OFFERYNNAU STATUDOL
CYMRU

2008 Rhif 170 (Cy.23)

PLANT A PHOBL IFANC, CYMRU

Rheoliadau Deddf Gofal Plant 2006 (Darparu Gwybodaeth) (Cymru) 2008

NODYN ESBONIADOL

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

Mae'r rheoliadau hyn yn gosod y mathau o wybodaeth y mae'n ofynnol i awdurdodau lleol eu darparu i rieni ac i ddarpar rieni o dan eu dyletswyddau yn adran 27 o Ddeddf Gofal Plant 2006.

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STATUTORY INSTRUMENTS

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CHILDREN AND YOUNG PERSONS, WALES

The Childcare Act 2006 (Provision of Information) (Wales) Regulations 2008

EXPLANATORY NOTE

(This note is not part of the Regulations)

These regulations set out the types of information which are required to be provided to parents and prospective parents by local authorities under their duties in section 27 of the Childcare Act 2006.

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PLANT A PHOBL IFANC, CYMRU

Rheoliadau Deddf Gofal Plant 2006 (Darparu Gwybodaeth) (Cymru) 2008

Wedi'u gwneud	*28 Ionawr 2008*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*30 Ionawr 2008*
Yn dod i rym	*1 Ebrill 2008*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i Gynulliad Cenedlaethol Cymru gan adran 27 o Ddeddf Gofal Plant 2006(**1**), ac a freiniwyd ynddynt hwy bellach(**2**), drwy hyn yn gwneud y rheoliadau a ganlyn:

RHAN 1

CYFFREDINOL

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf Gofal Plant 2006 (Darparu Gwybodaeth) (Cymru) 2008 a deuant i rym ar 1 Ebrill 2008.

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

Dehongli

2. Yn y Rheoliadau hyn—

ystyr "addysg feithrin am ddim" ("*free nursery education*") yw darpariaeth a wneir o dan drefniadau rhwng y darparydd a'r awdurdod lleol yn unol â dyletswydd yr awdurdod lleol o dan adran 118 o Ddeddf Safonau a Fframwaith Ysgolion 1998(**3**);

(**1**) 2006 p.21

(**2**) Yn rhinwedd paragraff 30 o Atodlen 11 o Ddeddf Llywodraeth Cymru 2006.

(**3**) 1998 p.31

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The Childcare Act 2006 (Provision of Information) (Wales) Regulations 2008

Made	*28 January 2008*
Laid before the National Assembly for Wales	*30 January 2008*
Coming into force	*1 April 2008*

The Welsh Ministers, in exercise of the powers conferred on the National Assembly for Wales by section 27 of the Childcare Act 2006(**1**) and now vested in them(**2**) make the following Regulations:

PART 1

GENERAL

Title, commencement and application

1.—(1) The title of these Regulations is the Childcare Act 2006 (Provision of Information) (Wales) Regulations 2008 and they come into force on 1 April 2008.

(2) These Regulations apply in relation to Wales.

Interpretation

2. In these Regulations —

"free nursery education" ("*addysg feithrin am ddim*") means provision which is made under arrangements between the provider and the local authority in pursuance of the local authority's duty under section 118 of the School Standards and Framework Act 1998(**3**);

(**1**) 2006 c.21.

(**2**) By virtue of paragraph 30 of Schedule 11 of the Government of Wales Act 2006.

(**3**) 1998 c.31

Mae i "Arolygiaeth Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru" yr un ystyr ag sydd i "*Her Majesty's Inspectorate of Education and Training in Wales*" yn Neddf Addysg 2005(**1**);

ystyr "y Ddeddf" ("*the Act*") yw Deddf Gofal Plant 2006;

ystyr "yn lleol" ("*locally*") yw o fewn ardal yr Awdurdod Lleol.

Gwybodaeth a Ragnodwyd

3. Mae'r wybodaeth y cyfeirir ati yn Rhannau 2 a 3 o'r Rheoliadau hyn yn wybodaeth a ragnodwyd at ddibenion adran 27(2) o Ddeddf 2006.

RHAN 2

GWYBODAETH AM DDARPARIAETH GOFAL PLANT

4.—(1) Pan fo awdurdod lleol yn darparu i rieni neu i ddarpar rieni wybodaeth am ddarpariaeth gofal plant yn ei ardal yn unol ag adran 27(2)(a) o Ddeddf 2006 rhaid i'r wybodaeth honno gynnwys y canlynol ar gyfer pob darpariaeth:

(a) yn ddarostyngedig i Reoliad 4(2), manylion cyswllt gan gynnwys enw'r ddarpariaeth, ei chyfeiriad, rhif ffôn a chyfeiriad e-bost;

(b) y math o ddarpariaeth, hynny yw, darpariaeth mewn grŵp, yn y cartref neu yn yr ysgol.

(c) yr ystod oed a gwmpesir;

(ch) yr oriau agor, cyfanswm nifer yr wythnosau pan fo'r ddarpariaeth ar agor a'r wythnosau penodol pan fo'r ddarpariaeth wedi cau;

(d) nifer y lleoedd sydd ar gael ar gyfer pob grŵp oedran;

(dd) cost y ddarpariaeth;

(e) mewn perthynas ag addysg feithrin am ddim:

(i) a yw ei ddarpariaeth yn ddarpariaeth amser-llawn neu ran-amser ac a yw'n derbyn plant yn flynyddol neu fesul tymor;

(ii) sut mae'n ymwneud â'r galw am addysg cyfrwng Cymraeg neu leoliadau seiliedig ar ffydd;

(iii) manylion am y lleoedd a ddarperir yn yr adran a gynhelir a'r adran nas cynhelir (ond ariennir) fel ei gilydd. Dylai'r wybodaeth gynnwys:

(aa) ar gyfer y sector a gynhelir:

"Her Majesty's Inspectorate of Education and Training in Wales" ("*Arolygiaeth ei Mawrhydi dros addysg a hyfforddiant yng Nghymru*") has the same meaning as in the Education Act 2005(**1**);

"locally" ("*yn lleol*") means within the area of the local authority;

"the 2006 Act" ("*Deddf 2006*") means the Childcare Act 2006.

Prescribed Information

3. The information referred to in Parts 2 and 3 of these Regulations is prescribed information for the purposes of section 27(2) of the 2006 Act.

PART 2

INFORMATION ON THE PROVISION OF CHILDCARE

4.—(1) Where a local authority provides to parents or prospective parents information on the provision of childcare in its area in accordance with section 27(2)(a) of the 2006 Act that information must include the following for each provision:

(a) subject to Regulation 4(2), contact details including the name of the provision, address, telephone number and email address;

(b) type of provision, that is whether it is group based, home based or school based provision;

(c) the age range covered;

(d) opening hours, the total number of weeks for which the provision is open and the specific weeks in which the provision is closed;

(e) the number of places available for each age group;

(f) the cost of the provision;

(g) in respect of free nursery education;

(i) whether its provision is full or part-time and whether an annual or termly intake operates;

(ii) how it addresses demand for Welsh medium or faith based settings;

(iii) details of the places provided both in the maintained and (funded) non-maintained sectors. The information should include:

(aa) for the maintained sector, the

(**1**) 2005 p.18

(**1**) 2005 c.18

(i) enw, cyfeiriad a manylion cyswllt yr ysgol;

(ii) cyfrwng y ddarpariaeth yn yr ysgol; a

(iii) nifer y lleoedd perthnasol yn yr ysgol.

(bb) ar gyfer y sector nas cynhelir:

(i) enw, cyfeiriad a manylion cyswllt y lleoliad;

(ii) math y lleoliad (a yw'n Gylch Meithrin, cylch chwarae cyfrwng Saesneg, gwarchodydd plant neu feithrinfa dydd breifat etc.);

(iii) cyfrwng y ddarpariaeth yn y lleoliad; a

(iv) nifer y lleoliadau (rhan-amser) a gytunwyd gyda Phartneriaeth Datblygu'r Blynyddoedd Cynnar a Gofal Plant eu bod yn gymwys i'w hariannu.

(f) a yw'r ddarpariaeth wedi'i chofrestru gan Gynulliad Cenedlaethol Cymru (drwy Arolygaeth Gofal a Gwasanaethau Cymdeithasol Cymru (AGGCC)) yn unol â Deddf Plant 1989(**1**), fel y'i diwygiwyd gan Ddeddf Safonau Gofal 2000(**2**), ac os felly, sut y gall rhieni gael copïau o'r adroddiad perthnasol.

(ff) a yw'r ddarpariaeth yn cael ei harolygu gan Arolygiaeth Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru yn unol â Phennod 3 o Ddeddf Addysg 2005, ac os yw, sut y gall rhieni gael copïau o'r adroddiad perthnasol;

(g) gwybodaeth ynghylch yr Iaith Gymraeg a natur ddwyieithog y ddarpariaeth.

(2) Rhaid i awdurdod lleol beidio â rhoi manylion cyswllt person sy'n gweithredu fel gwarchodydd plant, nac unrhyw ran ohonynt, pan fo'r person hwnnw wedi rhoi hysbysiad i'r Awdurdod Lleol ei fod yn gwrthwynebu i'w fanylion cyswllt neu unrhyw ran ohonynt, gael eu rhoi.

Darpariaeth mewn ysgol

5. Pan fo'r ddarpariaeth mewn ysgol, rhaid i'r awdurdod lleol nodi a yw'r ddarpariaeth yn cael ei rhedeg a'i rheoli gan yr ysgol.

Cyfleusterau ar gyfer plant anabl

6. Pan fo rhiant yn rhiant i blentyn anabl, rhaid i awdurdodau lleol ddarparu gwybodaeth am fynediad at wasanaethau a chyfleusterau arbenigol sydd ar gael ar gyfer plant anabl o fewn lleoliad gofal plant.

(**1**) 1989 p.41

(**2**) 2000 p.14

(i) name, address and contact details of the school;

(ii) medium of provision in the school; and

(iii) number of relevant places in the school.

(bb) for the non-maintained sector, the:

(i) name, address and contact details of the setting;

(ii) type of setting (whether Cylch Meithrin, English medium playgroup, childminder or private day nursery etc.);

(iii) the medium of provision of the setting; and

(iv) the number of (part-time) places agreed with the Early Years and Childcare Development Partnership as eligible for funding.

(h) whether the provision is registered by the National Assembly for Wales (through the Care and Social Services Inspectorate Wales (CSSIW)) in accordance with the Children Act 1989(**1**), as amended by the Care Standards Act 2000(**2**), and if so, how parents can obtain copies of the relevant report.

(i) whether the provision is inspected by Her Majesty's Inspectorate of Education and Training in Wales in accordance with Chapter 3 of the Education act 2005, and if so, how parents can obtain copies of the relevant report;

(j) information as to the Welsh language and bilingual nature of the provision.

(2) A local authority must not provide the contact details, or part thereof, of a person who acts as a child minder where that person has given notice to the local authority that he or she objects to his or her contact details, or part thereof, being provided.

School based provision

5. Where the provision is based in a school, the local authority must identify whether it is run and managed by the school.

Facilities for disabled children

6. Where the parent is a parent of a disabled child, the local authority must provide information on access to services and specialist facilities available for disabled children within childcare settings.

(**1**) 1989 c.41

(**2**) 2000 c.14

RHAN 3

GWYBODAETH ARALL SYDD I'W DDARPARU GAN AWDURDODAU LLEOL

7. Mae'r Rhan hon yn gymwys mewn perthynas â rhwymedigaeth yr awdurdod lleol i ddarparu gwybodaeth yn unol ag adran 27(2)(b) ac adran (c) o Ddeddf 2006, a rhaid i'r wybodaeth gynnwys gwybodaeth ar y pynciau canlynol:—.

(a) Cynllun Plant a Phobl Ifanc Awdurdod Lleol sy'n ymwneud ag adran 26 o Ddeddf Plant 2004;

(b) gwasanaethau addysg a dysgu teuluol;

(c) gwasanaethau iechyd a lles;

(ch) chwarae, chwaraeon a chyfleusterau hamddena eraill;

(d) gofal cymdeithasol a gwasanaethau cymorth i deuluoedd;

(dd) gwasanaethau ieuenctid;

(e) gwasanaethau ariannol a chyfreithiol;

(f) datblygu plant;

(ff) cadw'n ddiogel;

(g) gwasanaethau lleol a chenedlaethol ar gyfer plant anabl a pobl ifanc;

(ng) gwasanaethau sy'n hyrwyddo defnyddio'r Iaith Gymraeg.

Gwasanaethau, cyfleusterau neu gyhoeddiadau

8. Pan gaiff gwybodaeth ei darparu gan yr awdurdod lleol am wasanaethau, cyfleusterau neu gyhoeddiadau sydd ar gael yn lleol, dylai'r wybodaeth a ddarperir gynnwys y canlynol, lle bo hynny'n briodol:

(a) enw'r gwasanaeth, y cyfleuster neu'r cyhoeddiad;

(b) cwmpas y gwasanaeth, y cyfleuster neu'r cyhoeddiad;

(c) manylion cyswllt y gwasanaeth neu'r cyfleuster gan gynnwys enw'r gwasanaeth neu'r cyfleuster a, pan fo hynny ar gael, cyfeiriad, rhif ffôn, cyfeiriad e-bost a chyfeiriad gwefan;

(ch) dull o gael at y cyhoeddiad;

(d) lleoliad y gwasanaeth neu'r cyfleuster;

(dd) math y gwasanaeth a'r cyfleuster a ddarperir;

(e) oriau agor y gwasanaeth neu'r cyfleuster;

(f) cost y gwasanaeth, y cyfleuster neu'r cyhoeddiad;

(ff) unrhyw feini prawf ar gyfer bod y gwasanaeth, y cyfleuster neu'r cyhoeddiad ar gael, neu unrhyw gyfyngiadau arno.

PART 3

OTHER INFORMATION TO BE PROVIDED BY LOCAL AUTHORITIES

7. Where a local authority is required to provide information on any other services or facilities or any publications in accordance with section 27(2)(b) and (c) of the 2006 Act, that information must include information on the following subjects:—

(a) Local Authority Children and Young People's Plan that relates to section 26 of the Children Act 2004;

(b) education and family learning services;

(c) health and wellbeing services;

(d) play, sports and other recreational facilities;

(e) social care and family support services;

(f) youth services;

(g) financial and legal services;

(h) child development;

(i) staying safe;

(j) local and national services for disabled children and young people;

(k) services promoting the use of the Welsh language.

Services, facilities or publications

8. Where information is provided by the local authority on services, facilities or publications available locally, the information provided must include the following:

(a) name of the service, facility or publication;

(b) scope of the service, facility or publication;

(c) contact details of the service or facility including name of the service or facility and, where available, address, telephone number, e-mail address and web-site address;

(d) means of accessing the publication;

(e) location of the service or facility;

(f) type of service and facility provided;

(g) opening hours of the service or facility;

(h) cost of the service, facility or publication;

(i) any criteria for or restrictions on availability of the service, facility or publication.

9. Pan na gaiff gwybodaeth ei darparu gan yr awdurdod lleol ar wasanaethau, cyfleusterau neu gyhoeddiadau, bydd yn ddigonol i'r awdurdod lleol ddarparu manylion am asianteithau neu adnoddau gwybodaeth priodol.

9. Where information is not provided by the local authority on services, facilities or publications, it will be sufficient for the local authority to provide details of appropriate agencies or sources of information.

Jane Hutt

Y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau, un o Weinidogion Cymru

28 Ionawr 2008

Minister for Children, Education, Lifelong Learning and Skills, one of the Welsh Ministers

28 January 2008

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