1) of the Act must show in respect of each person—

- (a) the name of the person,
- (b) the date on which the person was removed from the register, and
- (c) which of the circumstances in section 110(2) or (4) of the Act caused their entry in the register to be removed.

Publication

4.—(1) SCW must publish on its website an up-to-date list of persons removed from the register, which must include the information specified at paragraphs (a) to (c) of regulation 3.

(2) SCW must comply with any reasonable request made by a person for a copy of, or specified information from, the list.

Rebecca Evans

Gweinidog Iechyd y Cyhoedd a Gwasanaethau
Cymdeithasol, o dan awdurdod Ysgrifennydd y
Cabinet dros Iechyd, Llesiant a Chwaraeon, un o
Weinidogion Cymru
15 Tachwedd 2016

Minister for Social Services and Public Health, under
authority of the Cabinet Secretary for Health,
Wellbeing and Sport, one of the Welsh Ministers

15 November 2016

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