



Argraffwyd yr Offeryn Statudol hwn yn lle'r O.S. â'r un enw a gafodd ei gyhoeddi'n anghywir fel O.S. 2007/1086 (Cy.115). Darperir copi yn rhad ac am ddim i bawb y gwyddus eu bod wedi derbyn yr Offeryn Statudol hwnnw.

CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2007 Rhif 1357 (Cy.128)

GOFAL CYMDEITHASOL, CYMRU

PLANT A PHOBL IFANC, CYMRU

Rheoliadau Gwasanaeth
Mabwysiadu Awdurdodau Lleol
(Cymru) 2007

NODYN ESBONIADOL

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

Gwneir y Rheoliadau hyn o dan Ddeddf Mabwysiadu a Phlant 2002 ("Deddf 2002") a Deddf Safonau Gofal 2000 ("Deddf 2000") ac maent yn gymwys i awdurdodau lleol yng Nghymru. Maent yn disodli Rheoliadau Gwasanaeth Mabwysiadu Awdurdodau Lleol (Cymru) 2005. Maent yn darparu fframwaith rheoliadol ar gyfer gwasanaethau mabwysiadu awdurdodau lleol. Mae Pennod 6 o Ddeddf lechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003 yn darparu ar gyfer arolygu gwasanaethau awdurdodau lleol gan Gynulliad Cenedlaethol Cymru ("y Cynulliad Cenedlaethol").

Mae rheoliadau 3 a 4 yn ei gwneud yn ofynnol ei bod yn orfodol bod gan bob awdurdod lleol sy'n darparu gwasanaeth mabwysiadu ddatganiad o ddiben, sy'n datgan nodau ac amcanion y gwasanaeth, a bod ganddo hefyd arweiniad plant. Rhaid i'r gwasanaeth gael ei gynnal mewn modd sy'n gyson â'r datganiad o ddiben.

Mae Rhan 2 yn gwneud darpariaeth ynghylch y personau sy'n rheoli'r gwasanaeth, ac yn ei gwneud yn

This Statutory Instrument has been printed in substitution of the SI of the same title, which was incorrectly published as SI 2007/1086 (W.115), and is being issued free of charge to all known recipients of that Statutory Instrument.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2007 No. 1357 (W.128)

SOCIAL CARE, WALES

CHILDREN AND YOUNG PERSONS, WALES

The Local Authority Adoption
Service (Wales)
Regulations 2007

EXPLANATORY NOTE

(*This note is not part of the Regulations*)

These Regulations are made under the Adoption and Children Act 2002 ("the 2002 Act") and the Care Standards Act 2000 ("the 2000 Act") and apply to Welsh local authorities. They replace the Local Authority Adoption Service (Wales) Regulations 2005. They provide a regulatory framework for local authority adoption services. Chapter 6 of the Health and Social Care (Community Health and Standards) Act 2003 provides for the inspection of local authority services by the National Assembly for Wales ("the National Assembly").

Regulations 3 and 4 require that each local authority providing an adoption service must have a statement of purpose setting out the aims and objectives of the service and a children's guide. The service must be carried on in a manner which is consistent with the statement of purpose.

Part 2 makes provision about the persons managing the service, and requires satisfactory information to be

ofynnol bod gwybodaeth fodhaol ar gael mewn perthynas â'r materion a ragnodir yn Atodlen 3.

Mae Rhan 3 yn gwneud darpariaeth ynghylch y modd y cynhelir y gwasanaeth, ynghylch staffio'r gwasanaeth a ffitrwydd y gweithwyr, ynghylch pa mor addas yw'r mangreoedd, ynghylch cwynion a chadw cofnodion, ac ar gyfer adolygu ansawdd y gwasanaeth.

available in relation to the matters prescribed in Schedule 3.

Part 3 makes provision about the conduct of the service, staffing and fitness of workers, the suitability of the premises, complaints and record keeping, and for reviewing the quality of service.

2007 Rhif 1357 (Cy.128)

**GOFAL CYMDEITHASOL,
CYMRU**

**PLANT A PHOBL IFANC,
CYMRU**

Rheoliadau Gwasanaeth
Mabwysiadu Awdurdodau Lleol
(Cymru) 2007

Wedi'u gwneud

27 Mawrth 2007

Yn dod i rym

2 Ebrill 2007

TREFN Y RHEOLIADAU

RHAN 1

CYFFREDINOL

1. Enwi, cychwyn a chymhwysyo
2. Dehongli
3. Datganiad o ddiben
4. Arweiniad plant
5. Adolygu'r datganiad o ddiben a'r arweiniad plant
6. Gofyniad i agor cofnod achos plentyn
7. Rhieni naturiol
8. Darpar fabwysiadwyr a mabwysiadwyr a gymeradwyir
9. Paneli mabwysiadu

RHAN 2

RHEOLWYR

10. Penodi rheolwr
11. Ffitrwydd rheolwr
12. Gofynion cyffredinol
13. Hysbysu o dramgyddau

2007 No. 1357 (W.128)

**SOCIAL CARE,
WALES**

**CHILDREN AND YOUNG
PERSONS, WALES**

The Local Authority Adoption
Service (Wales)
Regulations 2007

Made

27 March 2007

Coming into force

2 April 2007

ARRANGEMENT OF REGULATIONS

PART 1

GENERAL

1. Title, commencement and application
2. Interpretation
3. Statement of purpose
4. Children's guide
5. Review of statement of purpose and children's guide
6. Requirement to open a child's case record
7. Natural Parents
8. Prospective adopters and approved adopters
9. Adoption Panels

PART 2

MANAGERS

10. Appointment of manager
11. Fitness of manager
12. General requirements
13. Notification of offences

RHAN 3

Y MODD Y CYNHELIR GWASANAETH MABWYSIADU AWDURDOD LLEOL

14. Trefniadau ar gyfer amddiffyn plant
15. Staffio
16. Ffitrwydd gweithwyr
17. Cyflogi staff
18. Gweithdrefn disgylu staff
19. Trefniadau ar gyfer absenoldeb y rheolwr
20. Cofnodion mewn perthynas â'r holl staff
21. Ffitrwydd y fangre
22. Adolygu Ansawdd y Gwasanaeth
23. Asesu'r Gwasanaeth
24. Hysbysu o gydymffurfedd
25. Cwynion
26. Digwyddiadau hysbysadwy

PART 3

CONDUCT OF LOCAL AUTHORITY ADOPTION SERVICE

14. Arrangements for the protection of children
15. Staffing
16. Fitness of workers
17. Employment of staff
18. Staff disciplinary procedure
19. Arrangements for the absence of manager
20. Records with respect to staff
21. Fitness of premises
22. Review of quality of service
23. Assessment of service
24. Compliance notification
25. Complaints
26. Notifiable events

RHAN 4

AMRYWIOL

27. Dirymu Rheoliadau

PART 4

MISCELLANEOUS

27. Revocation of regulations

ATODLEN 1

GWYBODAETH I'W CHYNNWYS YN Y DATGANIAD O DDIBEN

SCHEDULE 1

INFORMATION TO BE INCLUDED IN THE STATEMENT OF PURPOSE

ATODLEN 2

GWYBODAETH I'W CHYNNWYS YN YR ARWEINIAD PLANT

SCHEDULE 2

INFORMATION TO BE INCLUDED IN THE CHILDREN'S GUIDE

ATODLEN 3

GWYBODAETH Y MAE EI HANGEN AM BERSONAU SYN GWNEUD CAIS AM REOLI NEU WEITHIO AT DDIBENION Y GWASANAETH MABWYSIADU

SCHEDULE 3

INFORMATION REQUIRED IN RESPECT OF PERSONS SEEKING TO MANAGE OR WORK FOR THE PURPOSES OF THE ADOPTION SERVICE

ATODLEN 4

Y COFNODION SYDD I'W CADW YNGHYLCH POB PERSON SYN GWEITHIO AT DDIBENION Y GWASANAETH MABWYSIADU

SCHEDULE 4

RECORDS TO BE KEPT IN RELATION TO EACH PERSON WORKING FOR THE PURPOSES OF THE ADOPTION SERVICE

Mae Cynulliad Cenedlaethol Cymru ac yntau'n arfer y pwerau a roddwyd iddo gan adrannau 9(1) a (3), 10 a 140(1) o Ddeddf Mabwysiadu a Phlant 2002(1) ac adrannau 50 a 118(1) a (5) i (7) o Ddeddf Safonau Gofal 2000(2) drwy hyn yn gwneud y Rheoliadau a ganlyn:-

RHAN 1**CYFFREDINOL****Enwi, cychwyn a chymhwysyo**

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Gwasanaeth Mabwysiadu Awdurdodau Lleol (Cymru) 2007 a deuant i rym ar 2 Ebrill 2007.

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

Dehongli

2.-(1) Yn y Rheoliadau hyn-

ystyr "arweiniad plant" ("children's guide") yw'r arweiniad ysgrifenedig a gynhyrchwyd yn unol â rheoliad 4;

mae gan "asiantaeth fabwysiadu" ("adoption agency") yr ystyr a roddir iddo yn adran 2(1) o Ddeddf Mabwysiadau a Phlant 2002;

ystyr "Bwrdd Lleol Diogelu Plant" ("Local Safeguarding Children Board") yw bwrdd a sefydlwyd o dan adran 31 o Ddeddf Plant 2004;

mae i'r ymadrodd "cofnod achos y plentyn" ("the child's case record") yr ystyr sydd iddo yn rheoliad 6;

ystyr "cynghorydd gwasanaethau cymorth mabwysiadu" ("adoption support services advisor") yw'r person a benodwyd yn unol â rheoliad 6 o Reoliadau Gwasanaethau Cymorth Mabwysiadu (Awdurdodau Lleol) (Cymru) 2005(3);

ystyr "y Cynulliad Cenedlaethol" ("the National Assembly") yw Cynulliad Cenedlaethol Cymru;

ystyr "datganiad o ddiben" ("statement of purpose") yw'r datganiad ysgrifenedig a lunnir yn unol â rheoliad 3(1);

(1) 2002 p.38

(2) 2000 p.14

(3) 2005/1512 (Cy.116)

The National Assembly for Wales in exercise of the powers conferred upon it by sections 9(1) and (3), 10 and 140(1) of the Adoption and Children Act 2002(1) and sections 50 and 118(1) and (5) to (7) of the Care Standards Act 2000(2) hereby makes the following Regulations:-

PART 1**GENERAL****Title, commencement and application**

1.-(1) The title of these Regulations is the Local Authority Adoption Service (Wales) Regulations 2007 and they come into force on 2 April 2007.

(2) These Regulations apply in relation to Wales.

Interpretation

2.-(1) In these Regulations-

"adoption agency" ("asiantaeth fabwysiadu") has the meaning given in section 2(1) of the Adoption and Children Act 2002;

"adoption panel" ("panel mabwysiadu") means a panel established in accordance with regulation 3 of the Adoption Agencies (Wales) Regulations 2005(3)

"adoption service" ("gwasanaeth mabwysiadu") means the discharge by a local authority of relevant adoption functions within the meaning of section 43(3)(a) of the Care Standards Act 2000;

"adoption support services advisor" ("cynghorydd gwasanaethau cymorth mabwysiadu") means the person appointed pursuant to regulation 6 of the Adoption Support Services (Local Authorities) (Wales) Regulations 2005(4).

"appropriate office" ("swyddfa briodol") means in relation to a local authority adoption service-

(a) if an office controlled by the National Assembly has been specified by it as the appropriate office in relation to that local authority, that office;

(1) 2002 c.38

(2) 2000 c.14

(3) S.I. 2005/1313 (W.95)

(4) S.I. 2005/1512 (W.116)

ystyr "Deddf 2000" ("the 2000 Act") yw Deddf Safonau Gofal 2000(1);

ystyr "Deddf 2002" ("the 2002 Act") yw Deddf Mabwysiadu a Phlant 2002(2);

ystyr "diwrnodau gwaith" ("working days") yw unrhyw ddiwrnod ac eithrio dydd Sadwrn, dydd Sul, dydd Nadolig, dydd Gwener y Grogllith neu ddiwrnod sy'n wyl y banc o fewn yr ystyr yn Neddf Bancio a Thrafodion Ariannol 1971(3);

mae i "gwarcheidwad" ("guardian") yr ystyr a roddir i guardian yn adran 5 o Ddeddf Plant 1989;

ystyr "gwasanaeth mabwysiadu" ("adoption service") yw cyflawni gan awdurdod lleol swyddogaethau mabwysiadu perthnasol o fewn ystyr adran 43(3)(a) o Ddeddf Safonau Gofal 2000;

ystyr "gweithiwr cymdeithasol" ("social worker") yw person sydd wedi'i gofrestru yn y gofrestr gweithwyr cymdeithasol a gedwir yn unol ag adran 56 o Ddeddf 2000;

ystyr "panel Mabwysiadu" ("adoption panel") yw panel a sefydliwyd yn unol a rheoliad 3 o Reoliadau Asiantaethau Mabwysiadu 2005(4)

ystyr "Rheoliadau Asiantaethau Mabwysiadu 2005" ("the 2005 Adoption Agencies Regulations") yw Rheoliadau Asiantaethau Mabwysiadu (Cymru) 2005(5);

mae "rheolwr" ("manager") i'w ddehongli'n unol â rheoliad 10;

ystyr "swyddfa briodol" ("appropriate office") mewn perthynas â gwasanaeth mabwysiadu awdurdod lleol-

- (a) os yw swyddfa a reolir gan y Cynulliad Cenedlaethol wedi'i phennu ganddo yn swyddfa briodol mewn perthynas â'r awdurdod lleol hwnnw, y swyddfa honno,
- (b) mewn unrhyw achos arall, unrhyw un o swyddfeydd y Cynulliad Cenedlaethol.

(2) Yn y Rheoliadau hyn, mae cyfeiriad -

- (a) at reoliad neu Atodlen â rhif yn gyfeiriad at reoliad yn y Rheoliadau hyn neu Atodlen i'r Rheoliadau hyn sy'n dwyn y rhif hwnnw;
- (b) mewn rheoliad neu Atodlen at baragraff â rhif yn gyfeiriad at y paragraff yn y rheoliad hwnnw neu yn yr Atodlen honno sy'n dwyn y rhif hwnnw;

(b) in any other case, any office of the National Assembly;

"child's case record" ("cofnod achos plentyn") has the meaning given to it in regulation 6;

"children's guide" ("arweiniad plant") means the written guide produced in accordance with regulation 4;

"guardian" ("gwarcheidwad") has the meaning given to it in section 5 of the Children Act 1989;

"Local Safeguarding Children Board" means the board established under s31 of the Children Act 2004;

"manager" ("rheolwr") is to be construed in accordance with regulation 10;

"National Assembly" ("Cynulliad Cenedlaethol") means the National Assembly for Wales;

"social worker" ("gweithiwr cymdeithasol") means a person who is registered in the register for social workers maintained in accordance with section 56 of the 2000 Act;

"statement of purpose" ("datganiad o ddiben") means the written statement compiled in accordance with regulation 3(1);

"the 2000 Act" ("Deddf 2000") means the Care Standards Act 2000(1);

"the 2002 Act" ("Deddf 2002") means the Adoption and Children Act 2002(2);

"the 2005 Adoption Agencies Regulations" ("Rheoliadau Asiantaethau Mabwysiadu 2005") means the Adoption Agencies (Wales) Regulations 2005(3)

"working days" ("dyddiau gwaith") means any day other than a Saturday, Sunday, Christmas Day, Good Friday or a day which is a bank holiday within the meaning of the Banking and Financial Dealings Act 1971(4)

(2) In these Regulations, a reference-

- (a) to a numbered regulation or Schedule is to the regulation in, or Schedule to, these Regulations bearing that number;
- (b) in a regulation or Schedule to a numbered paragraph, is to the paragraph in that regulation or Schedule bearing that number;

(1) 2000 p.14

(2) 2002 p.38

(3) 1971 p.80

(4) O.S. 2005/1313 (Cy.95)

(5) O.S. 2005/1512 (Cy.116)

(1) 2000c.14

(2) 2002 c.38

(3) O.S. 2005/1512 (Cy.116)

(4) 1971 c.80

- (c) mewn paragraff at is-baragraff â llythyren neu rif yn gyfeiriad at yr is-baragraff yn y paragraff hwnnw sy'n dwyn y llythyren honno neu'r rhif hwnnw.

(3) Yn y Rheoliadau hyn, onid yw'n ymddangos bod bwriad i'r gwrtwyneb, mae cyfeiriadau at gyflogi person yn cynnwys-

- (a) cyflogi person p'un ai am dâl neu beiddio;
- (b) cyflogi person o dan gcontract gwasanaeth neu gcontract am wasanaethau; a
- (c) caniatáu i berson weithio fel gwirfoddolwr; ac mae cyfeiriadau at gyflogai neu at berson a gyflogir i'w dehongli yn unol â hynny.

Datganiad o ddiben

3.-(1) Mewn perthynas â'r gwasanaeth mabwysiadu, rhaid i bob awdurdod lleol lunio datganiad ysgrifenedig (y cyfeirir ato yn y Rheoliadau hyn fel "y datganiad o ddiben") a rhaid i'r datganiad fod yn ddatganiad o'r materion a restrir yn Atodlen 1.

(2) Rhaid i'r awdurdod roi copi o'r datganiad o ddiben i'r Cynulliad Cenedlaethol a, phan wneir cais am gopi, rhaid iddo sicrhau bod copi ohono ar gael i'w archwilio gan-

- (a) plant a all gael eu mabwysiadu, eu rhieni a'u gwarcheidwaid;
- (b) personau sy'n dymuno mabwysiadu plentyn;
- (c) personau a fabwysiadwyd, eu rhieni, eu rhieni naturiol a'u cyn-warcheidwaid;
- (ch) personau sy'n gwneud cais am asesiad o'u hanghenion er mwyn i wasanaethau cymorth mabwysiadu gael eu darparu ar eu cyfer gan yr awdurdod;
- (d) pob person sy'n gweithio at ddibenion y gwasanaeth mabwysiadu.

(3) Yn ddarostyngedig i baragraff (4), rhaid i'r awdurdod sicrhau bod y modd y cynhelir ei wasanaeth mabwysiadu bob amser yn unol â'i ddatganiad o ddiben.

(4) Nid oes dim ym mharagraff (3) yn ei gwneud yn ofynnol i'r awdurdod fynd yn groes i unrhyw ddarpariaeth arall yn y Rheoliadau hyn neu i beiddio â chydymffurfio â hi neu'n ei awdurdodi i wneud hynny.

Arweiniad plant

4.-(1) Rhaid i bob awdurdod lleol gynhyrchu arweiniad ysgrifenedig i'r gwasanaeth mabwysiadu (y cyfeirir ato yn y Rheoliadau hyn fel "yr arweiniad plant") ac mae'n orfodol mai datganiad ydyw o'r materion a restrir yn Atodlen 2.

(2) Rhaid i'r awdurdod ddarparu copi o'r arweiniad

- (c) in a paragraph to a lettered or numbered subparagraph is to the sub-paragraph in that paragraph bearing that letter or number.

(3) in these Regulations, unless the contrary intention appears, references to employing a person include-

- (a) employing a person whether or not for payment;
- (b) employing a person under a contract of service or a contract for services; and
- (c) allowing a person to work as a volunteer;

and references to an employee or to a person being employed are to be construed accordingly.

Statement of purpose

3.-(1) Each local authority must compile in relation to the adoption service a written statement (in these Regulations referred to as "the statement of purpose") which must consist of a statement as to the matters listed in Schedule 1.

(2) The authority must supply a copy of the statement of purpose to the National Assembly and must make a copy of it available, upon request, for inspection by-

- (a) children who may be adopted, their parents and guardians;
- (b) persons wishing to adopt a child;
- (c) adopted persons, their parents, natural parents and former guardians;
- (d) persons who are seeking an assessment of their needs for the provision of adoption support services by the authority;
- (e) every person working for the purposes of the adoption service.

(3) Subject to paragraph (4), the authority must ensure that their adoption service is at all times conducted in a manner which is consistent with its statement of purpose.

(4) Nothing in paragraph (3) requires or authorises the authority to contravene, or not to comply with any other provision of these Regulations.

Children's guide

4.-(1) Each local authority must produce a written guide to the adoption service (in these Regulations referred to as "the children's guide") which must consist of a statement as to the matters listed in Schedule 2.

(2) The authority must provide a copy of the

plant ar gyfer-

- (a) y Cynulliad Cenedlaethol;
- (b) pob darpar fabwysiadydd y mae'r awdurdod wedi lleoli gydag ef blentyn i'w fabwysiadu; ac
- (c) pob plentyn (yn ddarostyngedig i oedran a dealltwriaeth y plentyn hwnnw) a all gael ei leoli, neu sydd wedi ei leoli, gan yr awdurdod i'w fabwysiadu.

Adolygu'r datganiad o ddiben a'r arweiniad plant

5. Rhaid i bob awdurdod lleol-

- (a) adolygu'n rheolaidd a, phan fo hynny'n briodol, ddiwygio'r datganiad o ddiben a'r arweiniad plant; a
- (b) hysbysu'r Cynulliad Cenedlaethol o unrhyw ddiwygiad o'r fath o fewn 28 o ddiwrnodau.

Gofyniad i agor cofnod achos plentyn

6.-(1) Rhaid i bob awdurdod lleol sefydlu cofnod achos ("cofnod achos y plentyn") mewn perthynas â phob plentyn a gosod arno-

- (a) unrhyw wybodaeth ac adroddiadau a ddaeth i law'r awdurdod lleol mewn cysylltiad â'r plentyn;
- (b) adroddiad sefydlogrwydd y plentyn;
- (c) unrhyw gofnod ysgrifenedig o unrhyw drafodion panel mabwysiadu o dan reoliad 18 o Reoliadau Asiantaethau Mabwysiadu 2005, ei argymhelliaid ynghylch â ddylai plentyn gael ei leoli ar gyfer ei fabwysiadu ai peidio, a'r rhesymau dros ei argymhelliaid ac unrhyw gyngor a roddwyd gan y panel i asiantaeth fabwysiadu;
- (ch)unrhyw gofnod o benderfyniad yr asiantaeth fabwysiadu ac unrhyw hysbysiad o'r penderfyniad hwnnw o dan reoliad 19 o Reoliadau Asiantaethau Mabwysiadu 2005;
- (d) manylion unrhyw gydsyniad gan riant neu warcheidwad plentyn i leoli i fabwysiadu o dan reoliad 19 o Ddeddf 2002 (lleoli plant gyda chydsyniad rhiant);
- (dd)manylion unrhyw gydsyniad gan riant neu warcheidwad plentyn i wneud gorchymyn mabwysiadu yn y dyfodol o dan adran 20 o Ddeddf 2002 (cydsyniad ymlaen llaw i fabwysiadu);
- (e) unrhyw ffurflen neu hysbysiad yn tynnu yn ôl gydsyniad o dan adran 19 neu 20 o Ddeddf 2002 neu hysbysiad o dan adran 20(4)(a) neu (b) o Ddeddf 2002.;
- (f) copi o unrhyw orchymyn lleoliad mewn cysylltiad â'r plentyn; ac

children's guide to-

- (a) the National Assembly;
- (b) every prospective adopter with whom the authority has placed a child for adoption; and
- (c) every child (subject to the age and understanding of that child), who may be or has been placed for adoption by the authority.

Review of statement of purpose and children's guide

5.-(1) Each local authority must-

- (a) keep under review and, where appropriate, revise the statement of purpose and children's guide; and
- (b) notify the National Assembly of any such revision within 28 days.

Requirement to open a child's case record

6. -(1) Each local authority must set up a case record ("the child's case record") in respect of each child and place on it -

- (a) any information and reports obtained by the local authority in respect of the child;
- (b) the child's permanence report;
- (c) any written record of any proceedings of an adoption panel under regulation 18 of the 2005 Adoption Agencies Regulations, its recommendation as to whether or not a child should be placed for adoption and the reasons for its recommendation and any advice given by the panel to an adoption agency;
- (d) any record of an adoption agency's decision and any notification of that decision under regulation 19 of the 2005 Adoption Agencies Regulations;
- (e) details of any consent by a parent or guardian of a child to placement for adoption under section 19 of the 2002 Act (placing children with parental consent);
- (f) details of any consent by a parent or guardian of a child to the making of a future adoption order under section 20 of the 2002 Act (advance consent to adoption);
- (g) any form or notice withdrawing consent under section 19 or 20 of the 2002 Act or notice given under section 20(4)(a) or (b) of the 2002 Act;
- (h) a copy of any placement order in respect of the child; and

- (ff) unrhyw ddogfennau eraill neu wybodaeth arall a ddaw i law'r awdurdod lleol ac y mae'r awdurdod o'r farn y dylent gael eu cynnwys neu y dylai gael ei chynnwys yn y cofnod achos..

Rhieni Naturiol

7.-(1) Rhaid i bob awdurdod lleol, pan fydd o'r farn mai mabwysiadu yw'r dewis gorau ar gyfer plentyn, neu pan fydd plentyn yn cael ei ildio, ddarparu'r canlynol ar gyfer rhieni naturiol:-

- (a) gwasanaeth cwnsela;
- (b) cymaint o wybodaeth mewn perthynas â'r plentyn ag y byddo'n rhesymol i rieni naturiol ofyn amdani, ac ag y gall yr awdurdod lleol ei rhoi;
- (c) eglurhad a gwybodaeth ysgrifenedig mewn cysylltiad â'r materion canlynol:-
 - (i) y weithdrefn mewn cysylltiad â lleoli i fabwysiadu ac â mabwysiadu, gan gynnwys y Gofrestr Mabwysiadu i Gymru a Lloegr;
 - (ii) goblygiadau cyfreithiol-
 - (aa)rhoi cydsyniad i leoli i fabwysiadu o dan adran 19 o Ddeddf 2002 (gosod plant gyda chydsyniad rhiant);
 - (bb) rhoi cydsyniad i wneud gorchymyn mabwysiadu yn y dyfodol o dan adran 20 o Ddeddf 2002; (cydsyniad ymlaen llaw i fabwysiadu);
 - (cc)gorchymyn lleoliad;
 - (dd) mabwysiadu;

(2) Rhaid i bob awdurdod lleol, pan fydd o'r farn mai mabwysiadu yw'r dewis gorau ar gyfer plentyn, neu pan fydd plentyn yn cael ei ildio, ganfod dymuniadau a theimladau rhieni naturiol a gwarcheidwad y plentyn ac unrhyw berson arwyddocaol arall y mae'r awdurdod lleol o'r farn ei fod yn berthnasol mewn cysylltiad -

- (a) â'r materion a nodir yn adran 1(4)(f)(ii) a (iii) o Ddeddf 2002 (materion y mae'n rhaid i'r asiantaeth roi sylw iddynt);
- (b) â lleoli'r plentyn i'w fabwysiadu ac â'i fabwysiadu, gan gynnwys unrhyw ddymuniadau a theimladau ynghylch magwraeth grefyddol a diwylliannol y plentyn; a
- (c) â chyswllt â'r plentyn os yw'r asiantaeth wedi ei hawdurdodi i leoli'r plentyn i'w fabwysiadu neu os caiff y plentyn ei fabwysiadu.

(3) Mae'r paragraff hwn yn gymwys pan na fo gan dad plentyn gyfrifoldeb rhiant dros y plentyn, a phan fo'r awdurdod lleol yn gwybod pwy yw tad y plentyn.

- (i) any other documents or information obtained by the local authority which it considers should be included in the case record.

Natural Parents

7.-(1) Each local authority where it considers that adoption is the preferred option for a child, or where a child is relinquished, must provide natural parents with:-

- (a) a counselling service;
- (b) as much information in relation to the child as the natural parents may reasonably require, and which the local authority is able to give;
- (c) an explanation and written information in respect of the following matters:-
 - (i) the procedure in respect of both placement for adoption and adoption, including the Adoption Register for England and Wales;
 - (ii) the legal implications of -
 - (aa) giving consent to placement for adoption under section 19 of the 2002 Act (placing children with parental consent);
 - (bb) giving consent to the making of a future adoption order under section 20 of the 2002 Act; (advance consent to adoption);
 - (cc) a placement order ;
 - (dd) adoption;

(2) Each local authority where it considers that adoption is the preferred option for a child, or where a child is relinquished, must ascertain the wishes and feelings of the natural parents and guardian of the child and of any other significant person the local authority considers relevant in relation to-

- (a) the matters set out in section 1(4)(f)(ii) and (iii) of the 2002 Act (matters the agency must have regard to);
- (b) the placement of the child for adoption and their adoption, including any wishes and feelings about the child's religious and cultural upbringing; and
- (c) contact with the child if the agency is authorised to place the child for adoption or the child is adopted.

(3) This paragraph applies where the father of a child does not have parental responsibility for the child, and the father's identity is known to the local authority.

(4) Pan fo paragraff (3) yn gymwys a'r awdurdod lleol wedi'i fodloni ei bod yn briodol gwneud hynny, rhaid i'r awdurdod lleol ganfod, i'r graddau y bo hynny'n bosibl, p'un a yw'r tad-

- (i) yn dymuno caffaol cyfrifoldeb rhiant dros y plentyn o dan adran 4 o Ddeddf Plant 1989; neu
- (ii) yn bwriadu gwneud cais am orchymyn preswyll neu orchymyn cyswllt o dan adran 8 o Ddeddf Plant 1989 mewn cysylltiad â'r plentyn, neu os yw'r plentyn yn ddarostyngedig i orchymyn gofal, yn bwriadu gwneud cais am orchymyn o dan adran 34 o Ddeddf Plant 1989 (cyswllt rhwng rhieni a phlant mewn gofal).

Darpar fabwysiadwyr a mabwysiadwyr a gymeradwyir

8. Mae'n orfodol-

- (a) bod gan bob awdurdod lleol gynlluniau ysgrifenedig o'i strategaeth ar recriwtio niferoedd digonol o fabwysiadwyr;
- (b) bod gan bob awdurdod lleol gynlluniau cynhwysfawr ar gyfer prosesau paratoi a chymeradwyo mabwysiadwyr yn gynwysedig o fewn ei bolisiau a'i weithdrefnau;
- (c) bod pob awdurdod lleol yn darparu ar gyfer darpar fabwysiadwyr wybodaeth ysgrifenedig yngylch y broses fabwysiadu gan gynnwys gwybodaeth am:-
 - (i) y polisi a'r gweithdrefnau o ran y broses fabwysiadu
 - (ii) trefniadau ar gyfer asesu Gwasanaethau Cymorth Mabwysiadu a'u darparu
 - (iii) y Gofrestr Fabwysiadu i Gymru a Lloegr, a
 - (iv) trefniadau consortiwll lleol;
- (ch) bod pob awdurdod lleol yn darparu cymorth pan fydd tarfu wedi bod neu mewn perygl o fod ar leoliad, gan gynnwys cymorth cyfryngu a threfnu cyfarfodydd i drafod tarfu ar leoliadau mabwysiadu.

Paneli mabwysiadu

9.-(1) O ran pob awdurdod lleol-

- (a) rhaid iddo sefydlu panel mabwysiadu yn unol â rheoliadau 3 a 5 o Reoliadau Asiantaethau Mabwysiadu 2005;
- (b) mae'n orfodol bod ganddo ar waith bolisiau ysgrifenedig er mwyn sicrhau bod y panel wedi ei drefnu'n effeithiol ac yn gweithredu'n effeithlon;
- (c) rhaid iddo sicrhau bod paneli mabwysiadu'n cael eu cyngori'n briodol gan berson wedi cymhwysio'n briodol o ran mabwysiadau gydag elfen dramor yn gysylltiedig â hwy os yw achos o'r fath yn cael ei ystyried;

(4) Where paragraph (3) applies and the local authority is satisfied it is appropriate to do so the local authority must ascertain so far as possible whether the father-

- (i) wishes to acquire parental responsibility for the child under section 4 of the Children Act 1989; or
- (ii) intends to apply for a residence order or contact order with respect to the child under section 8 of the Children Act 1989, or where the child is subject to a care order, an order under section 34 of the Children Act 1989 (parental contact with children in care).

Prospective and approved Adopters

8. Each local authority must-

- (a) have written plans on its strategy to recruit sufficient numbers of adopters,
- (b) have comprehensive plans for preparation and approval processes for adopters contained within its policies and procedures,
- (c) provide prospective adopters with written information about the adoption process including information about:-
 - (i) the policy and procedures in respect of the adoption process,
 - (ii) arrangements for the assessment of and the provision of Adoption Support Services,
 - (iii) the Adoption Register for England and Wales, and
 - (iv) local consortium arrangements.

- (d) provide assistance where disruption of a placement has occurred or is in danger of occurring, including mediation and organising and holding meetings to discuss disruptions in adoption placements.

Adoption Panels

9.-(1) Each local authority must-

- (a) establish an adoption panel in accordance with regulations 3 and 5 of the 2005 Adoption Agencies Regulations;
- (b) have in place written policies that ensure that the panel is organised effectively and operates efficiently;
- (c) ensure that adoption panels are properly advised by an appropriately qualified person in relation to adoptions with a foreign element if such a case is being considered;

- (ch) pan fydd o'r farn mai mabwysiadu yw'r dull gorau o sicrhau sefydlogrwydd y plentyn rhaid iddo baratoi adroddiad ysgrifenedig ar gyfer y panel mabwysiadu y mae'n orfodol iddo gynnwys:-
- (i) yr wybodaeth am y plentyn, teulu'r plentyn ac eraill a'r gwarcheidwad fel y nodir yn Rhannau 1, 3 a 4 o Atodlen 1 i Reoliadau Asiantaethau Mabwysiadu 2005;
 - (ii) crynodeb wedi ei ysgrifennu gan gynghorydd meddygol yr awdurdod lleol, ar gyflwr iechyd y plentyn, hanes iechyd y plentyn ac unrhyw angen am ofal iechyd a allai godi yn y dyfodol;
 - (iii) dymuniadau a theimladau'r plentyn ynglŷn â'r materion a nodir yn rheoliad 13(1)(c) o Reoliadau Asiantaethau Mabwysiadu 2005;
 - (iv) dymuniadau a theimladau rhiant neu warcheidwad y plentyn, ac unrhyw berson arall y mae'r awdurdod lleol o'r farn ei fod yn berthnasol, ynglŷn â materion a nodir yn rheoliad 14(1)(c) o Reoliadau Asiantaethau Mabwysiadu 2005;
 - (v) barn yr awdurdod lleol am angen y plentyn am gyswllt â rhiant neu warcheidwad y plentyn neu â pherson arall y mae'r awdurdod lleol o'r farn ei fod yn berthnasol a'r trefniadau y bwriad a'r awdurdod lleol eu gwneud er mwyn caniatâu i unrhyw berson gael cyswllt â'r plentyn;
 - (vi) asesiad o ddatblygiad emosiynol y plentyn a'i ddatblygiad o ran ymddygiad ac unrhyw angen cysylltiedig;
 - (vii) asesiad o gynneddf rhiant neu warcheidwad y plentyn i fod yn rhiant, ac os nad oes gan dad plentyn gyfrifoldeb dros y plentyn ac fe wybyddir pwy yw'r tad, asesiad o gyneddf hwnnw i fod yn rhiant hefyd;
 - (viii) cronoleg o'r penderfyniadau a gymerwyd gan yr awdurdod lleol ynglyn â'r plentyn;
 - (ix) dadansoddiad o'r opsiynau o ran gofalu am y plentyn yn y dyfodol sydd wedi eu hystyried gan yr awdurdod lleol, ac os yn berthnasol, pam yr ystyrir mai lleoliad i fabwysiadu yw'r dewis gorau; a
 - (x) unrhyw wybodaeth arall y mae'r awdurdod lleol o'r farn ei bod yn berthnasol.
- (d) rhaid i'r awdurdod lleol anfon, cyn gynted ag y bo'n rhesymol ymarferol, yr adroddiad ysgrifenedig ynghyd â gwybodaeth berthnasol arall y gallai'r panel mabwysiadu ofyn amdani a rhaid iddo anfon yr wybodaeth honno at y panel mabwysiadu;
- (d) where it considers that adoption is the preferred method for permanence of the child, prepare a written report for the adoption panel which must include:-
- (i) the information about the child, the child's family and others and the guardian, as specified in Parts 1, 3 and 4 of Schedule 1 of the 2005 Adoption Agencies Regulations;
 - (ii) a summary written by the local authority's medical adviser, of the child's state of health, the child's health history and any need for health care which might rise in the future;
 - (iii) the wishes and feeling of the child regarding the matters set out in regulation 13(1)(c) of the 2005 Adoption Agencies Regulations;
 - (iv) the wishes and feelings of the child's parent or guardian, and any other person the local authority considers relevant, regarding matters set out in regulation 14(1)(c) of the 2005 Adoption Agencies Regulations;
 - (v) the views of the local authority about the child's need for contact with the child's parent or guardian or with any other person the local authority considers relevant and the arrangements the local authority proposes to make for allowing any person contact with the child;
 - (vi) an assessment of the child's emotional and behavioural development and any related need;
 - (vii) an assessment of the parenting capacity of the child's parent or guardian, and if a father of a child does not have parental responsibility for the child and the father's identity is known, that of the child's father;
 - (viii) a chronology of the decisions taken by the local authority with regard to the child;
 - (ix) an analysis of the options for the future care of the child which have been considered by the local authority and if applicable, why placement for adoption is considered the preferred option; and
 - (x) any other information which the local authority considers relevant.
- (e) the local authority must send the written report as soon as reasonably practicable as well as other relevant information which might be requested by the adoption panel and send that information to the adoption panel;

- (dd) i'r graddau y bo hynny'n ymarferol, rhaid i'r awdurdod lleol gaffael unrhyw wybodaeth berthnasol arall y gallai'r panel mabwysiadu ofyn amdani ac anfon yr wybodaeth honno at y panel mabwysiadu.
- (2) Pan fo'r awdurdod lleol, ac yntau wedi dilyn y gweithdrefnau y cyfeirir atynt yn rheoliadau 23 a 25 o Reoliadau Asiantaethau Mabwysiadu 2005, o'r farn y gall y darpar fabwysiad ydd fod yn addas i fod yn rhiant mabwysiadol, rhaid iddo wneud asesiad yn unol â Rheoliadau Asiantaethau Mabwysiadu 2005;
- (a) Rhaid i'r awdurdod lleol gaffael y manylion hynny am y darpar fabwysiad ydd y cyfeirir atynt yn Rhan 1 o Atodlen 4 i Reoliadau Asiantaethau Mabwysiadu 2005;
 - (b) Rhaid i'r awdurdod lleol hefyd gaffael:-
 - (i) adroddiad ysgrifenedig gan ymarferydd meddygol cofrestredig am iechyd y darpar fabwysiad ydd, ac mae'n rhaid i'r adroddiad ymdrin â'r materion a bennir yn Rhan 2 o Atodlen 4 i Reoliadau Asiantaethau Mabwysiadu 2005, oni chafodd adroddiad o'r fath ei lunio o fewn 6 mis ar ôl i'r panel ystyried yr achos o dan reoliad 27 o Reoliadau Asiantaethau Mabwysiadu 2005, a'i fod ar gael i'r awdurdod lleol;
 - (ii) adroddiad ysgrifenedig am bob un o'r cyfweliadau gyda'r personau a enwebwyd gan y darpar fabwysiad ydd yn ganolwyr personol; ac
 - (iii) adroddiad ysgrifenedig gan yr awdurdod lleol y mae'r darpar fabwysiad ydd yn byw yn ei ardal, a phan fo'r darpar fabwysiad ydd wedi byw yn yr ardal honno am gyfnod sy'n llai na deuddeng mis rhaid i'r awdurdod lleol gaffael adroddiad ysgrifenedig hefyd gan yr awdurdod lleol yr oedd y darpar fabwysiad ydd yn byw yn ei ardal cyn hynny.
 - (c) Rhaid i'r awdurdod lleol baratoi adroddiad ysgrifenedig sy'n cynnwys-
 - (i) manylion am y darpar fabwysiad ydd fel y nodir yn Rhan 1 o Atodlen 4 i Reoliadau Asiantaethau Mabwysiadu 2005;
 - (ii) crynodeb, a ysgrifennwyd gan gynghorydd meddygol yr asiantaeth, ar gyflwr iechyd y darpar fabwysiad ydd;
 - (iii) asesiad yr awdurdod lleol o addasrwydd y darpar fabwysiad ydd i fabwysiadu plentyn, ac wrth benderfynu pa mor addas yw cwpwl i fabwysiadu plentyn rhaid i'r awdurdod lleol roi sylw priodol i'r angen am barhâd a sefydlogrwydd yn eu perthynas;
 - (iv) unrhyw wybodaeth berthnasol y bydd yr awdurdod lleol yn ei chaffael o dan reoliad 26(4)(dd) o Reoliadau Asiantaethau Mabwysiadu 2005;
- (f) the local authority must obtain, so far as is practicable, any other relevant information which might be requested by the adoption panel and send that information to the adoption panel.
- (2) Where the local authority, after having followed the procedures referred to in regulations 23 and 25 of the 2005 Adoption Agencies Regulations , considers a prospective adopter may be suitable to be an adoptive parent, it must carry out an assessment in accordance with the 2005 Adoption Agencies Regulations;
- (a) The local authority must obtain such particulars about the prospective adopter as are referred to in Part 1 of Schedule 4 of the 2005 Adoption Agencies Regulations;
 - (b) The local authority must also obtain:-
 - (i) a written report from a registered medical practitioner about the health of the prospective adopter which must deal with the matters specified in Part 2 of Schedule 4 of the 2005 Adoption Agencies Regulations, unless such a report has been made within 6 months of an adoption panel's consideration of the case under regulation 27 of the Adoption Agencies (Wales) Regulations 2005 and is available to the local authority;
 - (ii) a written report of each of the interviews with the persons nominated by the prospective adopter as personal referees; and
 - (iii) a written report from the local authority in whose area the prospective adopter lives, and where the prospective adopter has lived in that area for a period of less than twelve months the local authority must obtain a written report also from the local authority in whose area the prospective adopter lived previously.
 - (c) The local authority must prepare a written report which must include -
 - (i) the details of the prospective adopter as set out in Part 1 of Schedule 4 of the 2005 Adoption Agencies Regulations;
 - (ii) a summary, written by the local authority's medical adviser, of the state of health of the prospective adopter;
 - (iii) the local authority's assessment of the prospective adopter's suitability to adopt a child, and in determining the suitability of a couple to adopt a child the local authority must have proper regard to the need for stability and permanence in their relationship;
 - (iv) any relevant information the local authority obtains under Regulation 26 (4)(f) of the 2005 Adoption Agencies Regulations;

- (v) unrhyw wybodaeth arall y mae'r awdurdod lleol o'r farn ei bod yn berthnasol.
- (ch) Mewn achos o dan adran 83 o Ddeddf 2002 rhaid i'r adroddiad gynnwys
 - (i) enw'r wlad ("y darddwlad") y mae'r darpar fabwysiadydd yn dymuno mabwysiadu ohoni;
 - (ii) cadarnhad bod y darpar fabwysiadydd yn bodloni'r gofynion cymhwyster i fabwysiadu o'r darddwlad;
 - (iii) gwybodaeth ychwanegol sydd wedi'i chaffael o ganlyniad i ofynion y darddwlad; ac
 - (iv) asesiad yr awdurdod lleol o addasrwyd y darpar fabwysiadydd i fabwysiadu plentyn sy'n preswylio yn arferol y tu allan i Nysoedd Prydain.
- (d) Rhaid i'r awdurdod lleol hysbysu'r darpar fabwysiadydd os yw ei gais i'w atgyfeirio at y panel mabwysiadu ac, ar yr un pryd, rhaid iddo anfon copi at y darpar fawbysiadydd o adroddiad yr awdurdod lleol y cyfeirir ato ym mharagraff (c) uchod, a gwahodd anfon yn ysgrifenedig at yr awdurdod lleol unrhyw sylwadau ar yr adroddiad a hynny o fewn 10 niwrnod gwaith, gan ddechrau ar y dyddiad yr anfonwyd yr hysbysiad.
- (dd) Ar ddiwedd y cyfnod o 10 niwrnod gwaith y cyfeirir ato ym mharagraff (d) uchod (neu'n gynharach os daw unrhyw sylwadau a wnaed gan y darpar fabwysiadydd i law cyn bod 10 niwrnod gwaith wedi mynd heibio) rhaid i'r awdurdod lleol anfon at y panel mabwysiadu
 - (i) yr adroddiad y cyfeirir ato ym mharagraff (c) uchod, ynghyd ag unrhyw sylwadau a gyflwynwyd gan y darpar fabwysiadydd o dan baragraff (d) uchod;
 - (ii) yr adroddiadau ysgrifenedig y cyfeirir atynt ym mharagraff (ch) uchod; ac
 - (iii) unrhyw wybodaeth berthnasol arall y mae'r asiantaeth yn ei chaffael o dan y rheoliad hwn;
- (e) rhaid i'r awdurdod lleol, i'r graddau y bo'n rhesymol ymarferol, gaffael unrhyw wybodaeth berthnasol arall y gall fod ar y panel mabwysiadu ei hangen a rhaid iddo anfon yr wybodaeth honno at y panel.
- (f) pan fo'r awdurdod lleol o'r farn y dylai'r lleoliad arfaethedig fynd yn ei flaen, rhaid i'r awdurdod lleol
 - (i) gwneud asesiad o anghenion y plentyn a'r darpar deulu mabwysiedig ar gyfer gwasanaethau cymorth mabwysiadu yn unol â'r rheoliadau a wneir o dan adran 4(6) o Ddeddf 2002;
 - (ii) ystyried y trefniadau ar gyfer caniatáu i unrhyw berson gael cyswllt â'r plentyn;
- (vi) any other information which the local authority considers relevant.
- (d) In a case where section 83 of the 2002 Act applies, the report must include -
 - (i) the name of the country ("country of origin") from which the prospective adopter wishes to adopt;
 - (ii) confirmation that the prospective adopter meets the eligibility requirements to adopt from the country of origin;
 - (iii) additional information obtained as a consequence of the country of origin; and
 - (iv) the local authority's assessment of the prospective adopter's suitability to adopt a child who is habitually resident outside the British Islands.
- (e) The local authority must notify the prospective adopter if the application is to be referred to the adoption panel and at the same time send the prospective adopter a copy of the local authority's report referred to in paragraph (c) above, and invite any observations on the report to be sent in writing to the local authority within 10 working days, beginning with the date on which the notification was sent.
- (f) At the end of the period of 10 working days referred to in paragraph (e) above (or earlier if any observations made by the prospective adopter are received before the 10 working days have expired) the local authority must send -
 - (i) the report referred to in paragraph (c) above, together with any observations provided by the prospective adopter under paragraph (e) above;
 - (ii) the report referred to in paragraph (d) above; and
 - (iii) any other relevant information obtained by the agency under this regulation to the adoption panel.
- (h) the local authority must obtain, so far as is reasonably practicable, any other relevant information which may be required by the adoption panel and send that information to the panel.
- (i) Where the local authority considers that the proposed placement should proceed, the local authority must-
 - (i) carry out an assessment of the needs of the child and the prospective adoptive family for adoption support services in accordance with regulations made under section 4(6) of the 2002 Act;
 - (ii) consider the arrangements for allowing any person contact with the child;

- (iii) ystyried a oes cyfyngu i unrhyw raddau i fod ar gyfrifoldeb unrhyw riant neu warcheidwad, neu unrhyw ddarpar fabwysiadwyr;
- (iv) paratoi adroddiad ysgrifenedig y mae'n orfodol iddo gynnwys-
 - (aa) rhesymau'r awdurdod lleol am awgrymu'r lleoliad;
 - (bb) yr wybodaeth sydd wedi'i chaffael yn rhinwedd paragraffau 32(3)(ch) o Reoliadau Asiantaethau Mabwysiadu 2005;
 - (cc) ei argymhellion ar gyfer darparu gwasanaethau cymorth mabwysiadu, os o gwbl, yn unol â rheoliadau a wneir o dan adran 4(6) o Ddeddf 2002;
 - (dd) y trefniadau y bwriad a'r awdurdod lleol eu gwneud er mwyn caniatáu i unrhyw berson gael cyswllt â'r plentyn;
 - (ee) argymhellion yr awdurdod lleol ar gyfer cyfyngu ar gyfrifoldeb rhiant unrhyw riant neu warcheidwad, neu ddarpar fabwysiadwyd, a
 - (ff) unrhyw wybodaeth arall sy'n berthnasol i'r lleoliad arfaethedig.
- (iii) consider whether the parental responsibility of any parent or guardian, or of prospective adopters, is to be restricted to any extent;
- (iv) prepare a written report which must include-
 - (aa) the local authority's reasons for proposing the placement;
 - (bb) the information obtained by virtue of paragraphs 32(3)(d) of the 2005 Adoption Agencies (Wales) Regulations;
 - (cc) its proposals for the provision of adoption support services, if any, in accordance with regulations made under section 4(6) of the 2002 Act;
 - (dd) the arrangements the local authority proposes to make for allowing any person contact with the child;
 - (ee) the local authority's proposals for restricting the parental responsibility of any parent or guardian, or prospective adopter; and
 - (ff) any other information relevant to the proposed placement.

RHAN 2

RHEOLWYR

Penodi rheolwr

10.-(1) Rhaid i bob awdurdod lleol benodi un o'i swyddogion i reoli'r gwasanaeth mabwysiadu a rhaid iddo hysbysu'r Cynulliad Cenedlaethol ar unwaith o-

- (a) enw'r person a benodwyd yn unol â'r rheoliad hwn; a
- (b) y dyddiad y mae'r penodiad i fod yn effeithiol.

(2) O ran y swyddog a benodir gan yr awdurdod lleol i reoli'r gwasanaeth mabwysiadu-

- (a) rhaid iddo fod yn weithiwr cymdeithasol; a
- (b) mae'n orfodol
 - (i) bod ganddo gymhwyster NVQ lefel 4 o leiaf mewn rheoli neu gymhwyster arall sy'n cyfateb o ran y cymwyseddau sy'n ofynnol gan NVQ lefel 4, neu
 - (ii) y bydd yn dechrau ymgymryd â'r cymhwyster pan benodir ef i reoli'r gwasanaeth mabwysiadu, ac y bydd yn ennill y cymhwyster o fewn 3 blynedd i ddyddiad ei benodi, neu

- (iii) consider whether the parental responsibility of any parent or guardian, or of prospective adopters, is to be restricted to any extent;
- (iv) prepare a written report which must include-
 - (aa) the local authority's reasons for proposing the placement;
 - (bb) the information obtained by virtue of paragraphs 32(3)(d) of the 2005 Adoption Agencies (Wales) Regulations;
 - (cc) its proposals for the provision of adoption support services, if any, in accordance with regulations made under section 4(6) of the 2002 Act;
 - (dd) the arrangements the local authority proposes to make for allowing any person contact with the child;
 - (ee) the local authority's proposals for restricting the parental responsibility of any parent or guardian, or prospective adopter; and
 - (ff) any other information relevant to the proposed placement.

PART 2

MANAGERS

Appointment of manager

10.-(1) Each local authority must appoint one of its officers to manage the adoption service and must forthwith notify the National Assembly of-

- (a) the name of the person appointed in accordance with this regulation; and
- (b) the date on which the appointment is to take effect.

(2) The officer appointed by the local authority to manage the adoption service must-

- (a) be a social worker; and
- (b) it's mandatory
 - (i) have a qualification of at least level 4 NVQ in management or another qualification which matches the competencies of level 4 NVQ, or
 - (ii) will commence undertaking the qualification when appointed to manage the adoption service, and will obtain the qualification within 3 years of the date of appointment, or

- (iii) y bydd yn ennill y cymhwyster erbyn y cyfryw ddyddiad diweddarach ag y byddo'r Cynulliad Cenedlaethol yn cytuno arno, mewn amgylchiadau eithriadol; ac
- (c) mae'n orfodol bod ganddo ddwy flynedd o leiaf o brofiad o weithio o fewn cyd-destun gofal plant, sef profiad a allai gynnwys rheoli asiantaeth fabwysiadu wirfoddol neu asiantaeth fabwysiadu awdurdod lleol, a hynny o fewn y pum mlynedd ddiwethaf.

(3) Rhaid i'r awdurdod hysbysu'r Cynulliad Cenedlaethol ar unwaith os bydd y person a benodwyd o dan baragraff (1) yn peidio â bod yn rheolwr y gwasanaeth mabwysiadu.

Ffitrwydd rheolwr

11.-(1) Dim ond person sy'n ffit i ymgymryd â'r swydd a gaiff fod yn rheolwr gwasanaeth mabwysiadu.

(2) Nid yw person yn ffit i reoli gwasanaeth mabwysiadu-

- (a) onid yw'r person hwnnw yn berson gonest o gymeriad dilychwin;
- (b) o ystyried maint yr awdurdod a'i ddatganiad o ddiben-
 - (i) onid oes ganddo'r cymwysterau, y sgiliau, a'r profiad sy'n angenreheidiol i reoli'r gwasanaeth mabwysiadu; a
 - (ii) onid yw'n ffit yn gorfforol ac yn feddyliol i reoli'r gwasanaeth mabwysiadu; ac
- (c) onid oes gwybodaeth lawn a boddhaol ar gael mewn perthynas â'r person hwnnw o ran pob un o'r materion a bennir yn Atodlen 3.

Gofynion cyffredinol

12.-(1) Rhaid i'r rheolwr, o ystyried-

- (a) maint yr awdurdod lleol a'i ddatganiad o ddiben; a
- (b) yr angen am ddiogelu a hybu lles plant a allai gael eu lleoli neu sydd wedi eu lleoli gan yr awdurdod i'w mabwysiadu,

reoli'r gwasanaeth mabwysiadu gyda gofal, hyfedredd a sgil digonol.

(2) Rhaid i'r rheolwr ymgymryd o bryd i'w gilydd ag unrhyw hyfforddiant sy'n briodol i sicrhau bod ganddo'r profiad a'r sgiliau sy'n angenreheidiol i reoli'r gwasanaeth mabwysiadu.

Hysbysu o dramgyddau

13. Rhaid i reolwr a gollfernir o unrhyw dramgydd, p'un ai yng Nghymru neu yn rhywle arall, ysgrifennu i hysbysu'r Cynulliad Cenedlaethol ar unwaith-

- (iii) will obtain the qualification by such later date as the National Assembly may in exceptional circumstances agree; and
- (c) have at least two years' experience of working in a child care setting , which may include managing a voluntary adoption agency or a local authority adoption service within the past five years.

(3)The authority must forthwith notify the National Assembly if the person appointed under paragraph (1) ceases to manage the adoption service.

Fitness of manager

11.-(1) Only a person who is fit to do so may manage an adoption service.

(2)A person is not fit to manage an adoption service unless that person-

- (a) is of integrity and good character;
- (b) having regard to the size of the authority and its statement of purpose-
 - (i) has the qualifications, skills and experience necessary for managing the adoption service; and
 - (ii) is physically and mentally fit to manage the adoption service; and
- (c) full and satisfactory information is available in relation to that person in respect of each of the matters specified in Schedule 3.

General requirements

12.-(1) The manager must, having regard to-

- (a) the size of the local authority and its statement of purpose; and
- (b) the need to safeguard and promote the welfare of children who may be, or have been, placed for adoption by the authority,

manage the adoption service with sufficient care, competence and skill.

(2) The manager must from time to time undertake such training as is appropriate to ensure that he or she has the experience and skills necessary to manage the adoption service.

Notification of offences

13. A manager who is convicted of any criminal offence, whether in Wales or elsewhere, must give immediate notice in writing to the National Assembly of-

- (i) o ddyddiad a lle'r gollfarn;
- (ii) o'r tramgwydd; a
- (iii) o'r gosb a osodwyd mewn perthynas â'r tramgwydd.

- (i) the date and place of the conviction;
- (ii) the offence; and
- (iii) the penalty imposed in respect of the offence.

RHAN 3

Y MODD Y CYNHELIR GWASANAETH MABWYSIADU AWDURDOD LLEOL

Trefniadau ar gyfer amddiffyn plant

14. Rhaid i bob awdurdod lleol baratoi a gweithredu polisi ysgrifenedig-

- (a) y bwriedir iddo ddiogelu rhag camdriniaeth neu esgeulustod bob plentyn a leolir i'w fabwysiadu gan yr awdurdod neu a all dderbyn neu sy'n derbyn gwasanaethau cymorth mabwysiadu gan yr awdurdod;
- (b) sy'n nodi'r weithdrefn sydd i'w dilyn yn achos unrhyw honiad o gam-drin neu esgeuluso;
- (c) sy'n sicrhau bod y weithdrefn yn (b) yn gyson â gweithdrefnau'r Bwrdd Lleol Diogelu Plant;
- (ch) sy'n sicrhau yr ymchwilir ar fyrdar i'r holl honiadau a digwyddiadau o gam-drin mewn perthynas â staff yr asiantaeth neu ei gwirfoddolwyr a bod manylion yr ymchwiliad a'r camau a gymerwyd yn cael eu cofnodi ar ffeil a agorwyd ac a gedwir yn benodol i'r pwrpas hwnnw, a bod manylion hefyd yn cael eu rhoi ar gofnod y defnyddiwr gwasanaeth;
- (d) sy'n sicrhau bod cofnodion ar wahân yn cael eu cadw mewn cysylltiad â:
 - (i) yr holl staff, ac unrhyw bersonau eraill a gyflogir neu sydd o dan gontact i ddarparu gwasanaethau,
 - (ii) cwynion,
 - (iii) unrhyw honiadau a wneir yn erbyn unrhyw berson.

Staffio

15. Rhaid i bob awdurdod lleol sicrhau, o ystyried-

- (a) maint yr awdurdod a'i ddatganiad o ddiben; a
- (b) yr angen i ddiogelu a hybu iechyd a lles plant a all gael eu lleoli, neu sydd wedi eu lleoli, gan yr awdurdod i'w mabwysiadu neu a all dderbyn neu sydd yn derbyn gwasanaethau cymorth mabwysiadu ganddo,

bod nifer digonol o bersonau sy'n briodol o ran cymhwyster, hyfedredd a phrofiad yn gweithio at

PART 3

CONDUCT OF LOCAL AUTHORITY ADOPTION SERVICE

Arrangements for the protection of children

14. Each local authority must prepare and implement a written policy which-

- (a) is intended to safeguard from abuse or neglect every child placed for adoption by the authority or who may receive or is receiving adoption support services from the authority;
- (b) sets out the procedure to be followed in the event of any allegation of abuse or neglect;
- (c) ensures that the procedure in (b) is consistent with the Local Safeguarding Children Board procedures;
- (d) ensures that all allegations and incidents of abuse in relation to the agency's staff or volunteers are investigated promptly and details of the investigation and action taken are recorded on a file set up and kept specially for that purpose, and that details are also placed on the service user's record;
- (e) ensures that separate records are kept in respect of:
 - (i) all staff, and any other persons employed or who are contracted for services,
 - (ii) complaints,
 - (iii) any allegations made against any person.

Staffing

15. Each local authority must ensure that, having regard to-

- (a) the size of the authority and its statement of purpose; and
- (b) the need to safeguard and promote the health and welfare of children who may be, or have been, placed for adoption by or who may receive or are receiving adoption support services from the authority,

there is a sufficient number of suitably qualified, competent and experienced persons working for the

ddibenion y gwasanaeth mabwysiadu, a bod gan yr awdurdod lleol bolisi reciriwtio ysgrifenedig clir ar gyfer reciriwtio'i staff.

Ffitrwydd gweithwyr

16.-(1) Rhaid i awdurdod lleol beidio ag-

- (a) cyflogi person i weithio at ddibenion ei wasanaeth mabwysiadu onid yw'r person hwnnw'n ffit i weithio at ddibenion gwasanaeth mabwysiadu; neu
- (b) caniatáu i berson y mae paragraff (2) yn gymwys iddo weithio at ddibenion y gwasanaeth mabwysiadu onid yw'r person hwnnw'n ffit i weithio at ddibenion gwasanaeth mabwysiadu.

(2) Mae'r paragraff hwn yn gymwys i unrhyw berson a gyflgor, ac eithrio gan yr awdurdod mewn safle sy'n caniatáu i'r person hwnnw, wrth i'r person hwnnw gyflawni'i ddyletswyddau, fod mewn cysylltiad rheolaidd â phlant a all gael eu lleoli, neu sydd wedi cael eu lleoli, gan yr awdurdod i'w mabwysiadu neu a all dderbyn neu sy'n derbyn gwasanaethau cymorth mabwysiadu gan yr awdurdod.

(3) At ddibenion paragraff (1), nid yw person yn ffit i weithio at ddibenion gwasanaeth mabwysiadu awdurdod-

- (a) onid yw'r person hwnnw'n berson gonest ac o gymeriad dilychwin;
- (b) onid oes gan y person hwnnw'r cymwysterau, y sgiliau a'r profiad sy'n angenrheidiol ar gyfer y gwaith y mae i'w gyflawni;
- (c) onid yw'r person hwnnw'n ffit yn gorfforol ac yn feddyliol i wneud y gwaith y mae i'w gyflawni;
- (ch) onid oes gwybodaeth lawn a boddhaol ar gael mewn perthynas â'r person hwnnw o ran pob un o'r materion a bennir yn Atodlen 3; a
- (d) onid oes gan y person hwnnw dystysgrif SCT (CRB) gyfredol ar y lefel briodol, a bod y cyfryw dystysgrif SCT (CRB) yn cael ei hadnewyddu bob tair blynedd.

(4) Rhaid i'r awdurdod gymryd camau rhesymol i sicrhau bod unrhyw bersonau sy'n gweithio at ddibenion y gwasanaeth mabwysiadu, nad ydynt yn cael eu cyflogi gan yr awdurdod, ac nad yw paragraff (2) yn gymwys iddynt yn cael eu goruchwylion'n briodol tra byddant yn cyflawni eu dyletswyddau.

Cyflogi staff

17.-(1) Rhaid i bob awdurdod lleol-

- (a) sicrhau bod pob penodiad parhaol a wneir gan yr awdurdod at ddibenion y gwasanaeth mabwysiadu yn ddarostyngedig i gwblhau cyfnod prawf yn fodhaol; a

purposes of the adoption service, and that the local authority has a clear written recruitment policy for recruiting its staff.

Fitness of workers

16.-(1) A local authority must not-

- (a) employ a person to work for the purposes of their adoption service unless that person is fit to work for the purposes of an adoption service; or
- (b) allow a person to whom paragraph (2) applies, to work for the purposes of the adoption service unless that person is fit to work for the purposes of an adoption service.

(2) This paragraph applies to any person employed, other than by the authority in a position in which that person may in the course of that person's duties have regular contact with children who may be, or have been placed for adoption by the authority or who may receive or are receiving adoption support services from the authority.

(3) For the purposes of paragraph (1), a person is not fit to work for the purposes of an authority's adoption service unless that person-

- (a) is of integrity and good character;
- (b) has the qualifications, skills and experience necessary for the work which that person is to perform;
- (c) is physically and mentally fit for the work which that person is to perform; and unless
- (d) full and satisfactory information is available in relation to that person in respect of each of the matters specified in Schedule 3.
- (e) has an up to date CRB certificate of the appropriate level, such CRB certificate to be renewed every 3 years.

(4) The authority must take reasonable steps to ensure that any persons working for the purposes of the adoption service who are not employed by the authority and to whom paragraph (2) does not apply are appropriately supervised while carrying out their duties.

Employment of staff

17.-(1) Each local authority must-

- (a) ensure that all permanent appointments made by the authority for the purposes of the adoption service are subject to the satisfactory completion of a period of probation; and

- (b) darparu ar gyfer pob cyflogai a gyflogir gan yr awdurdod at ddibenion ei wasanaeth mabwysiadu swydd-ddisgrifiad sy'n amlinellu eu cyfrifoldebau.

(2) Rhaid i'r awdurdod sicrhau bod pob person a gyflogir gan yr awdurdod at ddibenion y gwasanaeth mabwysiadu-

- (a) yn derbyn hyfforddiant priodol, ac yn cael ei oruchwyllo a'i arfarnu'n briodol;
- (b) yn cael ei alluogi o bryd i'w gilydd i ennill cymwysterau pellach sy'n briodol i'r gwaith y mae'n ei gyflawni.

Gweithdrefn disgynnu staff

18.-(1) Rhaid i bob awdurdod lleol roi gweithdrefn ddisgynnu ar waith sydd, yn benodol-

- (a) yn darparu ar gyfer atal cyflogai o'i waith a hynny dros dro pan fo angen hynny er mwyn diogelwch neu les plant a all gael eu lleoli, neu sydd wedi'u lleoli, gan yr awdurdod i'w mabwysiadu neu a all dderbyn neu sy'n derbyn gwasanaethau cymorth mabwysiadu gan yr awdurdod;
- (b) yn darparu bod y methiant ar ran cyflogai i roi gwylod i berson priodol am ddigwyddiad o gam-drin, neu o amheuaeth o gam-drin, plentyn sydd wedi'i leoli neu a all gael ei leoli gan yr awdurdod i'w fabwysiadu neu a all dderbyn neu sydd yn derbyn gwasanaethau cymorth mabwysiadu gan yr awdurdod yn sail ar gyfer cychwyn achos disgynnu.

(2) At ddibenion paragraff (1)(b), dyma yw person priodol-

- (a) rheolwr y gwasanaeth mabwysiadu;
- (b) un o swyddogion y Cynulliad Cenedlaethol;
- (c) swyddog heddlu;
- (ch) un o swyddogion y Gymdeithas Genedlaethol er Atal Creulondeb i Blant;
- (d) un o swyddogion yr awdurdod lleol y mae'r plentyn wedi'i leoli i'w fabwysiadu yn ei ardal os yw'r awdurdod hwn yn un gwahanol.

Trefniadau ar gyfer absenoldeb y rheolwr

19. Rhaid i bob awdurdod lleol sefydlu system i sicrhau bod person a nodir yn gyfrifol am reoli'r gwasanaeth mabwysiadu, os yw'r rheolwr yn arfaethu bod yn absennol neu os yw'n absennol o'r awdurdod lleol am gyfnod di-dor o 20 o ddiwrnodau neu fwy, a hynny hyd onid yw'r rheolwr yn dychwelyd i'r gwasanaeth mabwysiadu neu (yn ôl y digwydd) hyd oni phenodir rheolwr newydd gan yr awdurdod.

- (b) provide all employees employed by the authority for the purposes of their adoption service with a job description outlining their responsibilities.

(2) The authority must ensure that all persons employed by the authority for the purposes of the adoption service-

- (a) receive appropriate training, supervision and appraisal; and
- (b) are enabled from time to time to obtain further qualifications appropriate to the work they perform.

Staff disciplinary procedure

18.-(1) Each local authority must operate a disciplinary procedure which, in particular-

- (a) provides for the suspension of an employee where necessary in the interests of the safety or welfare of children who may be or have been placed for adoption by the authority or who may receive or are receiving adoption support services from the authority;
- (b) provides that the failure on the part of an employee to report to an appropriate person an incident of abuse, or suspected abuse of a child who has been or may be placed for adoption by the authority or who may receive or is receiving adoption support services from the authority is a ground on which disciplinary proceedings may be instituted.

(2) For the purposes of paragraph (1)(b), an appropriate person is-

- (a) the manager of the adoption service;
- (b) an officer of the National Assembly;
- (c) a police officer;
- (d) an officer of the National Society for the Prevention of Cruelty to Children;
- (e) an officer of the local authority in whose area the child is placed for adoption where this is a different authority.

Arrangements for the absence of manager

19. Each local authority must establish a system to ensure that where the manager proposes to be or is absent from the local authority for a continuous period of 20 working days or more an identified person is responsible for the management of the adoption service until such time as the manager returns to the adoption service or (as the case may be) a new manager is appointed by the authority.

Cofnodion mewn perthynas â'r holl staff

20.-(1) Rhaid i bob awdurdod lleol gadw a diweddar u'r cofnodion a bennir yn Atodlen 4

(2) Rhaid cadw'r cofnodion a bennir ym mharagraff (1) am 15 mlynedd o leiaf ar ôl dyddiad y cofnod diwethaf.

Ffitrwydd y fangre

21.-(1) Rhaid i'r awdurdod lleol ddefnyddio at ddibenion ei wasanaeth mabwysiadu fangreodd sy'n addas at ddiben cyflawni'r nodau a'r amcanion a geir yn y datganiad o ddiben.

(2) Rhaid i'r awdurdod sicrhau-

- (a) bod trefniadau diogelwch y mangroedd yn fodhaol ac, yn benodol, bod cyfleusterau diogel ar gyfer storio cofnodion; a
- (b) bod unrhyw gofnodion nad ydynt, am unrhyw reswm, ar fangreodd yr awdurdod yn cael eu cadw o dan amodau priodol o ddiogelwch; ac
- (c) y cedwir cofnodion achos a lunnir o dan reoliadau 12 a 22 o Reoliadau Asiantaethau Mabwysiadu 2005(1) am 100 mlynedd o leiaf.

Adolygu Ansawdd y Gwasanaeth

22.-(1) Rhaid i'r awdurdod lleol wneud trefniadau addas i sefydlu a chynnwl system ar gyfer monitro, adolygu a gwella ansawdd y gwasanaethau mabwysiadu a ddarperir gan yr awdurdod lleol.

(2) Rhaid i'r system a sefydlir o dan baragráff (1) ddarparu bod yr awdurdod lleol -

- (a) yn sicrhau bod ansawdd y gwasanaeth yn cael ei adolygu o leiaf bob blwyddyn; a
- (b) yn sicrhau bod yr awdurdod lleol yn gofyn barn -
 - (i) y rhieni mabwysiadol a'r rhieni naturiol a'r plant sy'n cael eu mabwysiadu;
 - (ii) unrhyw berson sy'n derbyn gwasanaethau gan yr awdurdod lleol, neu eu cynrychiolwyr mewn perthynas â mabwysiadu;
 - (iii) y staff a gyflogir gan yr awdurdod lleol; a
 - (iv) unrhyw awdurdod lleol,

ar ansawdd y gofal sy'n cael ei ddarparu, a hynny fel rhan o unrhyw adolygiad a gynhelir.

(3) Yn dilyn adolygiad o ansawdd y gofal, rhaid i'r awdurdod lleol lunio adroddiad ar yr adolygiad hwnnw o fewn 28 o ddiwrnodau gwaith a threfnu bod copi o'r adroddiad ar gael ar fformat priodol pan ofynnir iddo wneud hynny gan-

- (a) y Cynulliad Cenedlaethol,
- (b) defnyddwyr y gwasanaeth,

Records with respect to staff

20.-(1) Each local authority must maintain and keep up to date the records specified in Schedule 4.

(2) The records specified in paragraph (1) must be retained for at least 15 years from the date of the last entry.

Fitness of premises

21.-(1) The local authority must use premises for the purposes of their adoption service which are suitable for the purpose of achieving the aims and objectives set out in the statement of purpose.

(2) The authority must ensure-

- (a) that there are adequate security arrangements at the premises, and in particular, that there are secure facilities for the storage of records; and
- (b) that any records which are, for any reason, not on the authority's premises are kept in conditions of appropriate security; and
- (c) case records set up under regulations 12 and 22 of the Adoption Agencies Wales Regulations 2005(1) are kept for at least 100 years.

Review of Quality of Service

22.-(1) The local authority must make suitable arrangements to establish and maintain a system for monitoring, reviewing and improving the quality of adoption services provided by the local authority.

(2) The system established under paragraph (1) must make provision by the local authority for -

- (a) the quality of service to be reviewed at least annually; and
- (b) the local authority to obtain the views of
 - (i) adoptive and natural parents and children being adopted;
 - (ii) any person receiving services from the local authority or their representatives in relation to adoption ;
 - (iii) staff employed by the local authority; and
 - (iv) any local authority,

on the quality of care provided, as part of any review undertaken.

(3) Following a review of the quality of care, the local authority must within 28 working days prepare a report of that review and make a copy of the available report in an appropriate format when requested by -

- (a) the National Assembly;
- (b) service users;

(1) 2005/3115 (Cy.235)

(1) 2005/3115 (W.235)

- (c) cynrychiolwyr defnyddiwr y gwasanaeth,
- (ch) staff a gyflogir gan yr awdurdod lleol.

Asesu'r Gwasanaeth

23.-(1) Gall y Cynulliad Cenedlaethol ar unrhyw adeg ofyn i'r awdurdod lleol gynnal asesiad o'r gwasanaeth sy'n cael ei ddarparu ar gyfer y defnyddwyr gwasanaeth sy'n defnyddio ei wasanaethau mabwysiadu.

(2) O fewn 28 o ddiwrnodau ar ôl i gais o dan baragraff (1) ddod i law, rhaid i'r awdurdod lleol gyflenwi i swyddfa briodol y Cynulliad Cenedlaethol asesiad ar y ffurf sy'n ofynnol gan y Cynulliad Cenedlaethol.

(3) Rhaid i'r awdurdod lleol gymryd camau rhesymol i sicrhau na fydd yr asesiad yn gamarweiniol nac yn anghywir.

Hysbysu o gydymffurfedd

24.-(1) Caiff y Cynulliad Cenedlaethol ar unrhyw adeg hysbysu'r awdurdod lleol o'r camau y mae'n rhaid i'r awdurdod lleol eu cymryd ym marn y Cynulliad i sicrhau cydymffurfedd â Ddeddf 2000 ac ag unrhyw reoliadau a wneir oddi tanu.

(2) Caiff y Cynulliad Cenedlaethol bennu'r targedau amser erbyn pryd y mae'n rhaid i'r awdurdod lleol gymryd y camau sy'n ofynnol o dan baragraff (1).

(3) Rhaid i'r awdurdod lleol hysbysu swyddfa briodol y Cynulliad Cenedlaethol pan fydd unrhyw gamau sy'n ofynnol o dan baragraff (1) wedi'u cwblhau.

Cwynion

25. Rhaid i bob awdurdod lleol-

- (a) sicrhau y gwneir cofnod ysgrifenedig o unrhyw gwyn, gan gynnwys cofnod o fanylion yr ymchwiliad a wneir, y canlyniad ac unrhyw gamau a gymerwyd yn sgil hynny, a bod y cofnod yn cael ei gadw am 3 blynedd o leiaf o'r dyddiad y'i gwneir; a
- (b) rhoi i'r Cynulliad Cenedlaethol, pan fydd y Cynulliad Cenedlaethol yn gofyn amdan, ddatganiad sy'n cynnwys crynodeb o unrhyw gwynion a wnaed mewn perthynas â'i wasanaeth mabwysiadu yn ystod y 12 mis blaenorol, a'r camau (os o gwbl) a gymerwyd yn sgil canlyniad yr ymchwiliad; a
- (c) rhoi i'r Cynulliad Cenedlaethol grynodeb o unrhyw honiadau o gam-drin plant yn ystod y 12 mis blaenorol ynghyd â chanlyniadau ymchwiliadau a'r camau a gymerwyd..

- (c) representatives of service users;
- (d) staff employed by the local authority.

Assessment of Service

23.-(1) The National Assembly can at any time request the local authority to undertake an assessment of the service provided to service users using its adoption services.

(2) Within 28 days of receiving a request under paragraph (1) the local authority must supply to the appropriate office of the National Assembly the assessment in the form required by the National Assembly.

(3) The local authority must take reasonable steps to ensure that the assessment is not misleading nor inaccurate.

Compliance Notification

24.-(1) The National Assembly can at any time notify the local authority of the action that in the National Assembly's view the local authority must take to ensure compliance with the 2000 Act and any regulations made under it.

(2) The National Assembly can specify the timescale within which the local authority must take the action required under paragraph (1).

(3) The local authority must advise the appropriate office of the National Assembly of the completion of any action required under paragraph (1).

Complaints

25. Each local authority must-

- (a) ensure that a written record is made of any complaint, including details of the investigation made, the outcome and any action taken in consequence, and that the record is retained for at least 3 years from the date it is made; and
- (b) supply to the National Assembly at its request a statement containing a summary of any complaints made in respect of their adoption service during the preceding 12 months and the action (if any) taken as a result of the outcome of the investigation; and
- (c) supply to the National Assembly a summary of any allegations of abuse against children in the last 12 months and outcomes of investigations and action taken

Digwyddiadau hysbysadwy

26.-(1) Os bydd unrhyw un o'r digwyddiadau a restrir yn y tabl yn Atodlen 5 yn digwydd mewn cysylltiad ag awdurdod lleol, rhaid i'r awdurdod lleol hysbysu'r personau a restrir yng ngholofnau'r tabl yn ddi-oed ynglyn â'r digwyddiad.

(2) Rhaid cadarnhau yn ysgrifenedig yn ogystal unrhyw hysbysiad sy'n cael ei roi ar lafar mewn cysylltiad â'r gorchymyn hwn.

RHAN 4

AMRYWIOL

Dirymu Rheoliadau

27. Dirymir Rheoliadau Gwasanaeth Mabwysiadu Awdurdodau Lleol (Cymru) 2005(1).

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(2).

28 Mawrth 2007

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

Notifiable events

26.-(1) If, in relation to a local authority, any of the events listed in the table in Schedule 5 occur, the local authority must without delay notify the persons listed in the columns of the table in respect of the event.

(2) Any notification made in respect of this order orally, must also be put in writing.

PART 4

MISCELLANEOUS

Revocation of regulations

27. The Local Authority Adoption Service (Wales) Regulations 2005(1) are revoked.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(2).

28 March 2007

The Presiding Officer of the National Assembly

(1) 2005/3115 (Cy.235).

(2) 1998 p.38.

(1) 2005/1514 (W.118).

(2) 1998 c.38.

ATODLEN 1

GWYBODAETH I'W CHYNNWYS YN Y DATGANIAD O DDIBEN

Rheoliad 3(1)

1. Nodau ac amcanion yr awdurdod lleol mewn perthynas â'r gwasanaeth mabwysiadu, gan gynnwys achosion sy'n ymwneud â mabwysiadu rhwng gwledydd.

2. Y trefniadau y mae'r awdurdod lleol wedi'u rhoi yn eu lle i asesu a gwneud darpariaeth ar gyfer gwasanaethau cymorth mabwysiadu.

3. Enw a chyfeiriad y rheolwr.

4. Cymwysterau a phrofiad perthnasol y rheolwr.

5. Nifer a chymwysterau a phrofiad perthnasol y staff a gyflogir gan yr awdurdod at ddibenion gwasanaeth mabwysiadu'r awdurdod.

6. Strwythur trefniadol y gwasanaeth mabwysiadu.

7. Y system sydd yn ei lle i fonitro a gwerthuso darpariaeth y gwasanaethau i sicrhau bod y gwasanaethau a ddarperir gan yr awdurdod yn effeithiol a bod ansawdd y gwasanaeth mabwysiadu o safon briodol.

8. Y gweithdrefnau ar gyfer recriwtio, paratoi, asesu, cymeradwyo a chefnogi darpar rieni mabwysiadol.

9. Manylion y cynghorydd gwasanaeth cefnogi mabwysiadu a'r gweithdrefnau ar gyfer asesu ar gyfer gwasanaethau cefnogi mabwysiadu a'u darparu.

10. Crynodeb o'r gweithdrefnau cwynion a sefydlwyd yn unol â Rheoliadau Gweithdrefn Sylwadau (Plant) (Cymru) 2005(1), Rheoliadau Gweithdrefn Gwynion y Gwasanaethau Cymdeithasol (Cymru) 2005 (2) ac adran 114 o Ddeddf lechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau 2003(3).

11. Cyfeiriad a rhif ffôn swyddfa briodol y Cynulliad Cenedlaethol.

SCHEDULE 1

INFORMATION TO BE INCLUDED IN THE STATEMENT OF PURPOSE

Regulation 3(1)

1. The aims and objectives of the local authority in relation to the adoption service, including cases involving intercountry adoption.

2. The arrangements that the local authority has put in place to assess and make provision for adoption support services.

3. The name and address of the manager.

4. The relevant qualifications and experience of the manager.

5. The number, relevant qualifications and experience of the staff employed by the authority for the purposes of the authority's adoption service.

6. The organisational structure of the adoption service.

7. The system in place to monitor and evaluate the provision of services to ensure that the services provided by the authority are effective and the quality of the adoption service is of an appropriate standard.

8. The procedures for recruiting, preparing, assessing, approving and supporting prospective adoptive parents.

9. Details of the adoption support service advisor and the procedures for the assessment for and provision of adoption support services.

10. A summary of the complaints procedures established in accordance with the Representations Procedure (Children) (Wales) Regulations 2005 (1), the Social Services Complaints Procedure (Wales) Regulations 2005 (2) and section 114 of the Health and Social Care (Community Health and Standards) Act 2003(3).

11. The address and telephone number of the appropriate office of the National Assembly.

(1) O.S. 2005/ 3365 (Cy. 262).

(2) O.S.2005/ 3366 (Cy.263).

(3) 2003 (p.43).

(1) S.I. 2005/ 3365 (W. 262).

(2) S.I.2005/ 3366 (W.263).

(3) 2003 (c.43).

ATODLEN 2

GWYBODAETH I'W CHYNNWYS YN YR ARWEINIAD PLANT

Rheoliad 4(1)

1. Crynodeb o'r datganiad o ddiben.
2. Crynodeb o'r gweithdrefnau pan nodir mai mabwysiadu yw'r cynllun priodol ar gyfer y plentyn.
3. Gwybodaeth ynghylch rôl y cynghorydd gwasanaethau cymorth mabwysiadu a chrynodeb o'r gweithdrefnau ar gyfer gwneud cais am asesiad ar gyfer darparu gwasanaethau cymorth mabwysiadu.
4. Crynodeb o'r gweithdrefnau cwynion a sefydlwyd yn unol ag adran 26 o Ddeddf Plant 1989, Gorchymyn Gwasanaethau Cymdeithasol Awdurdodau Lleol (Y Weithdrefn Gwynion) 1990 ac adran 114 o Ddeddf lehyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003.
5. Manylion ynghylch sut y gall plentyn gael mynediad i wasanaethau eiriolwr sy'n annibynnol ar yr awdurdod i'w helpu i ddwyn cwyn neu i wneud cynrychioliad o dan y gweithdrefnau cwynion y cyfeirir atynt ym mharagraff 4.
6. Cyfeiriad a rhif ffôn swyddfa briodol y Cynulliad Cenedlaethol.
7. Enw, cyfeiriad a rhif ffôn Comisiynydd Plant Cymru.

SCHEDULE 2

INFORMATION TO BE INCLUDED IN THE CHILDREN'S GUIDE

Regulation 4(1)

1. A summary of the statement of purpose
2. A summary of the procedures where adoption is identified as the appropriate plan for the child.
3. Information about the role of the adoption support services advisor and a summary of the procedures for seeking an assessment for the provision of adoption support services.
4. A summary of the complaints procedures established in accordance with section 26 of the Children Act 1989, the Local Authority Social Services (Complaints Procedure) Order 1990 and section 114 of the Health and Social Care (Community Health and Standards) Act 2003.
5. Details of how a child may have access to the services of an advocate who is independent of the authority to assist the child in bringing a complaint or making a representation under the complaints procedures referred to in paragraph 4.
6. The address and telephone number of the appropriate office of the National Assembly.
7. The name, address and telephone number of the Children's Commissioner for Wales.

ATODLEN 3

GWYBODAETH Y MAE EI HANGEN AM BERSONAU SY'N GWNEUD CAIS AM REOLI NEU WEITHIO AT DDIBENION Y GWASANAETH MABWYSIADU

Rheoliadau 1(2)(c)

1. Prawf o bwy yw'r person gan gynnwys ffotograff diweddar.
2. Naill ai-
 - (a) pan fo'r swydd yn ymwneud yn rheolaidd a gofalu ar ol, hyfforddi, arolygu neu fodyn unig un a gofal o bersonau o 18 oed neu llai tystysgrif ddiweddaredig a ddyroddwyd o dan adran 113B o'r Ddeddf honno ac y mae llai na thair blynedd wedi mynd heibio ers ei dyroddi; neu
 - (b) ym mhob achos arall, tystysgrif cofnod trosedol a ddyroddwyd o dan adran 113A o Deddf yr Heddlu 1997 ac y mae llai na thair blynedd wedi mynd heibio ers ei dyroddi.
3. Lleiafswm o ddua dystlythyr ysgrifenedig, gan gynnwys dystlythyr gan gyflogwr diweddaraf y person, os oes un.
4. Os bydd person wedi gweithio o'r blaen mewn swydd yr oedd ei dyletswyddau'n cynnwys gweithio gyda phlant neu oedolion hawdd eu niweidio, i'r graddau y bydd yn rhesymol ymarferol cadarnhad o'r rhesymau pam y daeth y gyflogaeth neu'r swydd i ben.
5. Tystiolaeth ddogfennol o unrhyw gymhwyster perthnasol.
6. Hanes cyflogaeth yn llawn, ynghyd ag esboniad ysgrifenedig boddhaol o unrhyw fylchau yn y gyflogaeth.

SCHEDULE 3

INFORMATION REQUIRED IN RESPECT OF PERSONS SEEKING TO MANAGE OR WORK FOR THE PURPOSES OF THE ADOPTION SERVICE

Regulation 11(2)(c)

1. Proof of identity including a recent photograph.
2. Either-
 - (a) where the position involves regularly caring for, training, supervising or being in sole charge of persons aged 18 or under, an enhanced certificate issued under section 113B of that Act in respect of which less than three years have elapsed since it was issued; or
 - (b) in any other case, a criminal record certificate issued under section 113A of the Police Act 1997 in respect of which less than three years have elapsed since it was issued.
3. A minimum of two written references, including a reference from the person's most recent employer, if any.
4. Where a person has previously worked in a position whose duties included work with children or vulnerable adults, so far as reasonably practicable verification of the reason why the employment or position ended.
5. Documentary evidence of any relevant qualification.
6. A full employment history, together with a satisfactory written explanation of any gaps in employment.

ATODLEN 4

Y COFNODION SYDD I'W CADW YNGHYLCH POB PERSON SY'N GWEITHIO AT DDIBENION Y GWASANAETH MABWYSIADU

Rheoliad 20(1)

Cofnod gan gynnwys mewn perthynas â phob person sy'n gweithio i'r awdurdod lleol-

1. Enw llawn.
2. Rhyw.
3. Dyddiad geni.
4. Cyfeiriad cartref.
5. Yr ymgwymerwyd â Gwiriadau'r Swyddfa Cofnodion Troseddol (pan fo'n briodol), eu bod yn cael eu diweddar bob tair blynedd a'u bod yn foddaol.
6. Tystlythyrau a chadarnhad ysgrifenedig bod gwiriadau wedi'u gwneud dros y ffôn.
7. Hanes cyflogaeth lawn, ynghyd ag esboniad ysgrifenedig boddhaol o unrhyw fylchau yn y gyflogaeth,
8. Cymwysterau sy'n berthnasol i waith sy'n ymwnaed â phlant a phrofiad o'r gwaith hwnnw.
9. Dyddiadau y mae'n cychwyn ar gyflogaeth o'r fath ac yn rhoi'r gorau i gyflogaeth o'r fath.
10. P'un a yw'n gyflogedig gan yr awdurdod lleol o dan contract gwasanaeth neu contract am wasanaethau, neu'n gyflogedig gan rywun ac eithrio'r awdurdod.
11. Ei swydd-ddisgrifiad a ph'un a yw'n gweithio'n rhan-amser neu'n llawn-amser a'r nifer o oriau bob wythnos y mae'n cael ei gyflogi gan wasanaeth mabwysiadu'r awdurdod neu o dan contract i weithio iddo.
12. Hyfforddiant yr ymgwymerir ag ef ganddo neu ganddi, goruchwyllo, arfarnu, camau disgyblu (os o gwbl) a gymerwyd yn ei erbyn a chanlyniad y camau hynny, cofnodion o gwynion (os o gwbl) a wnaed yn ei erbyn neu ynglŷn ag ef a chanlyniad y gŵyn honno ac unrhyw gofnodion eraill mewn perthynas â'i gyflogaeth.

SCHEDULE 4

RECORDS TO BE KEPT IN RELATION TO EACH PERSON WORKING FOR THE PURPOSES OF THE ADOPTION SERVICE

Regulation 20(1)

A record including in respect of each persons working for the local authority-

1. Full name.
2. Sex.
3. Date of birth.
4. Home address.
5. Criminal Records Bureau checks (where appropriate), to be updated every three years and satisfactory.
6. Written references and confirmation of them having been checked by phone.
7. A full employment history, together with a satisfactory written explanation of any gaps in employment,
8. Qualifications relevant to, and experience of work involving children.
9. The dates on which he or she commences and ceases to be so employed.
10. Whether he or she is employed by the local authority under a contract of service or a contract for services, or is employed by someone other than the authority.
11. His or her job description and whether he or she works full-time or part-time and the number of hours for which he or she is employed by or contracted to work for, the authority's adoption service each week.
12. Training undertaken by him or her, supervision, appraisal, disciplinary action (if any) taken against him or her and the outcome of that action, records of complaints (if any) made against or concerning him or her and the outcome of that complaint and any other records in relation to his or her employment.

ATODLEN 5

DIGWYDDIADAU HYSBYSADWY

SCHEDULE 5

NOTIFIABLE EVENTS

rheoliad 26(1)

regulation 26(1)

<i>Colofn 1</i>	<i>Colofn 2</i>	
<i>Y digwyddiad:</i>	<i>I'w hysbysu i:</i>	
	Swyddfa briodol y Cynulliad Cenedlaethol	Yr awdurdod lleol ar gyfer yr ardal y mae'r plentyn wedi'i leoli i'w fabwysiadu ynnddi
Marwolaeth plentyn sydd wedi'i leoli gyda darpar fabwysiadwyr pan fo gorchymyn mabwysiadu eto i gael ei wneud	Ie	Ie
Cyfeirio unigolyn sy'n gweithio i wasanaeth mabwysiadu at yr Ysgrifennydd Gwladol yn unol ag adran 2(1)(a) o Ddeddf Amddiffyn Plant 1999	Ie	

<i>Column 1</i>	<i>Column 2</i>	
<i>Event:</i>	<i>To be notified to:</i>	
	Appropriate office of the National Assembly	Local authority for the area in which the child is placed for adoption
Death of a child placed with prospective adopters where an adoption order has yet to be made	Yes	Yes
Referral to the Secretary of State pursuant to section 2(1)(a) of the Protection of Children Act 1999 of an individual working for a adoption service	Yes	

2007 Rhif 1357 (Cy.128)

**GOFAL CYMDEITHASOL,
CYMRU**

**PLANT A PHOBL IFANC,
CYMRU**

Rheoliadau Gwasanaeth
Mabwysiadu Awdurdodau Lleol
(Cymru) 2007

2007 No. 1357 (W.128)

**SOCIAL CARE,
WALES**

**CHILDREN AND YOUNG
PERSONS, WALES**

The Local Authority Adoption
Service (Wales)
Regulations 2007