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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2011 Rhif 699 (Cy.106)**

**2011 No. 699 (W.106)**

**PLANT A PHOBL IFANC,  
CYMRU**

**CHILDREN AND YOUNG  
PERSONS, WALES**

Rheoliadau Ymweliadau â Phlant  
dan Gadwad a fu'n Derbyn Gofal  
(Cymru) 2011

The Visits to Former Looked After  
Children in Detention (Wales)  
Regulations 2011

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

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

Mae'r Rheoliadau hyn yn gwneud darpariaeth ynghylch gofynion ymweld ar gyfer plant a phobl ifanc a oedd yn derbyn gofal gan awdurdod lleol ond sydd wedi peidio â derbyn y cyfryw ofal o ganlyniad i gael eu cadw'n gaeth mewn sefydliad, naill ai am eu bod wedi eu remandio i'r carchar neu am eu bod wedi cael eu collfarnu a'u dedfrydu gan lys. Bydd y plant a'r bobl ifanc hynny sydd wedi peidio â bod yn blant a phobl ifanc sy'n derbyn gofal, yn blant a phobl ifanc yr oedd llety o dan adran 20 o Ddeddf Plant 1989 ("Deddf 1989") yn cael ei ddarparu iddynt a hynny cyn iddynt fynd i'r ddalfa, neu'n blant a phobl ifanc a oedd wedi cael eu remandio dan ddeddfryd i ofal awdurdod lleol o dan adran 23(1) o Ddeddf Plant a Phobl Ifanc 1969.

These Regulations make provision about visiting requirements for children and young people who were looked after by a local authority but have ceased to be so as a result of being detained in an institution, either having been remanded to prison custody or following conviction and sentencing by a court. Those who will have ceased to be looked after will be children and young people who, prior to entering custody, were either provided with accommodation under section 20 of the Children Act 1989 ("the 1989 Act") or who had been remanded to local authority care under section 23(1) of the Children and Young Persons Act 1969 on sentencing.

Mae'r Rheoliadau hyn yn cael eu gwneud o dan adran 23ZA o Ddeddf 1989 (mewnosodwyd gan adran 15 o Ddeddf Plant a Phobl Ifanc 2008) sy'n gosod dyletswydd ar awdurdod lleol ("yr awdurdod lleol cyfrifol") i sicrhau bod bod cynrychiolydd o'r awdurdod lleol cyfrifol yn ymweld â phlant nad ydynt bellach yn derbyn gofal ganddo, o ganlyniad i amgylchiadau rhagnodedig, ac yn cael mynediad at wybodaeth cefnogaeth a chymorth.

These Regulations are made under section 23ZA of the 1989 Act (inserted by section 15 of the Children and Young Persons Act 2008) which confers a duty on a local authority ("the responsible local authority") to ensure that children who have ceased to be looked after by it as a result of prescribed circumstances are visited by a representative of the responsible local authority and have access to advice, support and assistance.

Yr amgylchiadau rhagnodedig at ddibenion adran 23ZA(1)(b) o Ddeddf 1989 yw bod y plentyn wedi ei gadw mewn sefydliad troseddwr ifanc, canolfan hyfforddi ddiogel neu gartref diogel i blant (rheoliad 3).

The prescribed circumstances for the purposes of section 23ZA(1)(b) of the 1989 Act are that the child is detained in a young offender institution, a secure training centre or a secure children's home (regulation 3).

Mae Rheoliad 4 yn gwneud darpariaeth ynghylch amllder yr ymweliadau; rhaid i'r awdurdod lleol cyfrifol

Regulation 4 makes provision about the frequency of visits; the responsible local authority must arrange for

drefnu bod ei gynrychiolydd yn ymweld â'r plentyn o fewn deng niwrnod ar ôl i'r plentyn gael ei gadw'n gaeth am y tro cyntaf ac wedi hynny ar unrhyw adeg pan wneir cais rhesymol gan bersonau penodedig, er enghraifft, y plentyn, rhieni'r plentyn neu'n unol â'r awgrymiadau a wneir gan y cynrychiolydd.

Mae Rheoliad 5 yn darparu fod rhaid i'r cynrychiolydd, yn ystod pob ymweliad, siarad â'r plentyn yn breifat oni bai ei bod yn amhriodol i wneud hynny, neu fod y plentyn yn gwrthod.

Mae rheoliad 6 yn gosod dyletswydd ar y cynrychiolydd i ddarparu adroddiad ar bob ymweliad gan nodi beth fydd yn rhaid ei gynnwys yn yr adroddiad hwnnw. Mae hefyd yn darparu bod rhaid rhoi copi o'r adroddiad i'r plentyn, oni bai ei bod yn amhriodol i wneud hynny, ac i bersonau penodol eraill.

Mae Rheoliad 7 yn gwneud darpariaeth mewn perthynas â dyletswydd yr awdurdod lleol cyfrifol o dan adran 23ZA(2)(b) o Ddeddf 1989 i drefnu bod cyngor, cefnogaeth a chymorth ar gael i'r plentyn.

its representative to visit the child within ten working days of the child first being detained and thereafter whenever reasonably requested to do so by specified persons, for example, the child, the child's parents or in line with the recommendations made by the representative.

Regulation 5 provides that during each visit, the representative must speak to the child in private unless it is not appropriate to do so or the child refuses.

Regulation 6 places a duty on the representative to provide a report of each visit and sets out what must be included in that report. It also provides that a copy of the report must be given to the child, unless it would be inappropriate to do so, and to certain other persons.

Regulation 7 makes provision in relation to the responsible local authority's duty under section 23ZA(2)(b) of the 1989 Act to arrange for advice, support and assistance to be available to the child.

**2011 Rhif 699 (Cy.106)**

**PLANT A PHOBL IFANC,  
CYMRU**

**Rheoliadau Ymweliadau â Phlant  
dan Gadwad a fu'n Derbyn Gofal  
(Cymru) 2011**

*Gwnaed* 8 Mawrth 2011  
*Gosodwyd gerbron Cynulliad  
Cenedlaethol Cymru* 10 Mawrth 2011  
*Yn dod i rym* 1 Ebrill 2011

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd gan adrannau 23ZA(1)(b), (3) a (4), 104(4) a 104A o Ddeddf Plant 1989(1), yn gwneud y Rheoliadau a ganlyn.

**Enwi, cychwyn a chymhwyso**

1.–(1) Enw'r Rheoliadau hyn yw Rheoliadau Ymweliadau â Phlant dan Gadwad a fu'n Derbyn Gofal (Cymru) 2011 a deuant i rym ar 1 Ebrill 2011.

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

**2011 No. 699 (W.106)**

**CHILDREN AND YOUNG  
PERSONS, WALES**

**The Visits to Former Looked After  
Children in Detention (Wales)  
Regulations 2011**

*Made* 8 March 2011  
*Laid before the National  
Assembly for Wales* 10 March 2011  
*Coming into force* 1 April 2011

The Welsh Ministers, in exercise of the powers conferred by sections 23ZA(1)(b), (3) and (4), 104(4) and 104A of the Children Act 1989(1), make the following Regulations.

**Title, commencement and application**

1.–(1) The title of these Regulations is the Visits to Former Looked After Children in Detention (Wales) Regulations 2011 and they come into force on 1 April 2011.

(2) These Regulations apply in relation to Wales.

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(1) 1989 p.41; mae adran 23ZA wedi cael ei mewnosod gan adran 15 o Ddeddf Plant a Phobl Ifanc 2008 (p.23) ("Deddf 2008"); mae adran 104(4) wedi ei diwygio gan adrannau 39 a 42 o Ddeddf 2008; mae adran 104A wedi cael ei mewnosod gan adran 39 o Ddeddf 2008 a pharagraffau 1 a 26 o Atodlen 3 iddi. Mynegir fod y pwerau yn arferadwy gan yr "appropriate national authority" a ddiffinir yn adran 30A o Ddeddf Plant 1989 ("Deddf 1989"), i olygu Gweinidogion Cymru, o ran Cymru. *Gweler* adran 105(1) o Ddeddf 2008 am ddiffiniad o "prescribed".

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(1) 1989 c.41; section 23ZA was inserted by section 15 of the Children and Young Persons Act 2008 (c.23) ("the 2008 Act"); section 104(4) was amended by sections 39 and 42 of the 2008 Act; section 104A was inserted by section 39 of and paragraphs 1 and 26 of Schedule 3 to, the 2008 Act. The powers are expressed to be exercisable by the "appropriate national authority", defined in section 30A of the Children Act 1989 ("the 1989 Act") as meaning, in relation to Wales, the Welsh Ministers. For the definition of prescribed see section 105(1) of the 1989 Act.

## Dehongli

### 2.–(1) Yn y Rheoliadau hyn—

ystyr "A" ("*A*") yw plentyn a fu'n derbyn gofal gan awdurdod lleol ond nad yw'n derbyn gofal ganddo bellach(1) o ganlyniad i'r amgylchiadau a ragnodir yn rheoliad 3;

ystyr "awdurdod lleol cyfrifol" ("*responsible local authority*") yw'r awdurdod lleol a oedd yn darparu gofal i A cyn i A gael ei gadw'n gaeth;

ystyr "Deddf 1989" ("*the 1989 Act*") yw Deddf Plant 1989;

ystyr "diwrnod gwaith" ("*working day*") yw diwrnod nad yw'n ddydd Sadwrn, yn ddydd Sul, yn Ddydd Nadolig, yn Ddydd Gwener y Groglith nac yn ŵyl y Banc o fewn ystyr Deddf Bancio a Thrafodion Ariannol 1971(2);

ystyr "R" ("*R*") yw cynrychiolydd yr awdurdod cyfrifol a benodir i ymweld ag A yn unol â'r trefniadau a wnaed ganddo o dan adran 23ZA o Ddeddf 1989;

"rheolwr achos tîm troseddau ieuencid perthnasol" ("*relevant youth offending team case manager*") yw'r person o fewn tîm troseddau ieuencid yr awdurdod lleol cyfrifol(3) sy'n rheoli achos A;

ystyr "sefydliad" ("*institution*") yw sefydliad troseddwy'r ifanc, canolfan hyfforddi ddiogel neu gartref diogel i blant; ac

ystyr "cartref diogel i blant" ("*secure children's home*") yw cartref plant sy'n cael ei ddefnyddio at y diben o gyfyngu ar ryddid person sydd wedi ei gofrestru o dan Ran II o Ddeddf Safonau Gofal 2000(4).

(2) Nid yw'r Rheoliadau hyn yn gymwys i blentyn sy'n blentyn perthnasol at ddibenion adran 23A o Ddeddf 1989(5).

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(1) Er mwyn canfod ystyr plentyn "looked after" gweler adran 22(1) o Ddeddf 1989, fel y'i diwygiwyd gan adran 107 o Ddeddf Llywodraeth Leol 2000 a pharagraff 19 o Atodlen 5 iddi (p.22), adran 2 o Ddeddf Plant (Ymadael â Gofal) 2000 (p.35) a chan adran 116(2) o Ddeddf Mabwysiadu a Phlant 2002. Mae "Local authority" yn cael ei ddiffinio gan adran 105(1) o Ddeddf 1989 fel "the council of a county or county borough", o ran Cymru.

(2) 1971 p.80.

(3) O dan adran 39(1) o Ddeddf Trosedd ac Anhrefn 1998 (p.37) mae dyletswydd gan awdurdod lleol i sefydlu un neu fwy o dimau troseddau ieuencid ar gyfer ei ardal.

(4) 2000 p.14.

(5) Mae adran 23A(2) yn darparu bod "relevant child" yn blentyn: (a) nad yw'n derbyn gofal gan unrhyw awdurdod lleol; (b) a oedd, cyn y tro diwethaf i'r gofal a ddarperir iddo ddod i ben, yn blentyn cymwys at ddibenion paragraff 19B o Atodlen 2 i Ddeddf 1989; ac (c) yn 16 neu 17 mlwydd oed. Mae adran 23B o Ddeddf 1989 yn disgrifio swyddogaethau ychwanegol yr awdurdod cyfrifol mewn perthynas â phlant perthnasol.

## Interpretation

### 2.–(1) In these Regulations—

"the 1989 Act" ("*Deddf 1989*") means the Children Act 1989;

"A" ("*A*") means a child who was looked after by a local authority but has ceased to be looked after(1) by it as a result of the circumstances prescribed in regulation 3;

"R" ("*R*") means the representative of the responsible authority who is appointed to visit A in accordance with the arrangements made by it under section 23ZA of the 1989 Act;

"institution" ("*sefydliad*") means a young offender institution, a secure training centre or a secure children's home;

"relevant youth offending team case manager" ("*rheolwr achos tîm troseddau ieuencid perthnasol*") means the person within the responsible local authority's youth offending team(2) who is managing A's case;

"responsible local authority" ("*awdurdod lleol cyfrifol*") means the local authority which looked after A immediately prior to A being detained;

"secure children's home" ("*cartref diogel i blant*") means a children's home used for the purpose of restricting liberty, in respect of which a person is registered under Part II of the Care Standards Act 2000(3); and

"working day" ("*diwrnod gwaith*") means a day other than a Saturday, Sunday, Christmas Day, Good Friday or a Bank Holiday within the meaning of the Banking and Financial Dealings Act 1971(4).

(2) These Regulations do not apply to a child who is a relevant child for the purposes of section 23A of the 1989 Act(5).

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(1) For the meaning of a child who is "looked after" see section 22(1) of the 1989 Act, as amended by section 107 of, and paragraph 19 of Schedule 5 to, the Local Government Act 2000 (c.22), section 2 of the Children (Leaving Care) Act 2000 (c.35) and by section 116(2) of the Adoption and Children Act 2002 (c.38). "Local authority" is defined by section 105(1) of the 1989 Act as, in relation to Wales, "the council of a county or county borough".

(2) Under section 39(1) of the Crime and Disorder Act 1998 (c.37) a local authority has a duty to establish one or more youth offending teams for its area.

(3) 2000 c.14.

(4) 1971 c.80.

(5) Section 23A(2) provides that a "relevant child" is a child who: (a) is not being looked after by any local authority; (b) was, before last ceasing to be looked after, an eligible child for the purposes of paragraph 19B of Schedule 2 to the 1989 Act; and (c) is aged 16 or 17. Section 23B of the 1989 Act sets out additional functions of the responsible authority in respect of relevant children.

## Amgylchiadau rhagnodedig at ddibenion adran 23ZA o Ddeddf 1989

3. Yr amgylchiadau rhagnodedig at ddibenion adran 23ZA(1)(b) o Ddeddf 1989(1) yw bod y plentyn wedi ei gadw'n gaeth yn unol â gorchymyn llys mewn—

- (a) sefydliad troseddwy'r ifanc(2),
- (b) canolfan hyfforddi ddiogel(3), neu
- (c) cartref diogel i blant.

## Amllder ymweliadau

4.—(1) Rhaid i'r awdurdod lleol cyfrifol sicrhau bod ei gynrychiolydd ("R") yn ymweld ag A—

- (a) o fewn deng niwrnod ar ôl i A gael ei gadw'n gaeth am y tro cyntaf, cyn belled ag y bo hynny'n rhesymol ymarferol; a
- (b) wedi hynny ar unrhyw adeg pan wneir cais rhesymol i wneud hynny gan—
  - (i) A,
  - (ii) aelod o staff y sefydliad lle y mae A wedi ei gadw'n gaeth,
  - (iii) unrhyw riant i A neu berson arall sydd â chyfrifoldeb rhiant drosto, neu
  - (iv) y rheolwr achos tîm troseddau ieuenticid perthnasol.

(2) Caiff yr awdurdod lleol cyfrifol drefnu i R wneud ymweliadau ychwanegol ag A gan roi sylw i unrhyw argymhelliaid a wnaed gan R yn unol â rheoliad 6(1)(b).

## Y modd y mae ymweliadau i'w cynnal

5. Ar bob ymweliad, rhaid i R siarad yn breifat ag A oni bai—

- (a) bod A, ac yntau a'i oedran a'i ddealltwriaeth yn ddigonol iddo wneud hynny, yn gwrthod,
- (b) bod R o'r farn ei bod yn amhriodol i wneud hyn gan roi sylw i oedran a dealltwriaeth A, neu
- (c) na all R wneud hynny.

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(1) Mae adran 23ZA(2) yn gosod dyletswydd ar awdurdod lleol i sicrhau bod cynrychiolydd o'r awdurdod yn ymweld â pherson ac yn trefnu bod cyngor priodol, cefnogaeth briodol a chymorth priodol ar gael iddo os gofynnir amdano; mae adran 23ZA(1)(b) yn darparu bod yr adran yn gymwys i blentyn a fu'n derbyn gofal gan awdurdod lleol ond sy'n peidio â derbyn gofal ganddo o ganlyniad i amgylchiadau a ragnodwyd.

(2) Mae sefydliad troseddwy'r ifanc yn cael ei ddiffinio gan adran 43(1)(aa) o Deddf Carcharu 1953 (p.52) fel y'i diwygiwyd gan adran 170 o Ddeddf Cyfiawnder Troseddol 1988 a pharagraff 11 o Atodlen 15 iddi (p.33), ac adran 18(3) o Ddeddf Cyfiawnder Troseddol a Threfn Gyhoeddus 1994 (c.33) ac adran 148(1) o Deddf Cyfiawnder Troseddol a Mewnffudo 2008 a pharagraff 3 o Ran 2 i Atodlen 26 iddi.

(3) Mae canolfan hyfforddi ddiogel yn cael ei diffinio gan adran 43(1)(d) o Deddf Carcharu 1953 (p.52) fel y'i diwygiwyd gan adran 5(2) o Ddeddf Cyfiawnder Troseddol a Threfn Gyhoeddus 1994, Deddf Trosedd ac Anhrefn 1998 (p.3) a Deddf Pwerau Llysoedd Troseddol (Dedfrydu) 2000 (p.6).

## Circumstances prescribed for the purposes of section 23ZA of the 1989 Act

3. The circumstances prescribed for the purposes of section 23ZA(1)(b) of the 1989 Act(1) are that the child is detained pursuant to an order of a court in—

- (a) a young offender institution(2),
- (b) a secure training centre(3), or
- (c) a secure children's home.

## Frequency of visits

4.—(1) The responsible local authority must ensure that its representative ("R") visits A—

- (a) within ten working days of A first being detained, in so far as is reasonably practicable; and
- (b) thereafter whenever reasonably requested to do so by—
  - (i) A,
  - (ii) a member of the staff of the institution where A is detained,
  - (iii) any parent of, or any other person with parental responsibility for A, or
  - (iv) the relevant youth offending team case manager.

(2) The responsible local authority may arrange for R to make additional visits to A, having regard to any recommendation made by R in accordance with regulation 6(1)(b).

## Conduct of visits

5. On each visit, R must speak to A in private unless—

- (a) A, being of sufficient age and understanding to do so, refuses,
- (b) R considers it inappropriate to do so, having regard to A's age and understanding, or
- (c) R is unable to do so.

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(1) Section 23ZA(2) places a duty on the local authority to ensure that a person to whom the section applies is visited by a representative of the authority and to arrange for appropriate advice, support and assistance to be available to them if requested; section 23ZA(1)(b) provides that the section applies to a child who was looked after by a local authority but who has ceased to be looked after by it as a result of prescribed circumstances.

(2) A young offender institution is defined in section 43(1)(aa) of the Prison Act 1952 (c.52) as amended by the Criminal Justice Act 1988 (c.33), section 170, Schedule 15, paragraph 11, and the Criminal Justice and Public Order Act 1994 (c.33), section 18(3), and the Criminal Justice and Immigration Act 2008 (c.4), section 148(1), Schedule 26, Part 2, paragraph 3.

(3) A secure training centre is defined in section 43(1)(d) of the Prison Act 1952, as amended by the Criminal Justice and Public Order Act 1994, section 5(2), the Crime and Disorder Act 1998 (c.3) and the Powers of Criminal Courts (Sentencing) Act 2000 (c.6).

## Adroddiadau ar ymweliadau

6.–(1) Rhaid i R ddarparu adroddiad ysgrifenedig ar bob ymweliad. Rhaid iddo gynnwys–

- (a) asesiad R, gan roi sylw i ddymuniadau a theimladau A, o ran bod lles A yn cael ei ddiogelu a'i hybu'n ddigonol tra bo wedi ei gadw'n gaeth,
- (b) argymhellion R ynglŷn ag amseriad ac amllder unrhyw ymweliadau pellach gan R,
- (c) unrhyw drefniadau eraill y mae R yn ystyried y dylid eu rhoi ar waith er mwyn hybu cyswllt rhwng A a theulu A neu er mwyn diogelu a hybu lles A,
- (ch) asesiad R, ynglŷn â sut y dylai lles A gael ei ddiogelu a'i hybu'n ddigonol wedi iddo gael ei ryddhau o gadwad, yn benodol–
  - (i) os bydd angen i'r awdurdod lleol cyfrifol neu awdurdod lleol arall ddarparu llety ar gyfer A pan ryddheir ef, a
  - (ii) os dylai'r awdurdod lleol cyfrifol neu awdurdod lleol arall ddarparu unrhyw wasanaeth arall wrth iddynt arfer eu dyletswyddau o dan Ddeddf 1989.

(2) Rhaid i R, wrth wneud unrhyw asesiad o dan baragraff (1), onid yw'n rhesymol ymarferol i wneud hynny neu ei fod yn anghyson â lles A, gan gymryd i ystyriaeth farn–

- (a) unrhyw riant i A, neu unrhyw berson arall sydd â chyfrifoldeb rhiant dros A, a
- (b) aelodau perthnasol o staff y sefydliad lle y mae A wedi ei gadw'n gaeth.

(3) Rhaid i'r awdurdod lleol perthnasol roi copi o'r adroddiad i'r rhai a ganlyn–

- (a) A, oni fyddai'n amhriodol i wneud hynny,
- (b) person sy'n dod o fewn paragraff (2)(a), oni fyddai gwneud hynny'n niweidio lles pennaf A,
- (c) llywodraethwr, cyfarwyddwr neu reolwr cofrestredig<sup>(1)</sup> y sefydliad lle y mae A yn cael ei gadw'n gaeth,
- (ch) y rheolwr achos tîm troseddau ieuencid perthnasol,
- (d) yr awdurdod lleol lle y mae A wedi ei gadw'n gaeth, pan fo hwnnw'n wahanol i'r awdurdod lleol cyfrifol, ac
- (dd) unrhyw berson arall a ddylai gael copi o'r adroddiad yn nhyb yr awdurdod lleol cyfrifol, gan roi sylw i asesiad R.

## Reports of visits

6.–(1) R must provide a written report of each visit which must include–

- (a) R's assessment, having regard to A's wishes and feelings, as to whether A's welfare is being adequately safeguarded and promoted whilst in detention,
- (b) R's recommendations as to the timing and frequency of any further visits by R,
- (c) any other arrangements which R considers should be put in place with a view to promoting contact between A and A's family or in order to safeguard and promote A's welfare,
- (d) R's assessment as to how A's welfare should be adequately safeguarded and promoted following release from detention, in particular–
  - (i) whether A will need to be provided with accommodation on release by the responsible local authority or another local authority, and
  - (ii) whether any other services should be provided by the responsible local authority or another local authority in the exercise of their duties under the 1989 Act.

(2) R must, in making any assessment under paragraph (1), unless it is not reasonably practicable to do so or it is not consistent with A's welfare, take into account the views of–

- (a) any parent of, or any other person with parental responsibility for, A, and
- (b) the appropriate members of staff of the institution where A is detained.

(3) The responsible local authority must give a copy of the report to–

- (a) A, unless it would not be appropriate to do so,
- (b) a person falling within paragraph (2)(a), unless to do so would not be in A's best interests,
- (c) the governor, director or registered manager<sup>(1)</sup> of the institution where A is being detained,
- (d) the relevant youth offending team case manager,
- (e) where different from the responsible local authority, the local authority in whose area A is detained, and
- (f) any other person whom the responsible local authority considers should be given a copy of the report having regard to R's assessment.

(1) Hynny yw, person sydd wedi'i gofrestru o dan Ran II o Ddeddf Safonau Gofal 2000 fel rheolwr cartref diogel i blant.

(1) That is, a person registered under Part II of the Care Standards Act 2000 as a manager of secure children's home.



## Cyngor, cefnogaeth a chymorth

7. Pan fo trefniadau yn cael ei gwneud yn unol ag adran 23ZA(2)(b) o Ddeddf 1989 bod cyngor priodol, cefnogaeth briodol a chymorth priodol ar gael i A, rhaid i'r awdurdod lleol cyfrifol sicrhau bod—

- (a) y trefniadau—
  - (i) yn briodol, gan roi sylw i oedran a dealltwriaeth A, a
  - (ii) rhoi ystyriaeth ddyledus i argyhoeddiad crefyddol, tarddiad hiliol, cefndir ieithyddol a diwylliannol A, ac i unrhyw anabled a all fod gan A, a
- (b) cyn belled ag y bo'n rhesymol ymarferol, gan roi sylw i oedran a dealltwriaeth A, fod A yn gwybod sut i gyrchu cyngor, cefnogaeth a chymorth priodol ganddo, fel yr awdurdod lleol cyfrifol.

## Advice, support and assistance

7. When making arrangements in accordance with section 23ZA(2)(b) of the 1989 Act for appropriate advice, support and assistance to be available to A, the responsible local authority must ensure that—

- (a) the arrangements—
  - (i) are appropriate having regard to A's age and understanding, and
  - (ii) give due consideration to A's religious persuasion, racial origin, cultural and linguistic background and to any disability A may have, and
- (b) so far as is reasonably practicable having regard to A's age and understanding, A knows how to seek appropriate advice, support and assistance from it as the responsible local authority.

*Gwenda Thomas*

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

8 Mawrth 2011

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

8 March 2011

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OFFERYNNAU STATUDOL  
CYMRU

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**2011 Rhif 699 (Cy.106)**

**PLANT A PHOBL IFANC,  
CYMRU**

Rheoliadau Ymweliadau â Phlant  
dan Gadwad a fu'n Derbyn Gofal  
(Cymru) 2011

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WELSH STATUTORY  
INSTRUMENTS

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**2011 No. 699 (W.106)**

**CHILDREN AND YOUNG  
PERSONS, WALES**

The Visits to Former Looked After  
Children in Detention (Wales)  
Regulations 2011