OFFERYNNAU STATUDOL CYMRU

2010 Rhif 2585 (Cy.217)

GOFAL CYMDEITHASOL, CYMRU

Rheoliadau Cynlluniau Lleoli Oedolion (Cymru) (Diwygiadau Amrywiol) 2010

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn gwneud dau ddiwygiad i Reoliadau Cynlluniau Lleoli Oedolion (Cymru) 2004 ("y Prif Reoliadau").

Yn gyntaf, mae'r diffiniad o "cynllun lleoli oedolion" wedi ei ddiwygio i godi nifer mwyaf yr oedolion y caniateir eu lleoli gyda gofalwr lleoliad oedolion o dan gynllun lleoli oedolion o ddau i dri.

Yn ail, mae'r diffiniad o "perthynas" yng nghyswllt oedolyn a leolir o dan y cynllun wedi ei ddiwygio er mwyn tynnu ohono gyn ofalwr maeth a roddodd lety i'r oedolyn hwnnw. Effaith y diwygiad hwn yw dod â lleoliadau gyda chyn ofalwyr maeth o fewn cwmpas cynlluniau lleoli oedolion.

Mae'r Rheoliadau hyn hefyd yn diwygio Rheoliadau Cartrefi Gofal (Cymru) 2002 drwy hepgor rheoliadau 46 a 47. Effaith y diwygiad hwn yw na fydd cartrefi gofal bychain lle y mae'r darparwr yn "ofalwr lleoliad oedolion" (fel y diffinnir yr ymadrodd yn rheoliad 46 o Reoliadau 2002) yn ddarostyngedig mwyach i'r gyfundrefn reoleiddiol "ysgafn ei chyffwrdd" (fel y'i disgrifir yn rheoliad 47 o Reoliadau 2002) ac y byddant yn ddarostyngedig i'r un rheoliadau â chartrefi gofal eraill, onid ydynt wedi eu heithrio rhag cofrestru drwy ddwyn eu hunain o fewn cwmpas y Prif Reoliadau.

WELSH STATUTORY INSTRUMENTS

2010 No. 2585 (W.217)

SOCIAL CARE, WALES

The Adult Placement Schemes (Wales) (Miscellaneous Amendments) Regulations 2010

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make two amendments to the Adult Placement Schemes (Wales) Regulations 2004 ("Principal Regulations").

Firstly, the definition of "adult placement scheme" is amended to increase from two to three the maximum number of adults who may be placed with an adult placement carer under an adult placement scheme.

Secondly, the definition of "relative" in relation to an adult placed under the scheme is amended to remove a former foster carer with whom they were accommodated. The effect of this amendment is to bring placements with former foster carers within the scope of adult placement schemes.

These Regulations also amend the Care Homes (Wales) Regulations 2002 by omitting regulations 46 and 47. The effect of this amendment is that small care homes where the provider is an "adult placement carer" (as defined in regulation 46 of the 2002 Regulations) will no longer be subject to the "lighter touch" regulatory regime (as described in regulation 47 of the 2002 Regulations) and will be subject to the same regulations as other care homes, unless they are excepted from registration by bringing themselves within the scope of the Principal Regulations.

OFFERYNNAU STATUDOL CYMRU

2010 Rhif 2585 (Cy.217)

GOFAL CYMDEITHASOL, CYMRU

Rheoliadau Cynlluniau Lleoli Oedolion (Cymru) (Diwygiadau Amrywiol) 2010

Gwnaed	*21 Hydref 2010*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*25 Hydref 2010*
Yn dod i rym	*1 Rhagfyr 2010*

Mae Gweinidogion Cymru, ar ôl ymgynghori â'r personau hynny a ystyrir yn briodol ganddynt(**1**), yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd iddynt gan adrannau 22(1), 42(1), 118(5) i (7) o Ddeddf Safonau Gofal 2000(**2**):

Enwi, cychwyn, dehongli a chymhwyso

1.–(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynlluniau Lleoli Oedolion (Cymru) (Diwygiadau Amrywiol) 2010 a deuant i rym ar 1 Rhagfyr 2010.

(2) Yn y Rheoliadau hyn ystyr "y Prif Reoliadau" yw Rheoliadau Cynlluniau Lleoli Oedolion (Cymru) 2004(**3**).

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

Diwygio'r Prif Reoliadau

2. Yn y Rheoliadau hyn, oni fo'r cyd-destun yn mynnu fel arall, mae unrhyw gyfeiriad at reoliad â rhif yn gyfeiriad at y rheoliad sy'n dwyn y rhif hwnnw yn y Prif Reoliadau ac mae unrhyw gyfeiriad mewn rheoliad at baragraff â rhif yn gyfeiriad at y paragraff yn y rheoliad hwnnw sy'n dwyn y rhif hwnnw.

(**1**) *Gweler* adran 22(9) o Ddeddf Safonau Gofal 2000 am y gofyniad i ymgynghori.

(**2**) 2000 p.14. Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru o dan yr adrannau hyn o Ddeddf Safonau Gofal 2000 i Weinidogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32).

(**3**) O.S. 2004/1756 (Cy.188).

WELSH STATUTORY INSTRUMENTS

2010 No. 2585 (W.217)

SOCIAL CARE, WALES

The Adult Placement Schemes (Wales) (Miscellaneous Amendments) Regulations 2010

Made	*21 October 2010*
Laid before the National Assembly for Wales	*25 October 2010*
Coming into force	*1 December 2010*

The Welsh Ministers, having consulted such persons as they consider appropriate(**1**), make the following Regulations in exercise of the powers conferred upon them by sections 22(1), 42(1), 118(5) to (7) of the Care Standards Act 2000(**2**):

Title, commencement, interpretation and application

1.–(1) The title of these Regulations is the Adult Placement Schemes (Wales) (Miscellaneous Amendments) Regulations 2010 and they come into force on 1 December 2010.

(2) In these Regulations "the Principal Regulations" means the Adult Placement Schemes (Wales) Regulations 2004(**3**).

(3) These Regulations apply in relation to Wales.

Amendment of the Principal Regulations

2. In these Regulations, unless the context otherwise requires, any reference to a numbered regulation is to the regulation in the Principal Regulations bearing that number and any reference in a regulation to a numbered paragraph is to the paragraph of that regulation bearing that number.

(**1**) *See* section 22(9) of the Care Standards Act 2000 for the requirement to consult.

(**2**) 2000 c.14. Functions of the National Assembly for Wales under these sections of the Care Standards Act 2000 were transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

(**3**) S.I. 2004/1756 (W.188).

3.–(1) Mae'r Prif Reoliadau wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2 (Dehongli) paragraff (1)–

(a) yn lle'r diffiniad o "cynllun lleoli oedolion" rhodder–

ystyr "cynllun lleoli oedolion" ("*adult placement scheme*") yw cynllun y gwneir trefniadau oddi tano, neu y bwriedir gwneud trefniadau oddi tano, i ddim mwy na thri oedolyn gael llety a chael gofal personol yng nghartref person nad yw'n berthynas iddynt;";

(b) yn y diffiniad o "perthynas", hepgorer is-baragraff (ch).

Diwygio Rheoliadau Cartrefi Gofal (Cymru) 2002

4. Mae rheoliadau 46 a 47 o Reoliadau Cartrefi Gofal (Cymru) 2002(**1**) wedi eu hepgor.

3.–(1) The Principal Regulations are amended as follows.

(2) In regulation 2 (Interpretation) paragraph (1)–

(a) for the definition of "adult placement scheme" substitute–

"adult placement scheme" ("*cynllun lleoli oedolion*") means a scheme under which arrangements are made or proposed to be made for not more than three adults to be accommodated and provided with personal care in the home of a person who is not their relative;";

(b) in the definition of "relative", omit sub-paragraph (d).

Amendment of the Care Homes (Wales) Regulations 2002

4. Regulations 46 and 47 of the Care Homes (Wales) Regulations 2002(**1**) are omitted.

Gwenda Thomas

Y Dirprwy Weinidog dros Wasanaethau Cymdeithasol o dan awdurdod y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru

Deputy Minister for Social Services under authority of the Minister for Health and Social Services, one of the Welsh Ministers

21 Hydref 2010

21 October 2010

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(**1**) O.S. 2002/324 (Cy.37).

(**1**) S.I. 2002/324 (W.37).

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Rheoliadau Cynlluniau Lleoli Oedolion (Cymru) (Diwygiadau Amrywiol) 2010

WELSH STATUTORY INSTRUMENTS

2010 No. 2585 (W.217)

SOCIAL CARE, WALES

The Adult Placement Schemes (Wales) (Miscellaneous Amendments) Regulations 2010

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