



Gofal Cymdeithasol **Cymru**
Social Care **Wales**

Yr Ymarferydd Gwasanaethau Cymdeithasol

Deddfwriaeth sy'n Ymwneud â Phlant
Uned 440 Canlyniad Dysgu 3
Deall

y ddeddfwriaeth sy'n ymwneud â phlant a phobl ifanc

Social Services Practitioner

Legislation Relating to Children

Unit 440 Learning Outcome 3

Understand the legislation that relates to children and young people.



Sgiliau Astudio / Study Skills



Cyfeirnod / Referencing



Darllen / Reading



Ysgrifenu / Writing



Myfyrdod Beirniadol /
Critical Reflection



Cyfathrebiad /
Communication



Gwaith Grŵp / Group Work



Cyflwyniad / Presentation



Ymchwil / Research



Sgiliau rhyngpersonol /
Interpersonal Skills



Gofal Cymdeithasol Cymru
Social Care Wales

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www.socialcare.wales



Yn ôl ym
Gymdeithas Cymru
Government of
Wales

Sgiliau Astudio Cudd / Hidden Study Skills

Peidiwch ag anghofio bod amrywiaeth o sgiliau wedi'u gwreiddio, gan gynnwys...

Trefniadaeth

Cadw amser

Cynllunio

Cymryd nodyn

Cynllunio Traethawd

Gwrandawriad

Datrys problemau

Penderfyniadau

Cwestiynu

Siarad yn effeithiol

Cyfathrebu llafar

Efallai y bydd rhai o'r rhain yn rhan o'ch sgiliau rhyngpersonol hefyd.

Don't forget there are a range of skills embedded including...

Organisation

Time keeping

Planning

Note taking

Essay planning

Listening

Problem solving

Decision making

Questioning

Effective speaking

Verbal communication

Some of these may form part of your Interpersonal Skills too.

Amcanion

- Gallu disgrifio prif ddarpariaethau rhan 6
- Cymhwyso'r dysgu i astudiaeth achos

Objectives

- To be able to describe the main provisions of part 6
- To apply the learning to a case study

Ymarfer grŵp

Yn eich grwpiau trafodwch a rhannwch y pethau pwysicaf a ddysgwyd gennych (o leiaf 3) o wyllo'r fideo

Pa ddeddfwriaeth a chanllawiau eraill yng Nghymru sy'n hyrwyddo hawliau'r plentyn
Enwebwch rywun i roi adborth i'r prif grŵp

Group Exercise

In your groups discuss and share your biggest learnings (at least 3) from watching the video

What other legislation and guidance in Wales promotes the rights of the child
Nominate someone to feedback to the main group



Rhannau o'r Ddeddf

- | | |
|-----------------------------------|---|
| 1. Cyflwyniad | 2. Swyddogaethau Cyffredinol |
| 3. Aseu anghenion unigolion | 4. Diwallu anghenion |
| 5. Codi tâl ac asesiad ariannol | 6. Plant sy'n Derbyn Gofal a Phlant sy'n cael eu Lletya |
| 7. Diogelu | 8. Swyddoethau Gwasanaethau Cymdeithasol |
| 9. Cydweithrediad a Phartneriaeth | 10. Cwynion ac Eriolaeth |
| 11. Amrywiol a Chyffredinol | |

Parts of the Act

- | | |
|---------------------------------------|---|
| 1. Introduction | 2. General Functions |
| 3. Assessing the needs of individuals | 4. Meetings needs |
| 5. Charging and financial assessment | 6. Looked after and accommodated Children |
| 7. Safeguarding | 8. Social Services Functions |
| 9. Co-operation and Partnership | 10. Complaints and Advocacy |
| | 11. Miscellaneous and General |

Y Ddyletswydd Llesiant

- Rhaid i berson sy'n arfer swyddogaethau o dan y Ddeddf hon geisio hybu lles pobl sydd angen gofal a gofalwyr sydd angen cymorth

The Wellbeing Duty

- A person exercising functions under this Act must seek to promote the well-being of people who need care and carers who need support

Newid mewn Diwylliant



Cydweithio – “gwneud gyda” yn hytrach na “gwneud dros”



Cyfranogiad ystyrion gan blant a theuluoedd



Gwranddo gweithredol a chyfathrebu gyda phlant



Yn canolbwyntio ar yr unigolyn ac yn cael ei arwain ganddo yn hytrach na'i arwain gan y gwasanaeth



Cryfderau, gallu, cefnogaeth teuluoedd a ffrindiau



Aseidiadau cydgysylltiedig, cynlluniau gofal a chymorth trosfwaol



Canolbwyntio ar ganlyniadau a nodau personol



Dyheadau a chyflawniadau

Culture Change



Collaboration – “doing with” rather than “doing for”



Meaningful participation of children and families



Active listening and communication with children



Person centred and led rather than service led



Strengths, capacity, support of families and friends



Co-ordinated assessments, overarching care and support plans



Focus on personal outcomes and goals

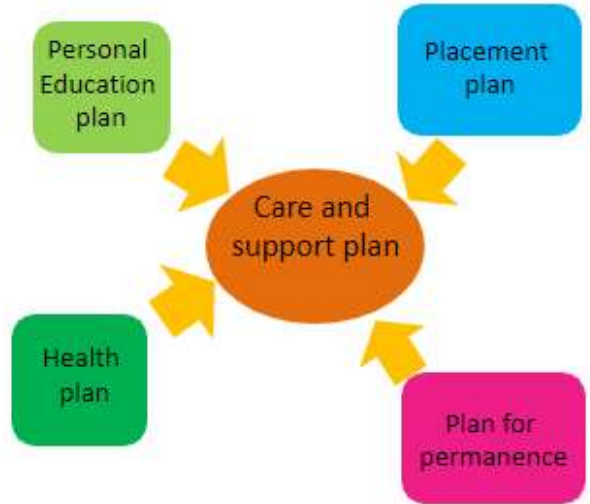
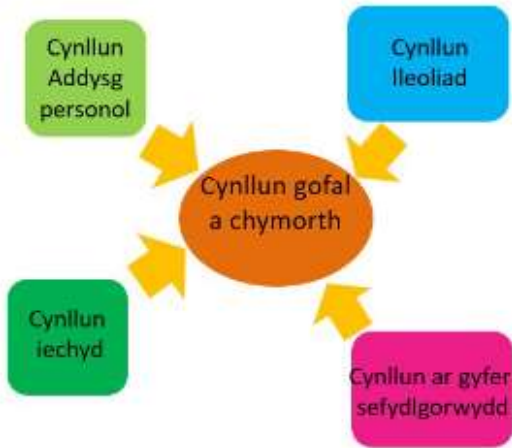


Aspirations and achievements



Cynllun gofal a chymorth trosfwaol

Overarching care and support plan



Rhan 6 cynllun gofal a chymorth

Part 6 care and support plan



Gwybodaeth am y cynllun tymor hir – yna opsiwn sefydlogrwydd



Information about the long term plan – then permanence option



Manylion y lleoliad a pham y cafodd ei ddewis



Details of the placement and why it was chosen



Sut bydd lles, anghenion datblygiadol a chanlyniadau'r plentyn yn cael eu diwallu



How the child's well-being, developmental needs and outcomes will be met



Enw'r swyddog adolygu annibynnol



Name of the independent reviewing officer



trefniadau cyswllt gyda rhiant a brodyr/chwiorydd/llys frodyr a chwiorydd



contact arrangements with parent and sibling/ step-sibling



Manylion y cynllun iechyd a'r cynllun addysg personol



Details of the health plan and personal education plan



Manylion unrhyw orchmynion llys



Details of any court orders



Dymuniadau a theimladau pobl berthnasol ynghylch cynllun y plentyn ac unrhyw newidiadau arfaethedig



Wishes, feelings of relevant people about the child's plan and any proposed changes

Cynllun ar gyfer sefydlogrwydd

Mae sicrhau sefydlogrwydd i'r plentyn yn ystyriaeth allweddol wrth i'r plentyn ddechrau derbyn gofal. Dylai'r cynllun gofal a chynorthwyo'r cychwyn nodi sut y sicrhau sefydlogrwydd.



Mae sefydlogrwydd yn cynnwys:

- Sefydlogrwydd emosiynol (ymlyniad)
- Sefydlogrwydd corfforol (digyfnewid)
- Sefydlogrwydd cyfreithiol (pwy sydd â chyfrifoldeb riant)

Plan for permanence

Achieving permanence for the child is a key consideration from the child becomes looked after. The care and support plan from the outset should set out how permanence will be achieved.



Permanence includes:

- Emotional permanence (attachment)
- Physical permanence (stability)
- Legal permanence (who has parental responsibility)

Aseiad a chynllun iechyd

- Aseiad o iechyd corfforol, emosiynol a meddyliol plentyn
- Hanes iechyd y plentyn a'r teulu
- Y trefniadau presennol ar gyfer gofal iechyd a deintyddol ac unrhyw newidiadau arfaethedig
- Triniaeth a monitro ar gyfer anghenion iechyd a nodwyd
- Gwiriadau iechyd a sgrinio arferol
- Mesurau ataliol fel brechu
- Hybu iechyd a gofal personol effeithiol

Health assessment and plan

- Assessment of child's physical, emotional and mental health
- Health history of child and family
- Current arrangements for health and dental care and any planned changes
- Treatment and monitoring for identified health needs
- Routine health checks and screening
- Preventative measures such as inoculation
- Health promotion and effective personal care



Hyrwyddo cyflawniad addysgol

Rhaid i bob plentyn sy'n derbyn gofal gael cynllun addysg personol effeithiol i'w helpu i gyrraedd ei botensial a chyflawni ei ganlyniadau addysgol

- Amcanion a thargedau ar gyfer dyheadau addysgol y plentyn ar gyfer diddordebau hamdden
- Hanes addysgol y plentyn – cynnydd, cyflawniadau, tarfu
- Trefniadau presennol ar gyfer addysg y plentyn ac unrhyw gymorth arbenigol sydd ar waith
- Trefniadau i darfu cyn lleied â phosibl ar gyflawniadau addysgol a diddordebau hamdden

Promoting educational achievement

Every looked after child must have an effective personal education plan to help them fulfil their potential and achieve their educational outcomes

- Objectives and targets for the child's educational aspirations for leisure interests
- Child's educational history – progress, achievements, disruption
- Existing arrangements for the child's education and any specialist support in place
- Arrangements to minimise disruption of educational achievements and leisure interests

Lleoliadau

Placements



Getting in on the Act

Lleoliadau

Placements



- Rhiant
- Person â chyfrifoldeb rhiant
- Person â gorchymyn preswyllo / trefniant plant



- A person with parental responsibility
- A parent
- A person with a residence / child arrangement order

- Perthynas
- Ffrind
- Person arall sy'n gysylltiedig â'r plentyn



- A relative
- A friend
- Other person connected to the child

- Gofalwr maeth
- Cartref plant
- Darpar fabwysiadydd
- Llety â chymorth
- Llety diogel



- Foster carer
- Children's home
- Prospective adopter
- Supported lodgings
- Secure accommodation

Rhaid i leoliadau



Caniatáu i'r plentyn fyw yn agos at ei gartref



Diwallu anghenion a chanlyniadau'r cynllun gofal a chymorth neu'r cynllun



Peidio ag amharu ar addysg neu hyfforddiant y plentyn



Galluogi brodyr a chwiorydd sy'n derbyn gofal i fyw gyda'i gilydd



Bod yn addas i anghenion y plentyn os yw'r plentyn yn anabl

Mae rheoliadau yn nodi gofynion clir ar gyfer lleoliadau y tu allan i'r ardal ac yn cyflwyno "trefn dewis" newydd ar gyfer lleoliadau o'r fath

Placements must



Allow the child to live near home



Meet the needs and outcomes from the care and support plan or pathway plan



Not to disrupt the child's education or training



Enable looked after siblings to live together



Be suitable to the child's needs if the child is disabled

Regulations set out to clear requirements for **out of area placements** and introduce a new "**order of preference**" for such placements

Cynllun Lleoliadau

Rhaid i gynllun lleoliad nodi sut bydd y lleoliad yn cyfrannu at ddiwallu anghenion y plentyn. Bydd yn rhan annatod o gynllun gofal a chymorth rhan 6 cyffredinol:

- Egluro rolau a chyfrifoldebau a sut y bydd y tasgau o ddydd i ddydd yn cael eu rhannu rhwng y gofalwr a'r awdurdod lleol fel rhiant corfforaethol
- Rhoi gwybodaeth hanfodol i'r gofalwr am y plentyn – iechyd, addysg, anghenion emosiynol ac ymddygiadol, hoff/cas bethau, arferion a rheolaeth
- Sicrhau bod y plentyn a'r gofalwr yn cael cymorth a chefnogaeth briodol i ddiwallu anghenion y plentyn



Placements Plan

a placement plan must set out how the placement will contribute to meeting the child's needs. It will form an integral part of the overall part 6 care and support plan:

- Clarify roles and responsibilities and how the day-to-day tasks will be shared between the carer and local authority as corporate parent
- Provide the carer with essential information about the child – health, education, emotional and behavioural needs, likes/dislikes routines and management
- Ensure the child and carer receive appropriate help and support to meet the needs of the child

Cartref plant diogel

Gellir gosod plentyn sy'n derbyn gofal gael ei roi mewn llety diogel dim ond os oes:

- Hanes o ddianc a dioddef niwed sylweddol neu
- Ei fod yn debygol o anafu ei hun neu bobl eraill

A

- Dim ond ar ôl cael gorchymyn llety diogel gan y llysoedd (ar ôl cyfnod cais cyn llys o 72 awr)

Egwyddorion sylfaenol:

"Ni chaff unrhyw blentyn ei amddifadu o'i ryddid yn anghyfreithlon neu'n fympwyol. Rhaid i arestio, cadw neu garcharu plentyn fod yn unol â'r gyfraith a rhaid ei ddefnyddio dim ond fel cam olaf ac am y cyfnod byrraf priodol o amser."

Erthygl 37b CCUHP

Secure children's home

A looked after child can only be placed in secure accommodation if:

- History of abscond and suffer significant harm or
- Likely to injure him / herself or other people

And

- Only after obtaining a secure accommodation order from the courts (after a pre court application period of 72 hours)

Underpinning principles:

"No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time."

Article 37b UNCRC

Cadw mewn cysylltiad

Keeping touch



Getting in on the Act

Adolygu'r cynllun gofal a chymorth

Rhaid i gynllun gofal a chymorth y plentyn gael ei adolygu'n ffurfiol yn rheolaidd a chyn unrhyw newid arfaethedig i fynd i'r afael â:

Review of the care and support plan

The child's care and support plan must be formally reviewed at regular intervals and before any proposed change to address:



Cyfranogiad ac ymgysylltiad y plentyn



The child participation and involvement



Esboniadau clir i'r plentyn o'r rheswm dros unrhyw newidiadau



Clear explanations for the child of the reason for any changes



Ymgysylltiad priodol asiantaethau eraill



Appropriate involvement of other agencies



Goruchwyliaeth a throsolwg gan reolwyr cyfrifol



Supervision and oversight by responsible managers



I ba raddau y gwneir cynnydd tuag at gyflawni'r canlyniadau a nodwyd



The extent progress is being made towards achieving the identified outcomes

Rôl newidiol y swyddog adolygu annibynnol (IRO)

- Sicrhau bod y cynllun gofal a chymorth yn darparu ymateb gwirioneddol i anghenion pob plentyn sy'n derbyn gofal
- Siarad yn bersonol â'r plentyn a sicrhau y rhoddir pwys ar ei farn
- Sicrhau fod y plentyn yn deall unrhyw newidiadau yn llawn
- Sicrhau nad oes "drift"
- Nodi bylchau
- Monitro'r awdurdod lleol fel rhieni corfforaethol da, gan gynnwys camau gweithredu yn erbyn arfer gwael
- Sicrhau fod y plentyn yn gwybod am ei hawl i gael eiriolwr
- Sicrhau fod adolygiad yn cael ei gynnal cyn gorffen lletya

Changed role of independent reviewing officer (IRO)

- Ensure the care and support plan provides a real response to each looked after children's needs
- Personally speak with the child and ensure weight is given to their views
- Ensure the child fully understands any changes
- Ensure there is no "drift"
- Identify gaps
- Monitor the local authority as a good corporate parents, including actions against poor practice
- Making sure the child knows about their rights to an advocate
- Ensure a review takes place prior ceasing to be accommodated

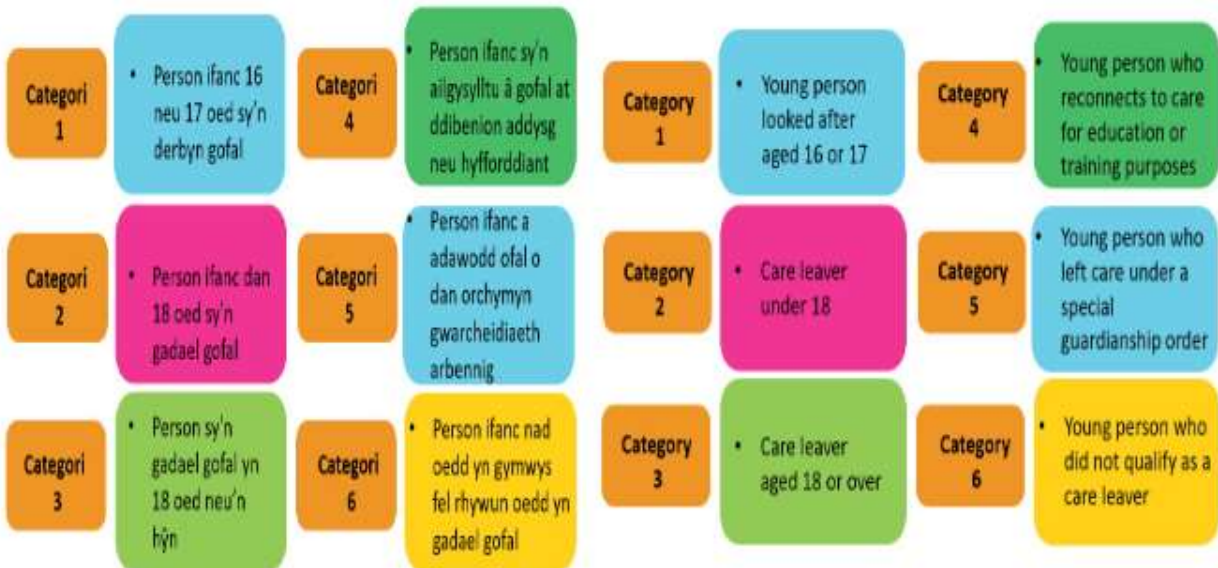
Gadael gofal

**Leaving
care**



Getting in on the Act

Chwe categori o bobl ifanc Six categories of young people



Gofyniad am gynllun llwybr o 16 oed

- Dylai'r cynllun llwybr adeiladu ar gynllun gofal a chymorth rhan 6 a chynnwys y canlynol mewn perthynas â'r person ifanc:
 - Iechyd a datblygiad, yn cynnwys iechyd meddwl a lles emosiynol
 - Addysg, hyfforddiant a chyflogaeth
 - Dyheadau, sgiliau a photensial addysgol
 - Cyswllt â rhieni, teulu ehangach a ffrindiau
 - Rheoli arian
 - Trefniadau ar gyfer cadw cysylltiad
 - Gwasanaethau a chymorth ar gyfer pontio llwyddiannus i fyd oedolion

Requirement for a pathway plan from age 16



- The pathways plan should build on the part 6 care and support plan and include the young person's:
 - Health and development, including mental health and emotional well-being
 - Education, training and employment
 - Aspirations, skills and educational potential
 - Contact with parents, wider family and friends
 - Money management
 - Arrangements for keeping touch
 - Services and support for successful transition to adulthood

Cynghorwyr personol

Personal advisors



Getting in on the Act

 Darparu cyngor a chefnogaeth	 Provide advice and support
 Cymryd rhan mewn asesu, paratoi ac adolygu cynlluniau llwybr	 Participate in assessment, preparation and review of pathway plans
 Cydgysylltu â'r awdurdod lleol wrth roi'r cynlluniau llwybr ar waith	 Liaise with local authority in implementing the pathway plans
 Cydlynu darpariaeth gwasanaethau a chynorthwyo'r rhai sy'n gadael gofal i'w defnyddio	 Co-ordinate provision of services and assist care leavers to make use of them
 Cael gwybod am gynnydd a lles y rhai sy'n gadael gofal	 Keep informed about care leaver's progress and well-being
 Cofnodi cyswllt â'r rhai sy'n gadael gofal a'r gwasanaethau a ddarperir	 Record contact with care leaver and services provided



Cefnogaeth ar gyfer annibyniaeth



Support for independence



“Pan Fydda i'n Barod”



Dyletswydd newydd

Trefniadau ar gyfer ymadawyr gofal 18 oed a hŷn i barhau i fyw gyda'u gofalwyr maeth. Rhaid i awdurdodau lleol:

- Gwirio a yw'r person ifanc a'r gofalwr maeth yn dymuno gwneud trefniant byw ôl-18
- Os felly, rhaid hwyluso'r trefniant, ar yr amod bod yr awdurdod lleol yn fodlon nad yw hyn yn anghyson â lles y person ifanc.

Gall person ifanc mewn gofal preswyl ddewis symud i leoliad maeth cyn 18 oed os yw'n dymuno cael mynediad i “pan fydda i'n barod”

“When I am Ready”



New duty

Arrangements for care leavers aged 18 and above to continue living with their foster carers. Local authorities must:

- Check whether the young person and foster carer wish to make a post-18 living arrangement
- If so, facilitate the arrangement, provided the local authority is satisfied that this is not inconsistent with the young person’s well-being

Young person in residential care can choose to move to a foster placement before 18 if they wish to access “when I am ready”

Plant mewn sefydliadau diogel Children in the secure estate



Getting in on the Act

Plant mewn sefydliadau diogel



Dyletswyddau awdurdod lleol "cartref" ...



Dyletswyddau'r rhai sy'n gadael gofal a phontio i fyd oedolion



Rhai eithriadau: llety a chynnal a chadw; rhai categorïau o bobl ifanc

Children in secure estate



Duties for the
“home” local
authority
of.....



Duties for care
leavers and
transition to
adulthood



Some
exclusions:
accommodation
and
maintenance;
some categories
of young person



Getting in on the Act

Crynodeb



Summary

