



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

NATIONAL MINIMUM STANDARDS FOR RESIDENTIAL FAMILY CENTRES

WELSH ASSEMBLY GOVERNMENT

**National Minimum Standards
for Residential Family Centres**



Contents	Page
Introduction	1
Regulatory context	1
Structure and approach	1
Context and purpose	3
1 Statement of the Purpose of the Service (Standard 1)	5
2 Quality of Care (Standards 2–5)	7
Moving in and Leaving the Unit	7
Placement Planning	8
Health and Well Being	9
Case Records	10
Consultation	10
3 Parents' and Children's Rights (Standards 6–10)	13
Relationship with Parents and Children	13
Conduct within the Centre	13
Privacy and Confidentiality	15
Complaints and Representation Procedures	15
4 Protection (Standards 11–13)	17
Protection	17
Adult Protection	19
Notifications	19
5 Staffing (Standards 14–18)	21
Staffing Arrangements	21
Recruitment of Staff	22
Adequacy of Staffing of Establishment	24
Staff Supervision and Support	25
Staff Training and Development	26

6	Premises (Standards 19–22)	27
	Location, Design, Size	27
	Families’ Rooms	28
	Shared Space	29
	Health, Safety and Security	29
7	Organisation and Management (Standards 23–25)	31
	Business Management	31
	Internal Monitoring of the Operation of the Service	32
	General Records	32
	Appendices	35
	Appendix 1	35
	Appendix 2	37
	Appendix 3	41

This document sets out draft national minimum standards issued by the National Assembly for Wales under section 23 of the Care Standards Act 2000, as the standards to be applied to all residential family centres. These standards will form the baseline for judgements made by the Care Standards Inspectorate for Wales (CSIW) regarding registration and the imposition of conditions for registration, variation of any conditions and enforcement of compliance with the Care Standards Act and associated regulations, including proceedings for cancellation of registration or prosecution. The CSIW will therefore consider the degree to which a regulated service complies with the standards when determining whether or not a service should be registered or have its registration cancelled, or whether to take any action for breach of regulations. The National Assembly for Wales (referred to as the National Assembly) will keep the standards under review and may publish amended standards as appropriate.

These national minimum standards expand upon the Residential Family Centres Regulations 2002. They are 'minimum' standards, rather than 'best possible' practice. Many centres will more than meet the minimum standards and will aspire to exceed them in many ways.

Minimum standards do not mean standardisation of provision. The standards are designed to be applicable to the wide variety of different types of establishment that come within the category of residential family centres and to enable, rather than prevent, individual centres to develop their own particular ethos. Although the standards are issued for use by the CSIW in regulating residential family centres, they will also have further important uses.

They may be used by providers and staff of centres in self-assessment of their own centres, they may provide a basis for induction and training of staff, they can be used by parents and children as a guide to what they should expect a centre to provide and do, and they can provide guidance on what is required when setting up a centre. Those involved with residential family centres in any way are encouraged to make full use of these standards in these ways.

Residential family centres have until now been unregulated, although they provide a service to some of the most vulnerable people in the community. They are centres where parents undergo a residential assessment of their ability to care safely for their children, usually arranged and paid for by the local authority, sometimes at the direction of the courts. It is therefore of the utmost importance that the standard of service provided in residential family centres is high quality and dependable, whether this relates to the physical surroundings, how the parents and children are treated, or to the assessment itself.



Introduction

For the purposes of the regulations and standards, 'parent' includes anyone who is responsible for the care of the children. Normally the person being assessed would be the child's parent or a person with parental responsibility for him or her, but occasionally, it might be relevant to assess someone else..

Residential family centres are defined in Section 4(2) of the Care Standards Act 2000 as establishments at which

- (a) accommodation is provided for children and their parents;
- (b) the parents' capacity to respond to the children's needs and to safeguard their welfare is monitored or assessed;
- (c) the parents are given such advice, guidance and counselling as is considered necessary.the parents are given such advice, guidance and counselling as is considered necessary.

Regulations set out exemptions which will include hospitals, care homes, hostels, refuges, and any other establishment where the fact that the parents are accompanied by their children is really incidental to the main purpose of the establishment. Centres currently operating within these criteria are not necessarily called residential family centres, but may be, for example, Mother and Baby Homes, and/or may currently be registered as nursing homes under the Residential Homes Act 1984.

Regulatory context

These standards are published by the National Assembly in accordance with section 23 of the Care Standards Act 2000. They are due to apply from September 2003.

The Care Standards Act (CSA) reforms the regulatory system for care services in England and Wales. The CSA establishes the National Assembly as the social care and independent health care registration authority for Wales. For the time being these functions are discharged through its division known as the Care Standards Inspectorate for Wales (CSIW). The CSIW will be responsible for the registration of residential family centres.

The Act sets out a broad range of regulation-making powers covering, amongst other matters, the management, staff, premises and conduct of social and health care establishments and agencies. Section 23 confers powers upon the National Assembly to publish statements of national minimum standards that the CSIW and others must take into account when making decisions.

Structure and approach

The standards focus on the impact of the facilities and services provided by the centre on resident families. There are 25 standards, grouped under the following headings::

- Purpose and function
- Quality of care
- Parents' and children's rights

- Protection
- Staffing
- Premises
- Organisation and management

Each standard is preceded by a statement of the outcome for residents to be achieved by the centre. The standards themselves are numbered and the full set of numbered paragraphs must be met in order to achieve compliance with the standards. Wherever possible, the regulations to which the standard links have been shown. However, other regulations may also be relevant, and the notes should be taken as a general guide rather than the comprehensive legal reference.

The standards are intended to be qualitative, in that they are a tool for judging the quality of life experienced by residents, but they are also designed to be measurable. In inspecting against these standards, the CSIW will follow a consistent inspection methodology and reporting format across the country. In assessing whether or not a centre fulfils a particular standard, the CSIW will consider how it meets each of the standards listed. Regulators will look for evidence that the requirements are being met, and that a good quality of life is being enjoyed by residents.

It is intended that the standards will be used, both by residential family centres and the CSIW, to achieve through high standards of provision the best outcome for children in protecting and safeguarding their welfare in the long term. The following cross-cutting themes underpin the drafting of the National Minimum Standards for Residential Family Centres:

Focus on service users. Standards that focus on the key areas that most affect the quality of life experienced by service users as well as physical standards. The consultation process for developing the standards, and recent research, confirm the importance of this emphasis on results for service users. In applying the standards, regulators will look for evidence that the facilities, resources, policies, activities and services of the centre lead to positive outcomes for, and the active participation of, service users.

Fitness for purpose. The regulatory powers provided by the CSA are designed to ensure that centre managers, staff and premises are 'fit for their purpose'. In applying the standards, regulators will look for evidence that a centre is successful in achieving its stated aims and objectives.

Comprehensiveness. Life in a residential family centre is made up of a range of services and facilities which may be of greater or lesser importance to different residents. In applying the standards, regulators will consider how the total service package offered by the centre contributes to meeting the overall needs of the residents..

Meeting assessed needs. In applying the standards, inspectors will look for evidence that centres meet the needs of residents, even where those needs change. The placement plan implemented by the centre should be produced by the centre and the placing authority, with input from the family, prior to their placement at the centre.

Quality services. The new regulatory framework aims to ensure greater assurance of quality services, rather than having to live with second best. In applying the standards, regulators will seek evidence of a commitment to continuous improvement, quality services, support, accommodation and facilities which assure a good quality of life to service users.

Quality workforce. Competent, well-trained managers and staff are fundamental to achieving good quality care for service users. In applying the standards, regulators will look for evidence that registered persons and staff achieve the necessary standards, and comply with any code of practice published by the Care Council for Wales.

Context and purpose

These national minimum standards, and the regulatory framework within which they operate, are part of a broader Welsh Assembly Government policy to improve the quality of care received by children and families from local authorities. A variety of initiatives, for example, the Children First programme, have been launched to promote improvements in children's services.

1 Statement of the Purpose of the Service

STANDARD 1

OUTCOME

Parents and children who use the service know what they can expect, how they will be treated, how the centre operates, and have had this information in written form prior to admission.

- 1.1 The service has a written Statement of Purpose, which accurately describes what the service sets out to do, how it will operate and the way in which it will be provided.
- 1.2 The Statement of Purpose provides all the information required in Schedule 1 to the Residential Family Centres Regulations, and describes for whom the service is intended, including the total numbers of parents and children, together with any criteria used for admission/placement.
- 1.3 The statement includes details of the assessment model and how it will link with assessments using the 'Framework for Assessment of Children in Need and their Families'; the ethos and the philosophy of the centre, and how advice, guidance and counselling will be provided, including any specific therapeutic techniques used in the centre.
- 1.4 The statement describes what the service sets out to do for parents and children, including how facilities are shared and services are provided.
- 1.5 The statement is produced in a format appropriate to the relevant range of learning abilities and language that is accessible to parents, placing social workers and staff, and there are arrangements for those who are unable to understand it to have it read, translated or explained to them.
- 1.6 The policies, procedures and any written guidance to staff accurately reflect the Statement of Purpose.
- 1.7 All those working within the service are aware of the contents of the Statement of Purpose and an easily accessible copy is available to them.
- 1.8 The Statement of Purpose is made available to parents and children in the centre and, on request, to placing or potential placing authorities.
- 1.9 The registered provider formally approves the Statement of Purpose, and reviews it at least annually, modifying it if necessary.
- 1.10 The service has systems in place to monitor the performance of the service against the Statement of Purpose.

Regulation – Statement of Purpose

2 Quality of Care

Moving in and Leaving the Unit

STANDARD 2

OUTCOME

Parents and children are admitted to and leave the centre in a planned and sensitive manner.

- 2.1** Moving in and leaving arrangements are planned and agreed with the parents and children and where appropriate the purchaser, and handled with sensitivity and care.
- 2.2** No parents and children are placed if the Statement of Purpose is not consistent with their needs.
- 2.3** Expectations of how time will be spent are clear to parents and children prior to admission, including issues such as:
 - attendance at sessions
 - use of accommodation
 - cleaning
 - amount of time spent within the unit
 - meals
 - visitors
 - use of telephones
- 2.4** Expectations of behaviour within the unit are clear prior to admission to parents and where appropriate, children, including such issues as:
 - privacy and confidentiality
 - behaviour within and between resident families
 - behaviour towards staff and visitors
 - finances
 - smoking
 - use of drugs and alcohol
- 2.5** Both the needs of the parents and children concerned, and the likely effects of their admission upon the existing group of residents, are taken into account in decisions about admission to the service.
- 2.6** Prior to admission, the residential family centre must secure information necessary to compile records according to Schedule 3 of the Regulations and any other necessary information.
- 2.7** The individual programme for each resident family is based on referral information which identifies the purpose and scope of the residential assessment of parenting skill and capacity.
- 2.8** There are procedures for introducing new residents to the staff and the other parents and children living there.
- 2.9** There are procedures for parents and children leaving, covering both planned and emergency departures, which take into account the needs of the parent whilst giving paramount importance to the safety of children. In the case of termination of placement, if there is no immediate risk of harm to children, time is given for an alternative placement to be found if the adult does not have other accommodation.

- 2.10 The registered manager notifies the placing agency in advance of when parents and children are due to leave so that appropriate follow-up support for the parents and children may be arranged, whether or not the children remain in their care when they leave the service.
- 2.11 When it is part of the placement agreement, the registered manager makes the necessary arrangements for the follow-up support.
- 2.12 Where the parent is eligible for services as a care leaver under the Children Act 1989 placement plans and follow up support are provided in a manner consistent with the Act.

Regulation – Statement of Purpose, Placements

Placement Planning

STANDARD 3

OUTCOME

Children and their parents have their needs assessed and written plans outline how the assessment will be undertaken.

- 3.1 Prior to a family becoming resident, the registered provider completes a written placement plan, agreed with the parent/s and the placing authority, specifying:
 - How the centre will undertake the assessment with the parents and children;
 - How each child's welfare will be promoted using any relevant current local authority plan for that child;
 - How services will be provided for each resident for their care, treatment, education and supervision;
- 3.2 The plan sets out clearly the objectives of the placement, how these are to be met on a day-to-day basis, the contribution to be made by the staff and how the effectiveness of the placement is to be assessed in relation to each major element of the plan.
- 3.3 The child's needs and the parents' capacity to respond to these needs are assessed in a manner which links with the Framework for the Assessment of Children in Need and their Families.
- 3.4 Parents and children (commensurate with their age and understanding) know the content of their placement plans, how they contribute to any overall plan being implemented by the local authority or the courts, and confirm that the care that the service is providing for them is consistent with these.
- 3.5 Work is carried out according to the placement plans, with oversight by the registered manager to ensure the needs of the family are met.
- 3.6 Any specific therapies are only used if agreed with the placing authority, with the full knowledge and consent of the family and specified in the placement plan, and if the safe and effective use of the technique is known to be recognised professionally and supported by evidence. Therapy is carried out only by a member of staff or other practitioner whose competence to practise has been verified as competent and professionally appropriate and they are subject to supervision by a person who is qualified and experienced in the therapy concerned.

- 3.7 Each placement plan is monitored by a nominated member of staff who makes time available to provide the family with individual support, advice and guidance.
- 3.8 The placement plan is amended as necessary to reflect significant changes in the circumstances of the family; parents and children and the placing authority are consulted about changes to the placement plan, and their views taken into account.
- 3.9 The registered manager ensures the placement plan is reviewed at regular intervals with the placing authority, the nominated staff member and the family to ensure that it is appropriate and identify progress against the stated objectives.

Regulation – Placements

Health and Well Being

STANDARD 4

OUTCOME

Families have access to health care, education, employment and leisure activities which promote their good health and well being in a safe environment.

- 4.1 **The registered manager has arrangements with local primary care services which give appropriate access to services that meet the range of primary care needs, including immunisations and vaccinations, dental health, opticians, family planning and guidance on substance misuse.**
- 4.2 All identified needs for each child are recorded on their file and included in the placement plan to promote their good health.
- 4.3 The registered manager has obtained, and retains on file, prior written permission from the parent for each child in case a staff member needs to administer first aid, prescribed and non-prescribed medicines (which will only be in exceptional circumstances).
- 4.4 A written record is kept of all medication, treatment and first aid given to parents and children, giving the name, date, medication/treatment, reason for administration (if not prescribed), which is signed by the responsible member of staff and is regularly monitored by the registered manager.
- 4.5 Prescribed and 'over the counter' medication, other than that kept by individual parents is kept securely, and there is a policy with written guidance, implemented in practice, for storing, administering and disposing of medication.
- 4.6 The routine of the unit allows each parent and child to access education, training or employment as outlined within the placement plan.
- 4.7 Families and individual children are encouraged to pursue, or continue particular interests and leisure activities which develop their confidence and skills as outlined in the placement plan.

Regulations – Health and welfare of residents, Further requirements as to health and welfare

Case Records

STANDARD 5

OUTCOME

Parents' progress is recorded to reflect their ability to care for the children in a safe manner, promoting their welfare.

- 5.1** The registered manager ensures there is a permanent, private and secure record for each family of their history and progress to which they have access.
- 5.2** Written entries on the file are signed and dated and the name of the signatory clearly identified.
- 5.3** Parents and children are aware that they may read their personal files, except for any confidential or third party information, and are actively encouraged both to do so and to add their own contributions. Any errors should be corrected and any disagreements noted.

Regulation – Records

Consultation

STANDARD 6

OUTCOME

Parents and children using the service feel well-informed and party to decisions made.

- 6.1** The registered manager seeks the views of parents, children and significant others, over key decisions which are likely to affect their daily life and their future.
- 6.2** Policies, guidance and training on consulting with parents and children and significant others are available to and used by staff and managers.
- 6.3** Staff take into account the religious, racial, cultural and linguistic backgrounds and any special needs of parents and children, and know how to seek advice or assistance to allow any needs arising from these to be met.
- 6.4** Staff ascertain and take into account the views and opinions of parents and children and significant others. There are systems in place for doing this (such as written agreements, private interviews, key worker sessions, house meetings).
- 6.5** Significant views, discussions and expressed opinions are recorded (including disagreement with plans) and confirmed as accurate by those expressing them.
- 6.6** There is a clear process specifying how the parent may challenge a decision, and making clear who can be involved in this.
- 6.7** Active steps are taken to reduce any restrictions on independence and to promote the opportunity to make everyday choices.

- 6.8** In the event of the service being withdrawn, explanations are given to parents, together with the opportunity to explain reasons, and appropriate notice is given except where there is an assessed risk to other individuals.

Regulation – Health and welfare of residents

3 Parents' and Children's Rights

Relationship with Parents and Children

STANDARD 7

OUTCOME

Staff are able to set and maintain safe, consistent and understandable boundaries for parents and children in relation to acceptable behaviour.

- 7.1** Expectations of behaviour of parents and children are clearly understood and negotiated by those living and working within the service.
- 7.2** In day-to-day decision-making, staff demonstrate an appropriate balance between (i) each family's wishes and preferences, (ii) the needs of individual children, (iii) the needs of the other parents and children, (iv) the protection of others (including the public) from harm, (v) the views of the local authority where they have parental responsibility.
- 7.3** Parents and children are encouraged to meet regularly together with staff to discuss the general running of the unit, to plan activities and to make their views known. Staff engage with parents and children in talking about what they do, and sharing their experiences..
- 7.4** Support is provided for any parents and children for whom English is not their first language or who have mental health problems, learning disabilities or sensory impairment enabling them to communicate their needs, wishes and concerns; helping them to communicate with staff and other parents and children; and assisting them in making use of local facilities.

Regulation – Health and welfare of residents

Conduct within the Centre

STANDARD 8

OUTCOME

Parents and children enjoy a level of comfort and security within the centre based on mutual respect and an understanding of what may have an adverse effect on other residents.

- 8.1** The registered manager ensures that parents and children are clear what standards of conduct are acceptable from them and their visitors and are aware of the possible consequences of unacceptable behaviour.
- 8.2** The unit has a clear written policy, procedures and guidance setting out the standards of behaviour expected of parents and children.
- 8.3** The unit has a written policy outlining how the services will encourage respect for differences in race, language, sexual orientation, religion, cultural background and disability.
- 8.4** The registered manager makes sure the consequences of unacceptable behaviour are clear to staff, parents and children and there is a clear written policy regarding action that may be taken if behaviour is unacceptable to staff or other parents and children. This may include the termination of the placement.

- 8.5** There is a clear policy, made known to staff and residents, on the use of intervention to promote the welfare and safety of children including intervention between parents and children.
- 8.6** Physical intervention is used only as a last resort to prevent likely injury or likely serious damage to property. It should not be used as a punishment, as a means to enforce compliance with instructions, or in response to challenging behaviour which does not give rise to reasonable expectation of injury or serious damage to property.
- 8.7** Any measures taken to respond to unacceptable behaviour are appropriate to the age, understanding and individual needs of the child. Measures take into account that unacceptable or challenging behaviour may be the result of illness, bullying, certain disabilities such as autism, or communication difficulties.
- 8.8** The unit has a stated policy of which all staff are aware, on the use and techniques of physical intervention, and the circumstances in which it may be used, which is consistent with any relevant government guidance.
- 8.9** Staff are trained in anger management and de-escalation procedures and on the use and techniques of physical intervention.
- 8.10** There is a system in place to record all visits made to the unit. Staff take responsibility for monitoring and management of visitors in consultation with families. Families are given clear written and oral guidance on the arrangements for receiving their own visitors to the unit.
- 8.11** Staff ensure that parents are responsible for their visitors and keep to agreed arrangements within the unit in relation to visitors, to ensure that there is no threat to the welfare and comfort of themselves, their children or other residents.
- 8.12** There are clear rules for visitors to ensure the welfare and safety of those using the service. This will include:
- Who may visit, for how long, and if overnight stays are acceptable
 - How visitors should conduct themselves whilst at the centre
 - How visitors are vetted (including if they arrive under the influence of drink or drugs)
 - Who may be excluded
 - An indication of reasons for any exclusion
- 8.13** Booklets or other forms of communication are produced to provide information about the expectations on parents, children, staff and other significant adults such as visitors; how unsafe behaviour will be addressed, disciplinary and restraint measures used and how they relate to unacceptable conduct.

Regulation – Further requirements as to health and welfare

Privacy and Confidentiality

STANDARD 9

OUTCOME

The privacy of parents and children is respected and information about them is handled with appropriate confidentiality.

- 9.1** Staff respect parents' and children's privacy, and confidentiality is balanced appropriately with the need to protect children.
- 9.2** The registered manager provides procedural guidelines on privacy and confidentiality covering:
- access to case records by staff and others;
 - entry into a family's non-communal accommodation without permission;
 - the circumstances in which information would be passed to professionals or agencies outside the centre, e.g. in the event of child protection concerns being raised;
 - emergencies or where children are considered at risk;
 - the proposed contents of reports and record keeping and who will have access to these; and
 - practical details about the way rooms are entered and supervision carried out.
- 9.3** Records are kept safely and securely, and the contents remain confidential and are shared only in accordance with the terms of the provider's registration under the Data Protection Act 1998.
- 9.4** Staff know how to deal with and share information when this is necessary for child protection purposes.
- 9.5** The siting of the telephone (s), e-mail and arrangements for payment are convenient, private, and practical.
- 9.6** Observation of parents does not intrude inappropriately unless specified in placement plan and based on documented risk assessment.

Regulation – Health and welfare of residents

Complaints and Representation Procedures

STANDARD 10

OUTCOME

Parents and children are able to complain if they are unhappy with any aspect of the service. They are confident that any complaint will be taken seriously, investigated and addressed without delay and they will be kept informed of the progress.

- 10.1** The registered manager provides parents and children with information (appropriate to their age and understanding) on how to complain so that they know how to complain if they are unhappy with any aspect of living in the centre. Any complaint is taken seriously and addressed without delay.

- 10.2** Children (who are old enough) know how to contact an independent advocate and feel confident they would be able to do so if necessary.
- 10.3** The service provides a written policy and procedural guidelines on considering and responding to representations and complaints in accordance with legal requirements and relevant government guidance.
- 10.4** The service's complaints procedure:
- enables parents (and children who are old enough) using the service to make both minor and more serious complaints, orally and in writing;
 - does not unreasonably restrict the issues about which residents may complain;
 - includes provision for both informal attempts at resolving complaints and for the complainants to have the matter pursued more formally if not satisfied with the proposed informal resolution;
 - provides for relevant issues to be dealt with promptly, including the possibility of referral to other appropriate agencies if necessary, e.g. the local social services authority where child protection issues are involved;
 - requires a written record to be made and kept of who is making the complaint, date of the complaint, nature of the complaint, action taken, and outcome of the complaint; and includes information on the CSIW and how to complain directly to it.
- 10.5** Staff receive training in the complaints procedures covering the following areas:
- what constitutes a complaint;
 - the procedure to be followed should a complaint not be resolved promptly by informal means, including who should be notified and the keeping of records;
 - the procedure for dealing with an informal complaint about the service and how this is recorded;
 - the circumstances in which complaints should be notified to an outside agency, for example the CSIW.
- 10.6** The registered manager regularly reviews the records of complaints, to check satisfactory operation of the complaints procedure, and to identify both patterns of complaint and action taken on individual complaints. The manager takes any appropriate action from such review in relation to the service's policies and practices, as well as taking any necessary further follow up action in relation to individual cases.
- 10.7** Serious complaints against the service or the staff are notified to the CSIW.

Regulation – Complaints

4 Child Protection Procedures and Training

Protection

STANDARD 11

OUTCOME

Children are protected from abuse.

- 11.1** There are systems in place within the service, which ensure children are protected from abuse, and that suspicions or allegations of abuse are properly responded to.
- 11.2** The service has clear procedures in line with the Residential Family Centre Regulations 2002 for responding to allegations or suspicions of abuse, either by staff, other children or adults using the service, or visitors. These are known to and understood by all staff, including junior, ancillary, volunteer and agency staff.
- 11.3** Copies of the local Area Child Protection Committee (ACPC) procedures and the Welsh Assembly Government's publication "Working Together to Safeguard Children" are kept within the centre. The managers of the service ensure that the staff have read and understood these and have been trained in using them.
- 11.4** The procedures for the service are consistent with the policies and procedures agreed by the local ACPC.
- 11.5** The manager with day-to-day responsibility for running the service liaises with any officer identified by the Area Child Protection Committee and ensures that the practices in the service relating to keeping children safe and responding to allegations, are in line with local procedures and practice.
- 11.6** The service's procedure for responding to allegations or suspicions of abuse to a child (by a member of staff, another child, another service user, a visitor, a member of the child's family) include:
 - the requirement for prompt referral (in writing or with written confirmation of telephoned referral) of allegations or suspicions of abuse, or other actual or likely significant harm to a child, to the local social services authority and notification of the same to the placing agency (if different);
 - the requirement for joint consideration between the service and the local social services authority of all subsequent actions, including continuing protection of children in the light of the allegation or suspicion, and when and how to inform any person who is the subject of the allegation or suspicion, and the parents of each child involved;
 - notification of any allegation or suspicion of abuse, and of the initiation and outcome of any child protection enquiries (under section 47 of the Children Act 1989) involving the service, to the placing authorities of the parents and children involved;
 - prompt notification of the initiation and outcome of any child protection enquiries involving the service, to the CSIW;
 - consideration of measures that may be necessary to protect individual children following an allegation or suspicion of abuse being made;

- the requirement that staff or others working at the unit and receiving an allegation of abuse, or suspecting abuse, should avoid asking leading questions about suspected or actual abuse or give inappropriate guarantees of confidentiality to those reporting concern to them;
 - the requirement for written records to be made and kept of any allegations of suspicions of abuse, and of actions taken;
 - instructions for staff on action to be taken if an allegation or suspicion of abuse involving the manager or person at the time in day-to-day charge of the unit becomes known to them;
 - ensuring that staff, parents and children are provided with information on how they can directly contact the CSIW to raise any concerns they have about practices in the service which may put children at risk of abuse or serious harm;
 - the requirement upon all staff and others working at the service (including agency staff) to raise concerns they may have about practices in the service, or the behaviour of colleagues, which puts children at risk of abuse or other serious harm.
- 11.7** The job descriptions for staff, and relevant personnel policies make it clear that failure by a member of staff to report actual or suspected physical or sexual abuse of a child by another member of staff or other person having contact with the child may constitute a disciplinary offence.
- 11.8** Staff receive training on Child Protection Procedures as part of their induction programme.
- 11.9** Procedural guidance for staff clearly demonstrates the systems the service requires in order to protect children and minimise the risk of abuse. This includes guidance on:
- completing a full assessment of parents' and children's histories and any experience of abuse;
 - observing contacts between children and between children and parents;
 - supervision of children;
 - supervision of behaviour of staff towards children;
 - guidance on physical contact between children and adults other than own parents, including staff members;
 - supervision and support of staff; and
 - confidentiality.
- 11.10** Staff who may be unsuitable to work with children are referred in accordance with the Care Standards Act for consideration for inclusion on the Protection of Children and Vulnerable Adults registers.

Regulation – Arrangements for the protection of children

Adult Protection

STANDARD 12

OUTCOME

Adults are protected from abuse, neglect and self-harm.

- 12.1** The registered person ensures that adults are safeguarded from physical, financial or material, psychological or sexual abuse or self harm or inhuman or degrading treatment or neglect, through deliberate intent, negligence or ignorance, in accordance with written policy.
- 12.2** There are robust procedures for responding to suspicion or evidence of abuse or neglect (including whistleblowing), to ensure the safety and protection of families (including passing concerns on to the CSIW) in accordance with the Public Interest Disclosure Act 1998 and taking account of Welsh Assembly Government guidance "In Safe Hands – Protection of Vulnerable Adults in Wales". .
- 12.3** All allegations and incidents of abuse are followed up promptly, and action taken, is recorded.
- 12.4** Staff who may be unsuitable to work with vulnerable adults are referred in accordance with the Care Standards Act for consideration for inclusion on the Protection of Children and Vulnerable Adults registers.
- 12.5** Aggression by a service user is responded to appropriately, and physical intervention is used only as a last resort by trained staff in accordance with any current guidance, protects the rights and best interests of the family member, and is the minimum consistent with safety.
- 12.6** The home's policies and practices regarding service users' money and financial affairs ensure service users can access their personal financial records; there is safe storage of money and valuables; consultation on finances can take place in private; and advice is available on personal insurance. Staff are precluded from involvement in making service users' wills.

Regulation – Further requirements as to health and welfare, Staff views as to conduct of residential family centre

Notifications

STANDARD 13

OUTCOME

All significant events relating to the protection of children within the unit are notified by the manager to the appropriate authorities.

- 13.1** The registered manager has a system in place to notify promptly the persons and appropriate authorities of the occurrence of significant events.
- 13.2** The service has a system in place to promptly notify the Welsh Assembly Government of any dismissal or resignation of any person working in the service, in circumstances which suggest their unsuitability to work with children or vulnerable adults.

- 13.3** The unit's system for notifications specifies the circumstances in which notifications are required to parents, placing authorities and the police.
- 13.4** A written record is kept of any notifications made, which includes details of the action taken, and the outcome of any action.
- 13.5** Staff in the unit promptly notify the placing authority of any serious incidents involving the parents and children.

Regulation – Notification of death, illness and other events

5 Staffing

Staffing Arrangements

STANDARD 14

OUTCOME

Parents and children receive the care and services they need from competent staff.

- 14.1** The service is organised, managed and staffed in a manner that ensures that the Statement of Purpose is fulfilled, parents and children receive a quality service and purchasers get best value.
- 14.2** The Registered Manager has a professional qualification relevant to working with children (either a DipSW or NVQ level 4), plus at least two years' experience of working with children and families, and in addition at least one year's experience of working at a senior level. The manager's qualifications and experience are appropriate to the unit's Statement of Purpose and any specified ethos or philosophy of the unit.
- 14.3** The deputy manager of the unit (or the person designated to deputise for the manager in his/her absence) is assessed by the manager or the owner as being competent to hold this responsibility and has a minimum of two year's experience in a child or family setting and, by April 2006, an NVQ level 3 in Caring for Children and Young People.
- 14.4** Staff members rostered to be in charge of the unit and other staff at particular times (e.g. leaders of staff shifts) have substantial relevant experience of working in a Residential Family Centre, are not themselves temporary staff, and have successfully completed their induction (see 14.7)
- 14.5** Care staff without prior qualification or experience of working with children are required by the unit to undertake qualification training to NVQ level 2 within two years of taking up an appointment in a residential family centre.
- 14.6** The unit has a minimum of 50% of its care staff qualified at NVQ level 2 or equivalent in childcare from 2006.
- 14.7** The registered person has an induction training programme for all newly appointed care and ancillary staff (including any agency, temporary, volunteer and student staff), which includes guidance on child protection. The programme takes into account such guidance as may be published by the Care Council for Wales. New staff are clear about accountability and reporting lines, and procedures to be followed in relation to emergencies, health and safety, child protection and notification of incidents.
- 14.8** There are clear arrangements for staff to deputise in the manager's absence.
- 14.9** The manager gives four weeks notice in writing to the CSIW of an intended absence of four weeks or more, with details of the arrangements for running the unit during the absence.

14.10 Staff rotas have time scheduled to ensure that the following occur:

- staff supervision
- staff meetings
- handover sessions
- rest periods
- completing records
- planning and carrying out placement plans
- training

14.11 The staff group is competent to fulfil the unit's Statement of Purpose, the placement plans, the needs of parents and children and particular difficulties being experienced by the unit, and the staff mix reflects the gender and cultural mix of the service users.

14.12 The service has specific procedures in relation to dealing with allegations against staff, and there is a staff disciplinary procedure that includes provision for suspension of staff during consideration of serious allegations, and which separates staff disciplinary processes from child protection enquiries and criminal proceedings. This procedure is clearly known to staff.

14.13 The procedure is clear that a member of staff may be suspended, as a neutral act, pending consideration of, or completion of, an investigation of any suspicion or allegation of abuse or serious concern relating to the safety and welfare of children, and that disciplinary decisions are not dependent on the outcome of any police investigations or criminal procedures.

14.14 The unit operates a grievance procedure that is known to all staff.

14.15 The unit has plans for a range of potential crises (e.g. outbreaks of illness, fires, serious allegations or complaints, serious accidents, staff shortages), and any major incidents or crises are satisfactorily managed.

14.16 A full time manager with responsibility for the operation of the unit has been appointed if the person carrying on the unit is not the person in charge on a full time basis.

Regulation – Fitness of manager, Staffing of residential family centres, Notice of absence

Recruitment of Staff

STANDARD 15

OUTCOME

There is careful selection and vetting of all staff.

15.1 There is a clear recruitment procedure that ensures the selection of suitable staff.

15.2 Applicants complete an application form relevant to the Statement of Purpose of the service, together with the job description and person specification of the post, and which includes the requirement to supply a full employment history, stating that any previous employer may be approached by the appointing staff.

- 15.3** The service's system for recruiting staff and volunteers ensures all the following take place and are clearly recorded:
- interview by more than one person;
 - enhanced Criminal Records Bureau checks;
 - taking up of written references, including the most recent employer, with a reference request letter that specifically asks all referees to state any known reason why the person should not be employed to work with children;
 - direct verbal contact with each referee to verify the reference;
 - check on proof of relevant qualifications;
 - contact with each previous employer involving work with children or vulnerable adults, to check the reasons the employment ended; and
 - a satisfactory explanation of any employment gaps.
- 15.4** Wherever practicable, short-listed applicants are invited for a visit prior to the decision on appointment being made, and observations sought from staff and parents and children regarding candidates, which are taken into account in the appointment decision.
- 15.5** The registered person has an effective system to decide on appointment, or refusal of appointment, of staff or others likely to have substantial unsupervised access to children within the service, in the light of any criminal convictions or other concerns about suitability that are declared or discovered through the recruitment process.
- 15.6** All appointments (including internal transfers and promotions) are subject to a probationary period.
- 15.7** The service demonstrates that any agency staff or 'bank staff' have been recruited to their agency or bank appointment by a process including all the above procedures.
- 15.8** The registered manager ensures that any staff provided through an agency who work with children or vulnerable adults in the home have successfully passed the checks that are required in the Residential Family Centres Regulations 2002, within the previous 12 months. There must be evidence of this, which is placed on their file.
- 15.9** The service provides a copy of its Statement of Purpose to all applicants for all posts in the unit.
- 15.10** Staff members and others subject to the above checks do not start work at the centre until all the required checks are completed. If, exceptionally, a member of staff is allowed to do so while the outcome of some checks are awaited (but this is not permissible in relation to Criminal Records Bureau checks), then the registered person must demonstrate that the individual is directly supervised at all times at a level that prevents them having unsupervised contact with children or vulnerable adults in the centre, that such circumstances are exceptional, that the registered person has taken all reasonable steps to complete the recruitment process and to 'chase' outstanding information, and that the registered person has taken all reasonable steps to avoid such circumstances occurring. Continued employment, in such circumstances, is subject to satisfactory outcomes from the checks.

15.11 The service does not offer work to any person legally barred from working with children under the Protection of Children Act 1999 or education legislation.

15.12 The person carrying on the service, and the manager (or other designated person in charge of the service), have been registered as fit for that role by the CSIW.

Regulation – Fitness of workers

Adequacy of Staffing of Establishment

STANDARD 16

OUTCOME

Parents and children have access to staff who understand their needs and are able to respond appropriately when required..

16.1 Staff are sufficient in number, experience and levels of qualification to carry out the placement plan, recognising that responsibility for children rests with the parents unless otherwise arranged.

16.2 Care staff are at least 18 years old, and staff who are given sole responsibility for the unit or a management role are at least 21 years old.

16.3 The service is staffed at all times of the day and night, at or above the minimum level specified in the Staffing Policy. This is recorded.

16.4 The service's staffing policy states:

- ▶ the number of staff required to be on duty by day;
- ▶ the number of staff required to be on duty by night, and whether they are required to be waking, sleeping in or on call;
- ▶ the number of ancillary staff required to be on duty in addition to care staff at defined times of day or night;
- ▶ the arrangements for managing the staff on duty by day and night;
- ▶ the minimum number of staff to be available during the day;
- ▶ the makeup of the staff team reflects the needs of the service users and their gender and race;
- ▶ the arrangements for calling senior staff support if required; and
- ▶ written risk assessments record factors taken into account in deciding staffing numbers.

16.5 Staffing levels by day and night are sufficient to fulfil the Statement of Purpose of the service, and to provide levels of supervision that are safe for parents and children, staff and members of the public.

16.6 No more than half the staff on duty at any one time by day or night are temporary (not including pool staff who work regularly at the unit and are familiar with it), and no temporary staff member is alone on duty at night.

16.7 There are cover arrangements for staff sickness and absence.

16.8 Staff know which children and adults are expected to be resident within the unit each night.

Regulation – Staffing of residential family centre

Staff Supervision and Support

STANDARD 17

OUTCOME

Parents and children receive a service from staff who are themselves supported and guided in safeguarding and promoting the children's welfare.

- 17.1** All staff, including domestic staff and the manager, are properly accountable and supported.
- 17.2** All staff and others working in the service (including the manager, temporary staff and ancillary staff) receive one to one supervision from their line manager at least once a month. Records are kept of agreed action following supervision meetings.
- 17.3** Staff are provided with written guidance on policy, procedure and practice that is kept up to date and is accessible. Items to be included are listed at Appendix 1.
- 17.4** Staff are informed of the service's complaints procedures and how complaints by or involving staff will be taken up and investigated, by whom, and within what time scale, including the agencies to be notified and the involvement of the local social services authority and the police.
- 17.5** There are clear lines of accountability from the manager of the service to the owner/s (except when the manager is also the proprietor). All staff know to whom they are accountable.
- 17.6** All staff have received written job descriptions and person specifications related to the service's current Statement of Purpose which state clearly the duties currently expected of them and their accountability line. Job descriptions are subject to periodic review.
- 17.7** Supervision addresses the following issues:
- methods of working with parents and children;
 - the staff member's role in fulfilling the service's Statement of Purpose;
 - degree of personal involvement/professional boundaries;
 - staff feelings and concerns;
 - staff development and training;
 - the setting and maintenance of standards;
 - the clarification of accountability and responsibility;
 - feedback on performance; and
 - guidance on current and new tasks.
- 17.8** All staff have their performance individually and formally appraised annually by their line manager; the employee's personal file contains a record of the appraisal showing the level of performance achieved, targets for the coming year, and the agreed training needs to be met within the following year as part of the individual's Personal Development Plan.
- 17.9** Rotas are organised to allow staff to meet together at least once every month. Meetings have an agenda and are minuted.
- 17.10** External specialist guidance and support to staff, is made available either on an individual basis or through staff meetings as appropriate.

Staff Training and Development

STANDARD 18

OUTCOME

Staff are trained and enabled to carry out the role to which they are appointed.

- 18.1** Staff receive training and development opportunities that equip them with the skills required to work with parents and children and fulfil the purpose of the service.
- 18.2** Staff who are new to the service (including any agency, volunteer and student staff) receive induction which continues throughout their probationary period, and training appropriate to the purpose and function of the service and their work. New staff are supervised and are informed about accountability and reporting lines, and procedures to be followed in relation to emergencies, health and safety, child protection and notification of incidents.
- 18.3** The manager of the service provides training for all staff, including ancillary staff, agency staff and volunteers, in the prevention of abuse, recognition of child abuse, dealing with disclosures or suspicions of child abuse, and the service's child protection procedures. This training is included in induction programmes for new staff, including temporary or agency staff, and is ongoing for the staff group in keeping with the aims and objectives of the service.
- 18.4** All staff have access to training in child development and family dynamics.
- 18.5** There are other programmes of training available which address the following:
- normal and abnormal child development;
 - specific child care/family work approaches and skills appropriate to the unit's purpose and function;
 - restraint;
 - issues of race, ethnicity, religion and culture;
 - dealing with sexuality;
 - health education relevant to growing children and healthy adulthood;
 - the implications for families living with HIV and AIDS;
 - communicating with children, including those with disabilities and sensory impairment;
 - health and safety at work, including food hygiene and safety with medicines;
 - fire precautions;
 - First Aid;
 - the Children Act 1989;
 - staff supervision (for staff with supervisory responsibility);
 - interview techniques (for staff with recruitment responsibilities);
 - complaints and representations procedures;
 - relevant legislation;
 - the requirements of these National Minimum Standards.
- 18.6** Each member of staff has a personal development plan.

Regulation – Employment of staff

6 Premises

Location, Design, Size

STANDARD 19

OUTCOME

Parents and children live in pleasant, well designed and maintained surroundings providing sufficient space to meet their needs.

- 19.1** The accommodation is located, designed and of a size that is in keeping with its purpose and function, serves the needs of the parents and children, and is maintained in good order throughout.
- 19.2** The accommodation is situated in a location which takes into account local transport, education, health, and leisure facilities.
- 19.3** The design, layout and any adaptation of the premises and grounds is in keeping with the Centre's Statement of Purpose and aims and objectives, is suitable for the number of parents and children accommodated, and meets the needs of the children.
- 19.4** Where the accommodation provides for disabled people, there are suitable aids and adaptations; there is special furniture or equipment required to meet the needs of their disability, and the premises are free of features which unnecessarily restrict their mobility or opportunities.
- 19.5** The premises conform to the requirements of all regulatory authorities and there are no outstanding requirements or recommendations (other than any being implemented within the timescale recommended by the relevant authority) relating to the unit from any of the following bodies:
 - planning authority;
 - building control authority;
 - fire service; and
 - environmental health authority.
- 19.6** The accommodation is decorated and furnished to a standard which creates a pleasant domestic environment, appropriate to the age, culture and ethnic background of the parents and children using the service. The accommodation provides quiet facilities for study and tuition.
- 19.7** The interior and exterior of the premises are maintained in a good state of structural and decorative repair; damage to the premises is repaired promptly. Gardens and/or hard play areas are well maintained and safe.
- 19.8** Furniture should be fire resistant and meet the requirements of the Furniture and Furnishings (Fire) (Safety) Regulations 1988.
- 19.9** The premises are not also used for other functions that compromise or have an adverse effect on working with parents and children receiving the service.
- 19.10** Effective precautions, acceptable to parents, children and staff, are taken to ensure the security of the accommodation from access by unauthorized persons.

19.11 The service promotes a positive image within the local community and strives for good relationships with neighbours.

Regulation – Fitness of premises

Families' Rooms

STANDARD 20

OUTCOME

Parents and children enjoy homely accommodation, decorated, furnished and maintained to a high standard, providing adequate facilities for their use.

20.1 The registered person provides at least one bedroom, with further space depending on the composition of the family, which has usable floor space, fittings and furnishings sufficient and suitable to meet individual needs and lifestyles.

20.2 The registered person ensures that:

- No more than one family share a bedroom;
- each child must have their own bed;
- children do not share bedrooms other than with their parents or siblings;
- table, chest of drawers and an easy chair are provided for each occupant over 10 years old;
- wardrobe/cupboard space and lockable storage space is provided;
- space for service users' usual possessions and bedding, curtains and floor covering of good quality and design suitable for the family are provided;
- suitable beds/cots appropriate to the age and size of the child/adult using them are provided;
- there is a facility to lock the door leading to the family's rooms.

20.3 Bathrooms, showers and toilets are sited and designed to take account of the parents' and children's needs for privacy, dignity and safety, and are readily accessible from sleeping and recreational areas of the unit. Doors can be locked but staff are able to open them from the outside in case of emergency. Showers not in individual rooms are provided in individual cubicles.

20.4 WCs and bathrooms (handbasin and shower or bath) are shared by no more than five people, regardless of age.

20.5 Hot and cold water supplies are adequate for normal levels of use by parents and children.

20.6 There are separate toilet facilities for staff.

20.7 Hot water accessible to very young children, or people with disabilities which place them at risk from excessively hot water, is maintained at no more than 43 degrees centigrade at tap and other outlets accessible to them.

Regulation – Fitness of premises

Shared Space

STANDARD 21

OUTCOME

Shared spaces complement and supplement residents' private rooms.

- 21.1** A range of comfortable, safe and fully accessible shared spaces is provided both for shared activities and for private use.
- 21.2** Shared spaces include:
- outdoor space proportionate to the number of service users and staff on duty;
 - kitchen and laundry facilities which are domestic in scale and provide sufficient space for food preparation, cooking, food and equipment;
 - fridge space for storing food and drinks;
 - furnishings suitable to the ages of the children who stay at the unit;
 - dining table and chairs sufficient for the whole family to eat at the same time;
 - rooms in which parents and children can meet privately with visitors and for play;
 - a play area for children;
 - recreation and key working;
 - a separate smoking area if the centre does not have a no-smoking policy.
- 21.3** The lighting, heating and ventilation of all parts of the premises are satisfactory and fully meet the needs of the parents and children. Lighting is available at all times sufficient for reading. The heating system is capable of maintaining a temperature of 16°C when the external temperature is below freezing, and heating is available at all times whilst the family is using the facility.
- 21.4** There is a satisfactory maintenance and repair programme for the building, furniture and equipment.
- 21.5** Staff sleeping-in rooms are not part of the communal living area.
- 21.6** All communal areas are maintained to an adequate level of cleanliness.

Regulation – Fitness of premises

Health, Safety and Security

STANDARD 22

OUTCOME

Parents and children stay in accommodation that provides physical safety and security.

- 22.1** Positive steps are taken to keep parents, children, staff and visitors safe from risk from fire and other hazards.
- 22.2** The service complies with the requirements of relevant legislation governing:
- heating, lighting, ventilation and water temperature;
 - health and safety at work;

- storage of medicines;
 - food safety and hygiene; and
 - vehicle safety.
- 22.3** There are no significant hazards to health and safety apparent in the accommodation or grounds.
- 22.4** Risk assessments (identifying hazards, estimating level of risk from the hazards identified, and identifying action to be taken to avoid unnecessary or unreasonable risks) are carried out, recorded in writing and regularly reviewed.
- 22.5** Parents, children and staff know the emergency evacuation procedures in case of fire, and confirm that they have regular practice, which is clearly recorded. The registered manager complies with, and keeps records of, any advice given by the local fire safety officer. The registered manager provides at least one fire blanket that conform to BS EN standards.
- 22.6** Frequency of fire drills takes into account changes of residents in the centre but drills are held at least four times a year, and include evacuation from the unit, fire drills held at night, and testing of emergency lighting, fire alarms and fire fighting equipment. Any deficiency identified from drills or tests is noted, and action taken as necessary to remedy the deficiency.
- 22.7** Smoke alarms that conform to BS EN standards are provided at every level of the residential family centre and are maintained in working order.
- 22.8** The registered provider has planned responses to a range of foreseeable crises (e.g. outbreaks of illness, fires, serious allegations or complaints, significant accidents, staff shortages, and control problems within or outside the unit) and any major incidents or crises since the last inspection have been satisfactorily managed.
- 22.9** Any door fitted with glass has safety glass or is covered with protective plastic film.

Regulation – Fire precautions

7 Organisation and Management

Business Management

STANDARD 23

OUTCOME

Parents and children enjoy the stability of an efficiently run service and purchasers have confidence that they are getting value for money.

- 23.1** The management of the centre creates an open, positive and inclusive atmosphere.
- 23.2** The registered manager communicates a clear sense of direction and leadership which staff and families understand and are able to relate to the aims and purpose of the centre.
- 23.3** The processes of managing and running the centre are open and transparent.
- 23.4** Management planning and practice encourage and reward innovation, creativity, development and change.
- 23.5** A commitment is made to equal opportunities and non-discriminatory practice in the organisation.
- 23.6** Administration of the service is efficient and effective and the service is financially sound.
- 23.7** The Registered Manager has the necessary ability to plan, budget and administer the finances to ensure that the service is run on a sound financial basis.
- 23.8** The Registered Manager manages all the resources, staffing, physical and financial, none of the service's resources being outside their direct control.
- 23.9** The funding of the service is sufficient to finance the fulfilment of the Statement of Purpose and to meet the applicable Regulations under the Care Standards Act 2000, the National Minimum Standards, and any conditions of the service's registration.
- 23.10** CSIW is promptly informed if a receiver, liquidator or trustee in bankruptcy becomes responsible for the service.
- 23.11** There is a business and financial plan for the service, open to inspection and revised annually, which contributes to its financial viability.
- 23.12** All conditions of registration imposed on the unit are met.

Regulation – Financial position

Internal Monitoring of the Operation of the Service

STANDARD 24

OUTCOME

The service's work with parents and children is continually adapted in the light of information about how it is operating.

- 24.1** The manager of the service monitors the following records at least quarterly to identify any patterns or issues requiring action, signs the records concerned to record the monitoring, and takes any required follow-up or consequential action:
- each family's placement plan and placement agreement;
 - deposit and issue of money and valuables given for safe keeping;
 - accidents and injuries;
 - illnesses;
 - complaints and their outcomes;
 - allegations or suspicions of abuse and their outcomes;
 - a record of visitors to the unit;
 - staff recruitment records and conduct of required checks for any newly recruited staff;
 - statutory notifications of incidents;
 - disciplinary measures;
 - use of physical intervention;
 - risk assessments and subsequent action;
 - medication, treatment and first aid at the unit;
 - duty rosters as actually worked;
 - the unit's Daily Log;
 - absences;
 - fire drills and tests of alarms, emergency lighting and fire equipment;
 - annual staff appraisals; and
 - minutes of staff meetings.
- 24.2** There is a business and financial plan for the service, open to inspection and revised annually, which contributes to its financial viability.
- 24.3** All conditions of registration imposed on the unit are met.

Regulation – Financial position

General Records

STANDARD 25

OUTCOME

There are adequate records of both the staff and families using the service.

- 25.1** The service maintains satisfactory records about the staff, parents and children involved with the service and major events affecting them.

25.2 The service keeps all the following records, and keeps them up to date:

- a register showing the dates of admission and departure of parents and children;
- who was responsible for their placement, where they were prior to arriving at the accommodation, and where they went on leaving;
- the placing authority;
- an employees' register of all staff and other persons working in the service (including agency staff and volunteers), giving full name, gender and date of birth, address, relevant qualifications for and experience of working with parents and children, whether full time or part time (and hours worked if part time);
- details of any other person living or working at the premises;
- a record of each episode of physical intervention;
- an accident log of all accidents occurring to parents and children while they are using the service, or to staff or visitors;
- an incident log of all incidents involving parents, children and visitors;
- full accounts for the service, clearly setting out the financial position;
- duty rosters recording the identities of the staff and other persons who actually worked in the service; and
- a daily log of events occurring in the service, including the names of visitors and the reasons for their visits (the latter may be kept in a separate visitors' book if wished).

25.3 Arrangements are made for records to be retained for at least 15 years (this may be achieved by passing them to the relevant local authority for retention or by archiving them) from the date of the last entry.

Regulation – Records

Appendices

Appendix 1

- admission and reception of parents and children;
- case recording and access to records;
- placement planning;
- use of physical intervention;
- log book and diary recording;
- confidentiality;
- administration of finance (petty cash) and security;
- repairs and maintenance;
- fire precautions and emergency procedures;
- the extent to which all or part of premises may be locked as a security measure;
- the safety policy;
- child protection;
- arrangements for visitors at the unit;
- HIV/AIDS awareness, confidentiality and infection control;
- responding to allegations or suspicions of abuse;
- treatment of those who have been abused;
- covering shift handovers;
- the particular care needs of parents and children from minority ethnic groups;
- practices within the unit to combat racism;
- staff disciplinary and grievance procedures;
- delegated authority and notifications to senior staff;
- reviews;
- dealing with aggression and violence;
- risk taking;
- dealing with sexuality and personal relationships;
- guidance on spending time alone with children;
- working with parents/carers;
- First Aid and administration and storage of medication;
- the complaints and representations procedures;
- the supervision policy;
- the smoking policy;
- the alcohol policy;
- gift giving and receiving;
- 'whistleblowing' by staff;
- bullying/harassment policies; and
- notification of significant events.

Appendix 2

Glossary

This glossary is intended to be of general assistance to the reader in interpreting the standards. The definitions provided do not affect any meaning that a term may have under any relevant legislation.

Abuse

Single or repeated act or lack of appropriate action occurring within any relationship where there is an expectation of trust which causes harm or distress to an individual, including physical, emotional, verbal, financial, sexual or racial abuse, and neglect or abuse through the misapplication of drugs.

Area Child Protection Committee

A group set up to determine the policies and procedures to be followed concerning child protection in a given area.

Assessment

Collection and interpretation of data to determine an individual or family's need for health, personal and social care and support services, undertaken with the individual or family and relevant professionals.

Care Plan

An agreed plan for looking after a child and meeting that child's current and future needs, made by a placing authority under Children Act requirements..

Child Protection

Taking reasonable measures to reduce the risk of physical, emotional or sexual abuse, neglect or significant harm of a child, enabling children and staff to report concerns about actual or potential abuse or significant harm, and responding appropriately to allegations, occurrences and suspicions of abuse or significant harm of a child – in the home, outside the home or at school.

Child Protection Enquiry

An enquiry into possible significant harm to a child (e.g. through physical, emotional or sexual abuse, or through neglect), carried out by a local social services authority under section 47 of the Children Act 1989. May include police investigations or enquiries by the NSPCC.

Criminal Records Bureau

A national organisation conducting police checks to enable an assessment to be made (e.g. by a Residential Family Centre) on the suitability of a person to work with children or vulnerable adults. Different levels of check are available for different levels of regular contact and supervisory responsibility for children or vulnerable adults.

Framework for the Assessment of Children in Need and their Families

Government guidance providing a systematic basis for collecting and analysing information to support professional judgements about how to help children and families in the best interests of the child. Practitioners use the framework to gain

an understanding of a child's developmental needs; the capacity of parents or caregivers to respond to those needs, including their capacity to keep the child safe from harm; and the impact of wider family and environmental factors on the parents and child.

Induction

Initial training on the centre's residential and care policies and practice for a new member of staff.

Job description

A written, agreed and up to date statement of the main tasks and responsibilities of a staff member's job within the centre, including overall definition of their role and the person to whom they are accountable.

Neglect

Single or repeated failure to take appropriate action which results in harm or distress being suffered by the child or young person. Neglect can take many forms but includes the withholding of appropriate medicines, food and emotional support. It is characterised by the child or young person suffering from something not being done.

Outcome

The end result of the service provided by the Residential Family Centre to a service user, which can be used to measure the effectiveness of the service.

Placement Plan

An agreed written statement, regularly updated, defining how a family is to be looked after on a day to day basis at the centre, including meeting the family's needs and responding to the family's difficulties, which is consistent with both the centre's overall Statement of Purpose and any Care Plan for the child/ren of the family made by their Placing Authority.

Placing Authority

A social services department which has arranged for the family to reside at the home; the authority which is responsible for making and monitoring that arrangement, rather than necessarily the sole funding authority for the placement.

Policy

An operational statement of intent which helps staff make sound decisions and take actions which are legal, consistent with the aims of the Residential Family Centre, and in the best interests of the service users.

Procedure

The steps taken to fulfil a policy.

Registered Manager – see Registered Person.

Registered Person

A person who either: carries on the centre and is registered with the Care Council for Wales to do so (the registered provider); or manages the centre and is registered with the Care Council for Wales to do so (the registered manager). In some cases, the registered provider may also manage the centre.

Registered Provider – see Registered Person

Service user

Person living in and provided with services by a Residential Family Centre. Includes parents and their children.

Staff

Person working for pay within or from the Residential Family Centre, full time, part time, casual or contract.

Standard

A measure by which quality is judged.

Volunteers

People working without pay, or for expenses only, within or from the Residential Family Centre.

Welfare

Meeting each individual child's reasonable physical, security, personal, emotional, and spiritual needs, providing support and guidance as needed, and enabling the child's normal development for the future and fulfilment in the present, taking into account the child's age, characteristics and wishes. [Note that under the Children Act 1989, welfare is distinguished from education or academic needs and support, although in other contexts it may include educational issues.]

Appendix 3

Bibliography

- Burgner, T (1996) Regulation and Inspection of Social Services. Department of Health and Welsh Office
- Data Protection Act 1998. HMSO
- Department of Health (1988) Protecting Children: A guide to social workers undertaking a comprehensive assessment. Department of Health
- Department of Health (1991) Patterns and Outcomes in Child Placement. Department of Health
- Department of Health (1991) The Children Act 1989 Guidance and Regulations Volume 2 Family Support, Day Care and Educational Provision for Young Children. HMSO
- Department of Health and Welsh Office (1995) Moving Forward: A consultation document on the Regulation and Inspection of Social Services Departments. Department of Health and Welsh Office
- Department of Health (1998) Modernising Social Services: Promoting Independence, Improving Protection, Raising Standards. Stationery Office
- Department of Health, Home Office, Department for Education and Employment (1999) Working Together to Safeguard Children: a guide to interagency working to safeguard and promote the welfare of children. Stationery Office
- Department of Health (2000) Framework for the Assessment of Children in Need and Their Families. Department of Health
- Department of Health and Home Office (2000) No Secrets: Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse. Department of Health
- Department of Health (forthcoming) Achieving Fairer Access to Adult Social Care Services. Department of Health
- Disability Discrimination Act 1995. Stationery Office
- First Key (1996) Standards in Leaving Care: Report of the National Working Group.
- First Key Ministerial Taskforce on Children's Safeguards (1998) The Government's response to the Children's Safeguards Review. Stationery Office
- Robinson, C. Weston, C. and Minkes, J. (1995) Assessing Quality Services to Disabled Children under the Children Act 1989. Norah Fry Research Centre, University of Bristol
- The Protection of Children Act 1999. Stationery Office
- Utting, W. (1997) People Like Us: Report of the Review of the Safeguards for Children Living Away from Home. Stationery Office
- United Nations (1989) The Convention on the Rights of the Child. UNICEF
- Warner, N. (1992) Choosing with Care: The Report of the Committee of the Inquiry into the Selection, Development and Management of Staff in Children's Homes. HMSO

Further copies of this document are available from:

The National Assembly for Wales
Cathays Park
Cardiff
CF99 1NA

Tel: (029) 20825296

Fax:(029) 20823142

E-mail: patrick.harper@wales.gsi.gov.uk



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2003 Rhif 781 (Cy.92)

2003 No. 781 (W.92)

**PLANT A PHERSONAU
IFANC, CYMRU**

**CHILDREN AND YOUNG
PERSONS, WALES**

**GOFAL CYMDEITHASOL,
CYMRU**

**SOCIAL CARE,
WALES**

Rheoliadau Canolfannau Preswyl i
Deuluoedd (Cymru) 2003

The Residential Family Centres
(Wales) Regulations 2003

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 cael eu gwneud o dan Ddeddf Safonau Gofal 2000 ("y Ddeddf") ac maent yn gymwys mewn perthynas â chanolfannau preswyl i deuluoedd yng Nghymru. Mae Rhannau I a II o'r Ddeddf yn darparu mai Cynulliad Cenedlaethol Cymru a fydd yn cofrestru ac yn arolygu sefydliadau ac asiantaethau mewn perthynas â Chymru. Mae'r Ddeddf yn darparu hefyd i'r Cynulliad wneud rheoliadau sy'n llywodraethu y ffordd y mae sefydliadau ac asiantaethau yn cael eu rhedeg mewn perthynas â Chymru.

These Regulations are made under the Care Standards Act 2000 ("the Act") and apply in relation to residential family centres in Wales. Parts I and II of the Act provide for the National Assembly for Wales, in relation to Wales, to register and inspect establishments and agencies. The Act also provides for the Assembly to make regulations governing the conduct of establishments and agencies in relation to Wales.

Mae rheoliad 3 yn eithrio sefydliadau penodol o'r diffiniad o ganolfan breswyl i deuluoedd o dan adran 1 o'r Ddeddf. Mae'r rhain yn cynnwys unrhyw sefydliad sy'n ysbyty yn y gwasanaeth iechyd, yn ysbyty annibynnol, yn glinig annibynnol, yn gartref gofal, yn hostel neu'n lloches rhag trais domestig.

Regulation 3 excludes certain establishments from the definition of a residential family centre under section 1 of the Act. These include any establishment which is a health service hospital, independent hospital, independent clinic, care home, hostel or domestic violence refuge.

O dan reoliad 4, rhaid i bob canolfan breswyl i deuluoedd gael datganiad o ddiben sy'n cynnwys y materion a nodir yn atodlen 1, ac arweiniad i'r ganolfan ar gyfer y trigolion. Rhaid i'r ganolfan breswyl i deuluoedd gael ei rhedeg mewn modd sy'n gyson â'r datganiad o ddiben.

Under regulation 4, each residential family centre must have a statement of purpose consisting of the matters set out in schedule 1, and a resident's guide to the centre. The residential family centre must be carried on in a manner which is consistent with the statement of purpose.

Mae Rhan II yn gwneud darpariaeth ynghylch y personau sy'n rhedeg neu'n rheoli'r cartref, ac mae yn ei gwneud yn ofynnol bod gwybodaeth boddhaol ar

Part II makes provision about the persons carrying on or managing the home, and requires satisfactory information to be available in relation to the matters

gael mewn perthynas â'r materion a ragnodir yn Atodlen 2. Os corff yw'r darparrydd, rhaid iddo enwebu unigolyn cyfrifol y mae'n rhaid i'r wybodaeth hon fod ar gael mewn perthynas â hwy (rheoliad 5). Mae rheoliad 6 yn rhagnodi o dan ba amgylchiadau y mae'n rhaid penodi rheolwr ar gyfer y ganolfan breswyl i deuluoedd, ac mae rheoliad 8 yn gosod gofynion cyffredinol mewn perthynas â rhedeg y ganolfan breswyl i deuluoedd yn iawn, a'r angen am hyfforddiant priodol.

Mae Rhan III yn gwneud darpariaeth ynghylch y ffordd y mae canolfannau preswyl i deuluoedd yn cael eu rhedeg, yn enwedig ynghylch iechyd a lles trigolion, amddiffyn plant a llunio cynlluniau lleoliad. Mae darpariaeth yn cael ei gwneud hefyd ynghylch staffio canolfannau preswyl i deuluoedd, a ffitrwydd y gweithwyr, ac ynghylch cwynion a chadw cofnodion.

Mae Rhan IV yn gwneud darpariaeth ynghylch addasrwydd tir ac adeiladau, ac ynghylch y rhagofalon tân sydd i'w cymryd. Mae Rhan V yn ymdrin â rheoli canolfannau preswyl i deuluoedd. Mae rheoliad 23 yn ei gwneud yn ofynnol i'r person cofrestredig adolygu ansawdd y gofal a ddarperir yn y ganolfan breswyl i deuluoedd. Mae rheoliad 24 yn gosod gofynion mewn perthynas â sefyllfa ariannol y ganolfan breswyl i deuluoedd. Mae rheoliad 25 yn ei gwneud yn ofynnol i'r darparrydd cofrestredig ymweld â'r ganolfan breswyl i deuluoedd fel a ragnodir.

Mae Rhan VI yn ymdrin â materion amrywiol sy'n cynnwys rhoi hysbysiadau i'r Cynulliad. Mae rheoliad 31 yn darparu ar gyfer tramgwyddau, gellir cael bod torri'r rheoliadau a bennir yn rheoliad 31 yn dramgwydd ar ran y person cofrestredig. Mae rheoliad 33 yn diwygio Rheoliadau Rheoleiddio Gofal Cymdeithasol a Gofal Iechyd Annibynnol (Ffioedd) (Cymru) 2002 drwy ragnodi'r ffi flynyddol mewn perthynas â chofrestru canolfannau preswyl i deuluoedd.

prescribed in schedule 2. Where the provider is an organisation, it must nominate a responsible individual in respect of whom this information must be available (regulation 5). Regulation 6 prescribes the circumstances where a manager must be appointed for the residential family centre, and regulation 8 imposes general requirements in relation to the proper conduct of the residential family centre, and the need for appropriate training.

Part III makes provision about the conduct of residential family centres, in particular as to health and welfare of residents, child protection and the drawing up of placement plans. Provision is also made about the staffing of residential family centres, and the fitness of workers, and about complaints and record keeping.

Part IV makes provision about the suitability of premises, and the fire precautions to be taken. Part V deals with the management of residential family centres. Regulation 23 requires the registered person to review the quality of care provided at the residential family centre. Regulation 24 imposes requirements as to the financial position of the residential family centre. Regulation 25 requires the registered provider to visit the residential family centre as prescribed.

Part VI deals with miscellaneous matters including the giving of notices to the Assembly. Regulation 31 provides for offences, a breach of the regulations specified in regulation 31 may found an offence on the part of the registered person. Regulation 33 amends The Regulation of Social Care and Independent Healthcare (Fees) (Wales) Regulations 2002 by prescribing the annual fee in respect of the registration of residential family centres.

2003 Rhif 781 (Cy.92)

2003 No. 781 (W.92)

**PLANT A PHERSONAU
IFANC, CYMRU**

**CHILDREN AND YOUNG
PERSONS, WALES**

**GOFAL CYMDEITHASOL,
CYMRU**

**SOCIAL CARE,
WALES**

Rheoliadau Canolfannau Preswyl i
Deuluoedd (Cymru) 2003

The Residential Family Centres
(Wales) Regulations 2003

Wedi'u gwneud

18 Mawrth 2003

Made

18th March 2003

Yn dod i rym

1 Medi 2003

Coming into force

1st September 2003

TREFN Y RHEOLIADAU

ARRANGEMENT OF REGULATIONS

RHAN I

PART I

CYFFREDINOL

GENERAL

1. Enwi, cychwyn a chymhwyso
2. Dehongli
3. Sefydliadau sydd wedi'u heithrio
4. Datganiad o Ddiben

1. Citation, commencement and application
2. Interpretation
3. Excepted establishments
4. Statement of Purpose

RHAN II

PART II

PERSONAU COFRESTREDIG

REGISTERED PERSONS

5. Ffitrwydd y darparydd cofrestredig
6. Penodi rheolwr
7. Ffitrwydd y rheolwr
8. Y person cofrestredig - gofynion cyffredinol
9. Hysbysu tramgwyddau

5. Fitness of registered provider
6. Appointment of manager
7. Fitness of manager
8. Registered person - general requirements
9. Notification of offences

RHAN III

RHEDEG CANOLFANNAU PRESWYL I DEULUOEDD

10. Iechyd a lles trigolion
11. Gofynion pellach ynghylch iechyd a lles
12. Trefniadau ar gyfer amddiffyn plant
13. Lleoliadau
14. Cyfleusterau a gwasanaethau
15. Staffio'r ganolfan breswyl i deuluoedd
16. Ffitrwydd y gweithwyr
17. Cyflogi staff
18. Barn y staff ynghylch rhedeg y ganolfan breswyl i deuluoedd
19. Cofnodion
20. Cwynion

RHAN IV

TIR AC ADEILADAU

21. Ffitrwydd tir ac adeiladau
22. Rhagofalon tân

RHAN V

RHEOLI

23. Adolygu ansawdd y gofal
24. Y sefyllfa ariannol
25. Ymweliadau gan y darparwydd cofrestredig

RHAN VI

AMRYWIOL

26. Hysbysu marwolaeth, salwch a digwyddiadau eraill
27. Hysbysu absenoldeb
28. Hysbysu newidiadau
29. Penodi datodwyr etc.
30. Marwolaeth person cofrestredig
31. Tramgwyddau
32. Cydymffurfio â'r rheoliadau
33. Ffioedd

PART III

CONDUCT OF RESIDENTIAL FAMILY CENTRES

10. Health and welfare of residents
11. Further requirements as to health and welfare
12. Arrangements for the protection of children
13. Placements
14. Facilities and services
15. Staffing of residential family centre
16. Fitness of workers
17. Employment of staff
18. Staff views as to conduct of residential family centre
19. Records
20. Complaints

PART IV

PREMISES

21. Fitness of premises
22. Fire Precautions

PART V

MANAGEMENT

23. Review of quality of care
24. Financial position
25. Visits by registered provider

PART VI

MISCELLANEOUS

26. Notification of death, illness and other events
27. Notice of absence
28. Notice of changes
29. Appointment of liquidators etc.
30. Death of registered person
31. Offences
32. Compliance with regulations
33. Fees

34. Darpariaethau trosiannol

ATODLENNI

1. Yr wybodaeth sydd i'w chynnwys yn y datganiad o ddiben
2. Yr wybodaeth y mae ei hangen mewn perthynas â phersonau sy'n ceisio rhedeg neu reoli canolfan breswyl i deuluoedd neu weithio yno
3. Yr wybodaeth sydd i'w chynnwys mewn cofnodion achosion
4. Cofnodion eraill mewn perthynas â chanolfannau preswyl i deuluoedd

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 4(6), 16(3), 22(1), (2)(a) i (d) ac (f) i (j), (5)(a) ac (c), (7) (a) i (j), 25(1), 34(1), 35(1), a 118 (5) i (7) o Ddeddf Safonau Gofal 2000(a) ac ar ôl ymgynghori ag unrhyw bersonau y mae'n credu eu bod yn briodol(b) drwy hyn yn gwneud y Rheoliadau canlynol:-

RHAN I

CYFFREDINOL

Enwi, cychwyn a chymhwys

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Canolfannau Preswyl i Deuluoedd (Cymru) 2003 a deuant i rym ar 1 Medi 2003.

(2) Mae'r Rheoliadau hyn yn gymwys mewn perthynas â chanolfannau preswyl i deuluoedd yng Nghymru.

Dehongli

2. -(1) Yn y Rheoliadau hyn-
 ystyr "awdurdod lleoli" ("*placing authority*"), mewn perthynas â theulu, yw'r awdurdod lleol neu'r corff arall sy'n gyfrifol am drefnu lletya'r teulu mewn canolfan breswyl i deuluoedd;
 ystyr "corff" ("*organisation*") yw corff corfforedig;

(a) 2000 p.14. Mae'r pwerau'n arferadwy gan y Gweinidog priodol, a ddiffinnir yn adran 121(1) o Ddeddf 2000, mewn perthynas â Chymru, fel Cynulliad Cenedlaethol Cymru, ac mewn perthynas â Lloegr, Yr Alban a Gogledd Iwerddon, fel yr Ysgrifennydd Gwladol. Diffinnir "prescribed" a "regulations" yn adran 121(1) o'r Ddeddf honno.

(b) *Gweler* adran 22(9) o Ddeddf 2000 i gael gweld y gofyniad i ymgynghori.

34. Transitional Provisions

SCHEDULES

1. Information to be included in the statement of purpose
2. Information required in respect of persons seeking to carry on, manage or work at a residential family centre
3. Information to be included in case records
4. Other records with respect to residential family centres

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 4(6), 16(3), 22(1), (2)(a) to (d) and (f) to (j), (5)(a) and (c), (7)(a) to (j), 25(1), 34(1), 35(1), and 118(5) to (7) of the Care Standards Act 2000(a) and having consulted such persons as it considers appropriate(b) hereby makes the following Regulations:-

PART I

GENERAL

Citation, commencement and application

1.-(1) These Regulations may be cited as the Residential Family Centres (Wales) Regulations 2003 and shall come into force on 1st September 2003.

(2) These Regulations apply in relation to residential family centres in Wales.

Interpretation

- 2.-(1) In these Regulations-
 "the 2000 Act" ("*Deddf 2000*") means the Care Standards Act 2000;
 "the 1989 Act" ("*Deddf 1989*") means the Children Act 1989(c)
 "appropriate office" ("*swyddfa briodol*") means

(a) 2000 c.14. The powers are exercisable by the appropriate Minister, who is defined in section 121(1) of the 2000 Act, in relation to Wales, as the National Assembly for Wales and, in relation to England, Scotland and Northern Ireland, as the Secretary of State. "Prescribed" and "regulations" are defined in section 121(1) of that Act.

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

(c) 1989 c.41

ystyr "cynllun lleoliad" ("*placement plan*") yw'r cynllun a baratir yn unol â rheoliad 13;

ystyr "Cynulliad Cenedlaethol" ("*National Assembly*") yw Cynulliad Cenedlaethol Cymru;

ystyr "darparpwydd cofrestredig" ("*registered provider*"), mewn perthynas â chanolfan breswyl i deuluoedd, yw person sydd wedi'i gofrestru o dan Ran II o Ddeddf 2000 fel y person sy'n rhedeg y ganolfan breswyl i deuluoedd;

ystyr "datganiad o ddiben" ("*statement of purpose*") yw'r datganiad ysgrifenedig a lunnir yn unol â rheoliad 4;

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

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

ystyr "person cofrestredig" ("*registered person*"), mewn perthynas â chanolfan breswyl i deuluoedd, yw unrhyw berson sy'n ddarparpwydd cofrestredig neu'n rheolwr cofrestredig y ganolfan breswyl i deuluoedd;

ystyr "rheolwr cofrestredig" ("*registered manager*"), mewn perthynas â chanolfan breswyl i deuluoedd, yw person sydd wedi'i gofrestru o dan Ran II o'r Ddeddf fel rheolwr y ganolfan breswyl i deuluoedd;

mae i "rhiant" yr ystyr a roddir i "parent" gan adran 4(2) o Ddeddf 2000;

ystyr "swyddfa briodol" ("*appropriate office*") mewn perthynas â chanolfan breswyl i deuluoedd -

(a) os oes swyddfa wedi'i phennu o dan baragraff (5) ar gyfer yr ardal y mae'r ganolfan breswyl i deuluoedd wedi'i leoli ynddi, yw'r swyddfa honno;

(b) mewn unrhyw achos arall, yw unrhyw un o swyddfeydd y Cynulliad Cenedlaethol;

ystyr "teulu" ("*family*") yw plentyn a rhiant y plentyn yn cael eu lletya neu i gael eu lletya gyda'i gilydd mewn canolfan breswyl i deuluoedd, a dehonglir yr ymadrodd "aelod o'r teulu" ("*member of the family*") yn unol â hynny;

ystyr "trigolyn" ("*resident*") yw unrhyw berson sydd am y tro yn cael ei letya mewn canolfan breswyl i deuluoedd;

dehonglir "unigolyn cyfrifol" ("*responsible individual*") yn unol â rheoliad 5;

ystyr "ymarferydd cyffredinol" ("*general practitioner*") yw ymarferydd meddygol cofrestredig sydd-

(a) yn darparu gwasanaethau meddygol cyffredinol o dan Ran II o Ddeddf y Gwasanaeth Iechyd Gwladol 1977(b),

in relation to a residential family centre -

(a) if an office has been specified under paragraph (5) for the area in which the residential family service is situated, that office;

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

"child protection enquiry" ("*ymholiad amddiffyn plant*") has the meaning given to it by regulation 12(3)(a);

"family" ("*teulu*") means a child and his or her parent accommodated or to be accommodated together in a residential family centre, and the expression "member of the family" ("*aelod o'r teulu*") shall be construed accordingly;

"general practitioner" ("*ymarferydd cyffredinol*") means a registered medical practitioner who-

(a) provides general medical services under Part II of the National Health Service Act 1977(a) ,

(b) performs personal medical services in connection with a pilot scheme under the National Health Service (Primary Care) Act 1997(b); or

(c) provides services which correspond to services provided under Part II of the National Health Service Act 1977 otherwise than in pursuance of that Act;

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

"organisation" ("*corff*") means a body corporate;

"parent" has the meaning given to it by section 4(2) of the 2000 Act ;

"placement plan" ("*cynllun lleoliad*") means the plan prepared in accordance with regulation 13;

"placing authority" ("*awdurdod lleoli*") means, in relation to a family, the local authority or other body responsible for arranging for the family to be accommodated in a residential family centre;

"registered manager" ("*rheolwr cofrestredig*"), in relation to a residential family centre, means a person who is registered under Part II of the Act as the manager of the residential family centre;

"registered person" ("*person cofrestredig*"), in relation to a residential family centre, means any person who is the registered provider or the registered manager of the residential family centre;

"registered provider" ("*darparpwydd cofrestredig*"), in relation to a residential

(a) 1989 p.41.

(b) 1977 p.49.

(a) 1977 c.49.

6 (b) 1997 c.46.

- (b) yn cyflawni gwasanaethau meddygol cyffredinol mewn cysylltiad â chynllun peilot o dan Ddeddf y Gwasanaeth Iechyd Gwladol (Gofal Sylfaenol) 1997(a); neu
- (c) yn darparu gwasanaethau sy'n cyfateb i wasanaethau sy'n cael eu darparu o dan Ran II o Ddeddf y Gwasanaeth Iechyd Gwladol 1977 heblaw yn unol â'r Ddeddf honno; a
mae i "ymholiad amddiffyn plant" ("*child protection enquiry*") yr ystyr a roddir iddo gan reoliad 12(3)(a).

(2) Yn y Rheoliadau hyn, ac eithrio lle darperir fel arall, nid yw cyfeiriadau at blentyn yn cynnwys rhiant sy'n cael ei letya mewn canolfan breswyl i deuluoedd sydd o dan 18 oed.

(3) Yn y Rheoliadau hyn, mae cyfeiriadau at gyflogi person yn cynnwys cyflogi person p'un ai am dâl neu beidio, a ph'un ai o dan gontract gwasanaeth neu gontract ar gyfer gwasanaethau, a chaniatáu i berson weithio fel gwirfoddolwr, a dehonglir cyfeiriadau at gyflogai neu at gyflogi person yn unol â hynny.

(4) Yn y Rheoliadau hyn, mae cyfeiriad -

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

(5) Caiff y Cynulliad Cenedlaethol bennu swyddfa o dan ei reolaeth fel y swyddfa briodol mewn perthynas â chanolfan breswyl i deuluoedd sydd wedi'u lleoli mewn ardal benodol yng Nghymru.

Sefydliadau sydd wedi'u heithrio

3. At ddibenion Deddf 2000, mae sefydliad wedi'i eithrio o fod yn ganolfan breswyl i deuluoedd -

- (a) os yw'n ysbty gwasanaeth iechyd, yn ysbty annibynnol, yn glinig annibynnol neu'n gartref gofal;
- (b) os yw'n hostel neu'n lloches rhag trais domestig; neu
- (c) mewn unrhyw achos arall, os darparu llety ynghyd â gwasanaethau neu gyfleusterau eraill i unigolion sydd yn oedolion yw prif ddiben y sefydliad, ac os mae'r ffaith y gall yr unigolion hynny fod yn rhieni, neu y gall eu plant fod gyda hwy, yn ail i brif ddiben y sefydliad.

family centre, means a person who is registered under Part II of the 2000 Act as the person carrying on the residential family centre;

"resident" ("*trigolyn*") means any person who is for the time being accommodated in a residential family centre;

"responsible individual" ("*unigolyn cyfrifol*") shall be construed in accordance with regulation 5; and

"statement of purpose" ("*datganiad o ddiben*") means the written statement compiled in accordance with regulation 4.

(2) In these Regulations, save where otherwise provided, references to a child do not include a parent accommodated in a residential family centre who is under the age of 18.

(3) In these Regulations, references to employing a person include employing a person whether or not for payment, and whether under a contract of service or a contract for services, and allowing a person to work as a volunteer, and references to an employee or to a person being employed shall be construed accordingly.

(4) 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; and
- (b) in a regulation or Schedule to a numbered paragraph, is to the paragraph in that regulation or Schedule bearing that number.

(5) The National Assembly may specify an office controlled by it as the appropriate office in relation to a residential family centre situated in a particular part of Wales.

Excepted establishments

3. For the purposes of the 2000 Act, an establishment is excepted from being a residential family centre if -

- (a) it is a health service hospital, an independent hospital, an independent clinic or a care home;
- (b) it is a hostel or a domestic violence refuge; or
- (c) in any other case, the main purpose of the establishment is to provide accommodation together with other services or facilities to adult individuals, and the fact that those individuals may be parents, or may be accompanied by their children, is incidental to the main purpose of the establishment.

Datganiad o Ddiben

4.-(1) Rhaid i'r person cofrestredig lunio mewn perthynas â'r ganolfan breswyl i deuluoedd ddatganiad ysgrifenedig (y cyfeirir ato yn y Rheoliadau hyn fel "y datganiad o ddiben") a rhaid iddo gynnwys datganiad ynghylch y materion a restrir yn Atodlen 1.

(2) Rhaid i'r person cofrestredig ddarparu copi o'r datganiad o ddiben i swyddfa briodol Cynulliad Cenedlaethol Cymru a rhaid iddo drefnu bod copi ohono ar gael, pan ofynnir amdano, i gael ei archwilio -

- (a) gan unrhyw berson sy'n gweithio yn y ganolfan breswyl i deuluoedd;
- (b) gan unrhyw un o'r trigolion;
- (c) gan unrhyw awdurdod lleol sy'n arfer unrhyw swyddogaethau o dan Ddeddf 1989 mewn perthynas â'r ganolfan breswyl i deuluoedd.

(3) Rhaid i'r person cofrestredig gynhyrchu arweiniad ysgrifenedig i'r ganolfan breswyl i deuluoedd (yr "arweiniad trigolyn") sy'n cynnwys crynodeb o'r datganiad o ddiben, a rhaid iddo ddarparu copi ohono i swyddfa briodol y Cynulliad Cenedlaethol a phob rhiant sy'n cael eu lletya yn y ganolfan breswyl i deuluoedd.

(4) Rhaid i'r person cofrestredig -

- (a) cadw'r datganiad o ddiben a'r arweiniad i'r trigolion o dan sylw, a'u diwygio os yw'n briodol; a
- (b) hysbysu swyddfa briodol y Cynulliad Cenedlaethol o fewn 28 diwrnod ar ôl unrhyw ddiwygiad o'r fath.

(5) Yn ddarostyngedig i baragraff (6) rhaid i'r person cofrestredig sicrhau bod y ganolfan breswyl i deuluoedd yn cael ei rhedeg bob amser mewn modd sy'n gyson â'i datganiad o ddiben.

(6) Ni fydd dim ym mharagraff (5) nac yn rheoliadau 14(1) nac 21(1) yn ei gwneud yn ofynnol nac yn awdurdodi'r person cofrestredig i dorri'r canlynol neu i beidio â chydymffurfio â hwy -

- (a) unrhyw ddarpariaeth arall yn y Rheoliadau hyn; neu
- (b) yr amodau sydd mewn grym am y tro mewn perthynas â chofrestru'r person cofrestredig o dan Ran II o Ddeddf 2000.

RHAN II

PERSONAU COFRESTREDIG

Ffitrwydd y darparwydd cofrestredig

5.-(1) Rhaid i berson beidio â rhedeg canolfan breswyl i deuluoedd oni bai ei fod yn ffit i wneud hynny.

Statement of Purpose

4.-(1) The registered person must compile in relation to the residential family centre 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 registered person must provide a copy of the statement of purpose to the appropriate office of the National Assembly and must make a copy of it available, upon request, for inspection by -

- (a) any person who works at the residential family centre;
- (b) any resident;
- (c) any local authority exercising any functions under the 1989 Act relating to the residential family centre.

(3) The registered person must produce a written guide to the residential family centre (the "resident's guide") which includes a summary of the statement of purpose, and must supply a copy of it to the appropriate office of the National Assembly and to each parent accommodated in the residential family centre.

(4) The registered person must -

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

(5) Subject to paragraph (6) the registered person must ensure that the residential family centre is at all times conducted in a manner which is consistent with its statement of purpose.

(6) Nothing in paragraph (5) or in regulations 14(1) or 21(1) shall require or authorise the registered person to contravene or not comply with -

- (a) any other provision of these Regulations; or
- (b) the conditions for the time being in force in relation to the registration of the registered person under Part II of the 2000 Act.

PART II

REGISTERED PERSONS

Fitness of registered provider

5.-(1) A person must not carry on a residential family centre unless he or she is fit to do so.

(2) Nid yw person yn ffit i redeg canolfan breswyl i deuluoedd oni bai fod y person -

- (a) yn unigolyn sy'n bodloni'r gofynion a nodir ym mharagraff (3); neu
- (b) yn gorff ac -
 - (i) bod y corff wedi hysbysu'r Cynulliad Cenedlaethol o enw, cyfeiriad a swydd unigolyn (y cyfeirir ato yn y rheoliadau hyn fel "yr unigolyn cyfrifol" yn y corff sy'n gyfarwyddwr, rheolwr, ysgrifennydd neu swyddog arall i'r corff ac yn gyfrifol am oruchwyllo rheolaeth y ganolfan breswyl i deuluoedd; a
 - (ii) bod yr unigolyn hwnnw'n bodloni'r gofynion a nodir ym mharagraff (3).

(3) Dyma'r gofynion -

- (a) bod yr unigolyn yn addas o ran ei onestrwydd a'i gymeriad da i redeg y ganolfan breswyl i deuluoedd;
- (b) bod yr unigolyn yn ffit yn gorfforol ac yn feddyliol i redeg y ganolfan breswyl i deuluoedd; ac
- (c) bod gwybodaeth lawn a boddhaol ar gael mewn perthynas â'r unigolyn.
 - (i) mewn perthynas â phob un o'r materion a bennir ym mharagraffau 1 i 6 o Atodlen 2;
 - (ii) os yw paragraff (4) yn gymwys, mewn perthynas â phob mater a bennir ym mharagraffau 1 a 3 i 7 o Atodlen 2;
 - (iii) ac ymhellach, os yw paragraff (4) yn gymwys, mewn adroddiad ysgrifenedig ar wiriad ar y rhestrau a gedwir yn unol ag adran 1 o Ddeddf Amddiffyn Plant 1999(a) a rheoliadau a wneir o dan adran 218 o Ddeddf Diwygio Addysg 1988(b).

(4) Mae'r paragraff hwn yn gymwys os oes unigolyn wedi gwneud cais am y dystysgrif y cyfeirir ati ym mharagraff 2 o Atodlen 2 ond nad yw'r dystysgrif wedi'i rhoi.

(5) Nid yw person yn ffit i redeg canolfan breswyl i deuluoedd -

- (a) os yw'r person hwnnw wedi'i ddyfarnu'n fethdalwr neu os dyfarnwyd atafaeliad ar ei ystad ac (yn y naill achos neu'r llall) nad yw wedi'i ryddhau ac nad yw'r gorchymyn methdaliad wedi'i ddiddymu nac wedi'i ddileu; neu
- (b) os yw wedi cyfamodi neu wedi trefnu gyda'i gredydwyr, ac nad yw wedi'i ryddhau mewn perthynas ag ef.

(2) A person is not fit to carry on a residential family centre unless the person -

- (a) is an individual who satisfies the requirements set out in paragraph (3); or
- (b) is an organisation and -
 - (i) the organisation has given notice to the National Assembly of the name, address and position in the organisation of an individual (in these regulations referred to as "the responsible individual" who is a director, manager, secretary or other officer of the organisation and is responsible for supervising the management of the residential family centre; and
 - (ii) that individual satisfies the requirements set out in paragraph (3).

(3) The requirements are that -

- (a) the individual is of suitable integrity and good character to carry on the residential family centre;
- (b) the individual is physically and mentally fit to carry on the residential family centre; and
- (c) full and satisfactory information is available in relation to the individual -
 - (i) in respect of each matter specified in paragraphs 1 to 6 of Schedule 2;
 - (ii) where paragraph (4) applies, in respect of each matter specified in paragraphs 1 and 3 to 7 of Schedule 2;
 - (iii) and further, where paragraph (4) applies, in a written report of a check on the lists maintained pursuant to section 1 of the Protection of Children Act 1999(a) and regulations made under section 218 of the Education Reform Act 1988(b).

(4) This paragraph applies where an individual has applied for a certificate referred to in paragraph 2 of Schedule 2 but the certificate has not been issued.

(5) A person is not fit to carry on a residential family centre if -

- (a) that person has been adjudged bankrupt or sequestration of his or her estate has been awarded and (in either case) he or she has not been discharged and the bankruptcy order has not been annulled or rescinded; or
- (b) he or she has made a composition or arrangement with his or her creditors, and has not been discharged in respect of it.

(a) 1999 p.14.

(b) 1988 p.40.

(a) 1999 c.14.

(b) 1988 c.40.

Penodi rheolwr

6. -(1) Rhaid i'r darparrydd cofrestredig benodi unigolyn i redeg canolfan breswyl i deuluoedd -

- (a) os nad oes rheolwr cofrestredig mewn perthynas â'r ganolfan breswyl i deuluoedd; a
- (b) os yw'r darparrydd cofrestredig -
 - (i) yn gorff;
 - (ii) heb fod yn berson ffit i reoli canolfan breswyl i deuluoedd; neu
 - (iii) yn berson nad yw'r ganolfan breswyl i deuluoedd o dan ei ofal amser llawn o ddydd i ddydd neu nad yw'r bwriad iddo fod o dan ei ofal felly.

(2) Pan fydd y darparrydd cofrestredig yn penodi person i reoli'r ganolfan breswyl i deuluoedd, rhaid i'r darparrydd cofrestredig hysbysu swyddfa briodol y Cynulliad Cenedlaethol ar unwaith -

- (a) o enw'r person a benodwyd felly; a
- (b) o'r dyddiad y mae'r penodiad i fod yn effeithiol.

Ffitrwydd y rheolwr

7.-(1) Rhaid i berson beidio â rheoli canolfan breswyl i deuluoedd oni bai ei fod yn ffit i wneud hynny.

(2) Nid yw person yn ffit i reoli canolfan breswyl i deuluoedd oni bai -

- (a) bod y person yn addas o ran ei onestrwydd a'i gymeriad da i reoli'r ganolfan breswyl i deuluoedd;
- (b) o roi sylw i faint y ganolfan breswyl i deuluoedd, y datganiad o ddiben, a nifer ac anghenion y trigolion -
 - (i) bod gan y person y cymwysterau, y medrau a'r profiad y mae eu hangen i reoli'r ganolfan; a
 - (ii) bod y person yn ffit yn gorfforol ac yn feddylol i wneud hynny;
- (c) bod gwybodaeth lawn a boddhaol ar gael mewn perthynas â'r person -
 - (i) mewn perthynas â phob mater a bennir ym mharagraffau 1 i 6 o Atodlen 2;
 - (ii) os yw paragraff (3) yn gymwys, mewn perthynas â phob mater a bennir ym mharagraffau 1 a 3 i 7 o Atodlen 2;
 - (iii) ac ymhellach, os yw paragraff (3) yn gymwys, mewn adroddiad ysgrifenedig ar wiriad ar y rhestrau a gedwir yn unol ag adran 1 o Ddeddf Amddiffyn Plant 1999(a) a rheoliadau a wneir o dan adran 218 o Ddeddf Diwygio Addysg 1988(b).

(a) 1999 p.14.

(b) 1988 p.40.

Appointment of manager

6.-(1) The registered provider must appoint an individual to manage a residential family centre if -

- (a) there is no registered manager in respect of the residential family centre; and
- (b) the registered provider-
 - (i) is an organisation;
 - (ii) is not a fit person to manage a residential family centre; or
 - (iii) is not, or does not intend to be, in full-time day to day charge of the residential family centre.

(2) Where the registered provider appoints a person to manage the residential family centre, the registered provider must forthwith give notice to the appropriate office of the National Assembly of -

- (a) the name of the person so appointed; and
- (b) the date on which the appointment is to take effect.

Fitness of manager

7.-(1) A person must not manage a residential family centre unless he or she is fit to do so.

(2) A person is not fit to manage a residential family centre unless-

- (a) the person is of suitable integrity and good character to manage the residential family centre;
- (b) having regard to the size of the residential family centre, the statement of purpose, and the number and needs of the residents -
 - (i) the person has the qualifications, skills and experience necessary to manage the centre; and
 - (ii) the person is physically and mentally fit to do so;
- (c) full and satisfactory information is available in relation to the person -
 - (i) in respect of each matter specified in paragraphs 1 to 6 of Schedule 2;
 - (ii) where paragraph (3) applies, in respect of each matter specified in paragraphs 1 and 3 to 7 of Schedule 2;
 - (iii) and further, where paragraph (3) applies, in a written report of a check on the lists maintained pursuant to section 1 of the Protection of Children Act 1999(a) and regulations made under section 218 of the Education Reform Act 1988(b).

(a) 1999 c.14.

(b) 1988 c.40.

(3) Mae'r paragraff hwn yn gymwys os oes unigolyn wedi gwneud cais am y dystysgrif y cyfeirir ati ym mharagraff 2 o Atodlen 2 ond nad yw'r dystysgrif wedi'i rhoi.

Y person cofrestredig - gofynion cyffredinol

8.-(1) Rhaid i'r darparydd cofrestredig a'r rheolwr cofrestredig, o roi sylw i faint y ganolfan breswyl i deuluoedd, y datganiad o ddiben, a nifer ac anghenion y trigolion redeg y ganolfan neu ei rheoli (yn ôl fel y digwydd) â gofal, medrusrwydd a medr digonol.

(2) Os yw'r darparydd cofrestredig -

- (a) yn unigolyn, rhaid iddo ymgymryd; neu
- (b) os yw'n gorff, rhaid iddo sicrhau bod yr unigolyn cyfrifol yn ymgymryd,

o dro i dro ag unrhyw hyfforddiant sy'n briodol er mwyn sicrhau bod ganddo'r profiad a'r medrau y mae eu hangen i redeg y ganolfan breswyl i deuluoedd.

(3) Rhaid i'r rheolwr cofrestredig ymgymryd o dro i dro ag unrhyw hyfforddiant sy'n briodol er mwyn sicrhau bod ganddo'r medrau y mae eu hangen i reoli'r ganolfan breswyl i deuluoedd.

Hysbysu tramgwyddau

9. Os yw'r person cofrestredig neu'r unigolyn cyfrifol wedi'i gollfarnu o unrhyw dramgwydd troseddol, p'un ai yng Nghymru neu mewn man arall, rhaid iddo hysbysu swyddfa briodol y Cynulliad Cenedlaethol yn ysgrifenedig ar unwaith -

- (a) o ddyddiad a man y collfarniad;
- (b) o'r tramgwydd y cafodd ei gollfarnu o'i herwydd; ac
- (c) o'r gosb a osodwyd mewn perthynas â'r tramgwydd.

RHAN III

RHEDEG CANOLFANNAU PRESWYL I DEULUOEDD

Iechyd a lles y trigolion

10.-(1) Rhaid i'r person cofrestredig sicrhau bod y ganolfan breswyl i deuluoedd yn cael ei rhedeg yn y fath fodd ag y bydd -

- (a) yn hybu iechyd a lles y trigolion ac yn darparu'n briodol ar eu cyfer;
- (b) yn gwneud darpariaeth ar gyfer gofal, triniaeth, addysg a goruchwyliaeth y trigolion ag sy'n briodol i'w hoed a'u hanghenion;

(2) Rhaid i'r person cofrestredig, i'r graddau y bo'n ymarferol, ddarganfod dymuniadau a theimladau'r trigolion a'u cymryd i ystyriaeth wrth wneud

(3) This paragraph applies where an individual has applied for a certificate referred to in paragraph 2 of Schedule 2 but the certificate has not been issued.

Registered person - general requirements

8.-(1) The registered provider and the registered manager must, having regard to the size of the residential family centre, the statement of purpose, and the number and needs of the residents, carry on or manage the centre (as the case may be) with sufficient care, competence and skill.

(2) If the registered provider is -

- (a) an individual, he or she must undertake; or
- (b) an organisation, it must ensure that the responsible individual undertakes,

from time to time such training as is appropriate to ensure that he or she has the skills necessary for carrying on the residential family centre.

(3) The registered manager must undertake from time to time such training as is appropriate to ensure that he or she has the skills necessary for managing the residential family centre.

Notification of offences

9. Where the registered person or the responsible individual is convicted of any criminal offence, whether in Wales or elsewhere, he or she must forthwith give notice in writing to the appropriate office of the National Assembly of -

- (a) the date and place of the conviction;
- (b) the offence of which he or she was convicted; and
- (c) the penalty imposed in respect of the offence.

PART III

CONDUCT OF RESIDENTIAL FAMILY CENTRES

Health and welfare of residents

10.-(1) The registered person must ensure that the residential family centre is conducted so as to -

- (a) promote and make proper provision for the health and welfare of residents;
- (b) make such provision for the care, treatment, education and supervision of residents as is appropriate to their age and needs;

(2) The registered person must, so far as is practicable, ascertain and take into account the wishes and feelings of residents when making decisions

penderfyniadau ynghylch eu hiechyd a'u lles, neu'r modd y cânt eu trin.

(3) Rhaid i'r person cofrestredig wneud trefniadau addas i sicrhau bod y ganolfan breswyl i deuluoedd yn cael ei rhedeg -

- (a) mewn modd sy'n parchu preifatrwydd ac urddas y trigolion; a
- (b) gan roi sylw dyledus i ryw, argyhoeddiad crefyddol, tarddiad hiliol, a chefnidir diwylliannol ac ieithyddol y trigolion ac unrhyw anabledd sydd ganddynt.

(4) Wrth gydymffurfio â'r rheoliad hwn, pryd bynnag y ceir gwrthdrawiad rhwng buddiannau aelodau o deulu, rhaid i'r person cofrestredig drin lles plant y teulu hwnnw fel y peth pwysicaf.

Gofynion pellach ynghylch iechyd a lles

11.-(1) Rhaid i'r person cofrestredig drefnu bod gan y trigolion gyfle i gael unrhyw gyngor neu driniaeth feddygol sy'n angenrheidiol.

(2) Rhaid i'r person cofrestredig wneud trefniadau ar gyfer cofnodi, trafod, cadw'n ddiogel, rhoi'n ddiogel a gwaredu'n ddiogel meddyginiaethau a dderbynnir i'r ganolfan breswyl i deuluoedd.

(3) Rhaid i'r person cofrestredig wneud trefniadau addas i atal heintiadau, amgylchiadau gwenwynig a lledaeniad heintiadau yn y ganolfan breswyl i deuluoedd.

(4) Rhaid i'r person cofrestredig sicrhau -

- (a) bod pob rhan o'r ganolfan breswyl i deuluoedd y gall y trigolion fynd iddynt yn rhydd rhag peryglon i'w diogelwch, i'r graddau y mae hynny'n rhesymol ymarferol;
- (b) bod unrhyw weithgareddau y mae'r trigolion yn cymryd rhan ynddynt yn rhydd rhag risgiau y gellir eu hosgoi, i'r graddau y mae hynny'n rhesymol ymarferol; ac
- (c) bod risgiau diangen i iechyd neu ddiogelwch y trigolion yn cael eu canfod a'u dileu i'r graddau y mae hynny'n bosibl.

(5) Rhaid i'r person cofrestredig wneud trefniadau, drwy hyfforddi personau sy'n gweithio yn y ganolfan breswyl i deuluoedd neu drwy fesurau eraill, i atal y trigolion rhag cael niwed neu ddioddef camdriniaeth neu gael eu gosod mewn risg o gael niwed neu eu camdrin.

(6) Rhaid i'r person cofrestredig sicrhau na chaiff unrhyw un o'r trigolion ei atal yn gorfforol oni bai mai ataliad o'r math a ddefnyddir yw'r unig ddull ymarferol o ddiogelu lles y trigolyn hwnnw neu unrhyw drigolyn arall a bod yna amgylchiadau eithriadol.

(7) Ar unrhyw achlysur pan gaiff un o'r trigolion ei atal yn gorfforol, rhaid i'r person cofrestredig gofnodi'r amgylchiadau, gan gynnwys natur yr ataliad.

concerning their health and welfare, or the manner in which they are treated.

(3) The registered person must make suitable arrangements to ensure that the residential family centre is conducted -

- (a) in a manner which respects the privacy and dignity of residents; and
- (b) with due regard to the sex, religious persuasion, racial origin, and cultural and linguistic background and any disability of residents.

(4) In complying with this regulation, the registered person must, wherever there is a conflict between the interests of the members of a family, treat the welfare of the child in that family as paramount.

Further requirements as to health and welfare

11.-(1) The registered person must make arrangements for residents to have access to such medical advice or treatment as may be necessary.

(2) The registered person must make arrangements for the recording, handling, safe keeping, safe administration and safe disposal of medicines received into the residential family centre.

(3) The registered person must make suitable arrangements to prevent infection, toxic conditions and the spread of infection at the residential family centre.

(4) The registered person must ensure that -

- (a) all parts of the residential family centre to which residents have access are so far as reasonably practicable free from hazards to their safety;
- (b) any activities in which residents participate are so far as reasonably practicable free from avoidable risks; and
- (c) unnecessary risks to the health or safety of residents are identified and so far as possible eliminated.

(5) The registered person must make arrangements, by training persons working at the residential family centre or by other measures, to prevent residents being harmed or suffering abuse or being placed at risk of harm or abuse.

(6) The registered person must ensure that no resident is subject to physical restraint unless restraint of the kind employed is the only practicable means of securing the welfare of that or any other resident and there are exceptional circumstances.

(7) On any occasion on which a resident is subject to physical restraint, the registered person must record the circumstances, including the nature of the restraint.

(8) Rhaid i'r person cofrestredig sicrhau nad yw'r personau sy'n gweithio yn y ganolfan breswyl i deuluoedd yn defnyddio unrhyw fath o gosb gorfforol ar unrhyw adeg ar unrhyw blentyn neu riant o dan 18 oed sy'n cael ei letya mewn canolfan breswyl i deuluoedd.

Trefniadau ar gyfer amddiffyn plant

12.-(1) Rhaid i'r person cofrestredig baratoi a gweithredu polisi ysgrifenedig ar amddiffyn plant -

- (a) y bwriedir iddo ddiogelu plant sy'n cael eu lletya yn y ganolfan breswyl i deuluoedd rhag cael eu cam-drin neu eu hesgeuluso; a
- (b) sy'n nodi'r weithdrefn sydd i'w dilyn os ceir unrhyw honiad o gamdriniaeth neu esgeulustod.

(2) Rhaid i'r weithdrefn o dan baragraff (1)(b) ddarparu'n benodol ar gyfer -

- (a) cysylltu a chydweithredu ag unrhyw awdurdod lleol sy'n cynnal ymholiadau amddiffyn plant mewn perthynas ag unrhyw blentyn sy'n cael ei letya yn y ganolfan breswyl i deuluoedd;
- (b) cyfeirio yn ddiymdroi unrhyw honiadau o gamdriniaeth neu esgeulustod sy'n effeithio ar unrhyw blentyn sy'n cael ei letya yn y ganolfan breswyl i deuluoedd at yr awdurdod lleol y mae'r ganolfan breswyl i deuluoedd wedi'i lleoli yn ei ardal;
- (c) rhoi gwybod i swyddfa briodol y Cynulliad Cenedlaethol fod unrhyw ymholiadau amddiffyn plant sy'n ymwneud ag unrhyw blentyn sy'n cael ei letya yn y ganolfan breswyl i deuluoedd wedi'u cychwyn, ynghyd â chanlyniadau dilynol yr ymholiadau;
- (ch) cadw cofnodion ysgrifenedig o unrhyw honiad o gamdriniaeth neu esgeulustod, ac o'r camau a gymerwyd i ymateb iddo;
- (d) rhoi ystyriaeth ym mhob achos i'r mesurau a all fod yn angenrheidiol i amddiffyn plant yn y ganolfan breswyl i deuluoedd yn sgil honiad o gamdriniaeth neu esgeulustod;
- (dd) gofyniad bod cyflogeion y person cofrestredig yn rhoi gwybod am unrhyw bryderon ynghylch lles neu ddiogelwch unrhyw blentyn sy'n cael ei letya yn y ganolfan breswyl i deuluoedd i un o'r canlynol -
 - (i) y person cofrestredig;
 - (ii) swyddog heddlu;
 - (iii) un o swyddogion swyddfa briodol y Cynulliad Cenedlaethol;
 - (iv) un o swyddogion yr awdurdod lleol y mae'r ganolfan breswyl i deuluoedd wedi'i lleoli yn ei ardal, neu
 - (v) un o swyddogion y Gymdeithas Genedlaethol er Atal Creulondeb i Blant;

(8) The registered person must ensure that persons working at the residential family centre use no form of corporal punishment at any time on any child or parent under the age of 18 who is accommodated in a residential family centre.

Arrangements for the protection of children

12.-(1) The registered person must prepare and implement a written child protection policy which -

- (a) is intended to safeguard children accommodated in the residential family centre from abuse or neglect; and
- (b) sets out the procedure to be followed in the event of any allegation of abuse or neglect.

(2) The procedure under paragraph (1)(b) must in particular provide for -

- (a) liaison and co-operation with any local authority which is making child protection enquiries in relation to any child accommodated in the residential family centre;
- (b) the prompt referral to the local authority in whose area the residential family centre is situated, of any allegations of abuse or neglect affecting any child accommodated in the residential family centre;
- (c) notification of the instigation and outcome of any child protection enquiries involving any child accommodated in the residential family centre, to the appropriate office of the National Assembly;
- (d) written records to be kept of any allegation of abuse or neglect, and of the action taken in response;
- (e) consideration to be given in each case to the measures which may be necessary to protect children in the residential family centre following an allegation of abuse or neglect;
- (f) a requirement for employees of the registered person to report any concerns about the welfare or safety of any child accommodated at the residential family centre to one of the following -
 - (i) the registered person;
 - (ii) a police officer;
 - (iii) an officer of the appropriate office of the National Assembly;
 - (iv) an officer of the local authority for the area in which the residential family centre is situated, or
 - (v) an officer of the National Society for the Prevention of Cruelty to Children;

- (f) gwneud trefniadau sy'n rhoi cyfle ar bob adeg i'r trigolion a'r personau sy'n gweithio yn y ganolfan breswyl i deuluoedd gael gweld gwybodaeth, a hynny ar ffurf briodol, a fyddai'n eu galluogi i gysylltu â'r awdurdod lleol y mae'r ganolfan breswyl i deuluoedd wedi'i lleoli yn ei ardal, neu â swyddfa briodol y Cynulliad Cenedlaethol, ynghylch lles neu ddiogelwch plant sy'n cael eu lletya yn y ganolfan breswyl i deuluoedd.

(3) Yn y rheoliad hwn -

- (a) ystyr "ymholiadau amddiffyn plant yw unrhyw ymholiadau a gyflawnir gan awdurdod lleol wrth arfer unrhyw un o'r swyddogaethau a roddir gan neu o dan Ddeddf 1989 sy'n ymwneud ag amddiffyn plant; a
- (b) mae "plentyn" hefyd yn cynnwys unrhyw riant sydd o dan 18 oed.

(4) Rhaid i'r person cofrestredig baratoi a gweithredu polisi ysgrifenedig ar gyfer atal bwlio yn y ganolfan breswyl i deuluoedd sy'n cynnwys yn benodol weithdrefn ar gyfer ymdrin â honiad o fwlio.

Lleoliadau

13. -(1) Cyn darparu llety ar gyfer teulu yn y ganolfan breswyl i deuluoedd, neu os nad yw hynny'n rhesymol ymarferol, cyn gynted â phosibl wedyn, rhaid i'r person cofrestredig lunio cynllun ysgrifenedig (y cyfeirir ato yn y Rheoliadau hyn fel "y cynllun lleoliad"), gan ymgynghori â'r awdurdod lleoli, a chan nodi yn benodol -

- (a) y cyfleusterau a'r gwasanaethau sydd i gael eu darparu yn ystod y lleoliad;
- (b) amcanion y lleoliad a'i ganlyniad arfaethedig.

(2) Rhaid i'r person cofrestredig gadw'r cynllun lleoliad o dan sylw a'i adolygu yn ôl yr angen.

(3) Wrth baratoi neu adolygu'r cynllun lleoliad, rhaid i'r person cofrestredig, i'r graddau y bo'n ymarferol -

- (a) ofyn barn aelodau'r teulu a'i chymryd i ystyriaeth;
- (b) cymryd i ystyriaeth unrhyw asesiad neu adroddiad perthnasol arall sy'n ymwneud ag unrhyw aelod o'r teulu y gall yr awdurdod lleoli ei ddarparu.

(4) Rhaid i'r person cofrestredig roi copi o'r cynllun lleoliad ac o unrhyw ddiwygiad iddo i'r awdurdod lleoli ac i'r riant yn y teulu y mae'n ymwneud ag ef

Cyfleusterau a gwasanaethau

14.-(1) Yn ddarostyngedig i reoliad 4(6), rhaid i'r person cofrestredig ddarparu cyfleusterau a

- (g) arrangements to be made for residents and persons working at the residential family centre, to have access at all times and in an appropriate form, to information which would enable them to contact the local authority for the area in which the residential family centre is situated, or the appropriate office of the National Assembly concerning the welfare or safety of children accommodated in the residential family centre.

(3) In this regulation-

- (a) "child protection enquiries" means any enquiries carried out by a local authority in the exercise of any of its functions conferred by or under the 1989 Act relating to the protection of children; and
- (b) "child" also includes any parent who is under the age of 18.

(4) The registered person must prepare and implement a written policy for the prevention of bullying in the residential family centre which includes, in particular, a procedure for dealing with an allegation of bullying.

Placements

13.-(1) The registered person must before providing a family with accommodation at the residential family centre, or if that is not reasonably practicable, as soon as possible thereafter, draw up in consultation with the placing authority a written plan (in these Regulations referred to as "the placement plan") setting out, in particular -

- (a) the facilities and services to be provided during the course of the placement;
- (b) the objectives and intended outcome of the placement.

(2) The registered person must keep under review and revise the placement plan as necessary.

(3) In preparing or reviewing the placement plan the registered person must, so far as practicable -

- (a) seek and take account of the views of the members of the family;
- (b) take account of any relevant assessment or other report relating to any member of the family which may be provided by the placing authority.

(4) The registered person must supply a copy of the placement plan and any revision of it to the placing authority and to the parent within the family to which it relates.

Facilities and services

14.-(1) Subject to regulation 4(6), the registered person must provide facilities and services to residents

gwasanaethau ar gyfer trigolion yn unol â'r datganiad o ddiben.

(2) O roi sylw i faint y ganolfan breswyl i deuluoedd a nifer ac anghenion y trigolion, rhaid i'r person cofrestredig -

- (a) darparu cyfleusterau ffôn sy'n addas at anghenion y trigolion, a gwneud trefniadau i alluogi'r trigolion i ddefnyddio'r cyfleusterau hynny yn breifat;
- (b) darparu, yn yr ystafelloedd a feddiennir gan deuluoedd, ddodrefn, dillad gwely a chelfi eraill digonol, gan gynnwys llenni, gorchuddion i'r llawr ac offer;
- (c) darparu cyfleusterau golchi i'r rhieni olchi, sychu a smwddio dillad a llieiniau i'w teuluoedd;
- (ch) darparu defnyddiau ac offer digonol ac addas ar gyfer glanhau;
- (d) darparu offer cegin, llestri, cytleri a theclynnau digonol ac addas, a chyfleusterau digonol ar gyfer storio bwyd;
- (dd) darparu cyfleusterau addas i'r rhieni baratoi bwyd i'w teuluoedd, a chyfleusterau bwyta addas i'r trigolion;
- (e) cymryd rhagofalon digonol rhag risg damweiniau, gan gynnwys hyfforddi mewn cymorth cyntaf i bersonau sy'n gweithio yn y ganolfan breswyl i deuluoedd;
- (f) darparu man lle y gall arian a phethau gwerthfawr y trigolion gael eu hadneuo i gael eu rhoi'n ddiogel; ac
- (ff) darparu cyfleusterau digonol ar gyfer adloniant a hamdden.

Staffio'r ganolfan breswyl i deuluoedd

15. Rhaid i'r person cofrestredig sicrhau, o roi sylw i'r canlynol -

- (a) datganiad o ddiben y ganolfan breswyl i deuluoedd o'i diben, ei maint a nifer ac anghenion ei thrigolion; ac
- (b) yr angen i ddiogelu a hybu iechyd a lles y trigolion,

fod nifer digonol o bersonau a chanddynt gymwysterau, medrau a phrofiad addas yn gweithio i'r ganolfan breswyl i deuluoedd.

Ffitrwydd y gweithwyr

16. -(1) Rhaid i'r person cofrestredig beidio -

- (a) â chyflogi person i weithio at ddibenion y ganolfan breswyl i deuluoedd oni bai fod y person hwnnw yn ffit i weithio i ganolfan breswyl i deuluoedd; na
- (b) caniatáu i berson y mae paragraff (2) yn gymwys iddo weithio at ddibenion y ganolfan

in accordance with the statement of purpose.

(2) The registered person, must having regard to the size of the residential family centre and the number and needs of residents -

- (a) provide telephone facilities which are suitable for the needs of residents, and make arrangements to enable residents to use such facilities in private;
- (b) provide in rooms occupied by families adequate furniture, bedding and other furnishings, including curtains, floor coverings, and equipment;
- (c) provide adequate laundry facilities for parents to wash, dry and iron clothes and linen for their families;
- (d) provide sufficient and suitable cleaning materials and equipment;
- (e) provide sufficient and suitable kitchen equipment, crockery, cutlery and utensils, and adequate facilities for the storage of food;
- (f) provide suitable facilities for parents to prepare food for their families, and suitable dining facilities for residents;
- (g) take adequate precautions against risk of accidents, including the training of persons working at the residential family centre in first aid;
- (h) provide a place where the money and valuables of residents may be deposited for safe keeping; and
- (i) provide adequate facilities for recreation and leisure.

Staffing of residential family centre

15. The registered person must ensure that there is, having regard to -

- (a) the statement of purpose of the residential family centre, its size and the numbers and needs of its residents; and
- (b) the need to safeguard and promote the health and welfare of residents,

a sufficient number of suitably qualified, competent and experienced persons working for the residential family centre.

Fitness of workers

16.-(1) The registered person must not -

- (a) employ a person to work for the purposes of the residential family centre unless that person is fit to work for a residential family centre; or
- (b) allow a person to whom paragraph (2) applies, to work for the purposes of the residential

breswyl i deuluoedd oni bai fod y person hwnnw yn ffit i weithio i ganolfan breswyl i deuluoedd.

(2) Mae'r paragraff hwn yn gymwys i unrhyw berson a gyflogir gan berson heblaw'r person cofrestredig mewn swydd lle y gallai ddod i gysylltiad yn rheolaidd â'r trigolion yn ystod ei ddyletswyddau.

(3) At ddibenion paragraff (1), nid yw person yn ffit i weithio mewn canolfan breswyl i deuluoedd oni bai -

- (a) bod ganddo'r cymwysterau, y medrau a'r profiad sy'n angenrheidiol ar gyfer y gwaith y mae i'w gyflawni;
- (b) ei fod yn ffit yn gorfforol ac yn feddyliol at ddibenion y gwaith y mae i'w gyflawni; ac
- (c) bod gwybodaeth lawn a boddhaol mewn perthynas â phob un o'r materion a restrir yn Atodlen 2 wedi'i sicrhau mewn perthynas ag ef neu hi.

(4) Rhaid i'r person cofrestredig gymryd camau rhesymol i sicrhau bod unrhyw berson sy'n gweithio i ganolfan breswyl i deuluoedd ac nad yw paragraff (2) yn gymwys iddo yn cael ei oruchwylio'n briodol wrth gyflawni ei ddyletswyddau.

Cyflogi staff

17. -(1) Rhaid i'r person cofrestredig -

- (a) sicrhau bod pob penodiad parhaol yn ddarostyngedig i gwblhau cyfnod prawf yn foddhaol; a
- (b) rhoi i bob cyflogai ddisgrifiad swydd yn amlinellu eu cyfrifoldebau.

(2) Rhaid i'r person cofrestredig weithredu gweithdrefn ddisgyblu a fydd, yn benodol -

- (a) yn darparu ar gyfer atal cyflogai o'i swydd os yw hynny'n angenrheidiol er lles diogelwch neu les y plant yn y ganolfan breswyl i deuluoedd;
- (b) yn darparu bod methiant ar ran cyflogai i roi gwybod am ddigwyddiad o gamdriniaeth, neu gamdriniaeth a amheuir ar blentyn yn y ganolfan breswyl i deuluoedd i berson priodol yn sail dros ddechrau achos disgyblu.

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

- (a) y person cofrestredig;
- (b) un o swyddogion swyddfa briodol y Cynulliad Cenedlaethol;
- (c) swyddog heddlu;
- (ch) un o swyddogion yr awdurdod lleol y mae'r ganolfan breswyl i deuluoedd wedi'i lleoli yn

family centre unless that person is fit to work for a residential family centre.

(2) This paragraph applies to any person who is employed by a person other than the registered person in a position in which he may in the course of his duties have regular contact with residents.

(3) For the purposes of paragraph (1), a person is not fit to work for a residential family centre unless -

- (a) he or she has the qualifications, skills and experience necessary for the work he or she is to perform;
- (b) he or she is physically and mentally fit for the purposes of the work he or she is to perform; and
- (c) full and satisfactory information in relation to each of the matters listed in Schedule 2 has been obtained in relation to him or her.

(4) The registered person must take reasonable steps to ensure that any person working for a residential family centre who is not employed by the registered person and to whom paragraph (2) does not apply is appropriately supervised while carrying out his or her duties.

Employment of staff

17.-(1) The registered person must -

- (a) ensure that all permanent appointments are subject to the satisfactory completion of a period of probation; and
- (b) provide all employees with a job description outlining their responsibilities.

(2) The registered person 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 in the residential family centre;
- (b) provides that the failure on the part of an employee to report an incident of abuse, or suspected abuse of a child in the residential family centre to an appropriate person is a ground on which disciplinary proceedings may be instituted.

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

- (a) the registered person;
- (b) an officer of the appropriate office of the National Assembly;
- (c) a police officer;
- (d) an officer of the local authority in whose area the residential family centre is situated; or

ei ardal; neu

- (d) un o swyddogion y Gymdeithas Genedlaethol er Atal Creulondeb i Blant.

(4) Ym mharagraff (2), mae "plentyn" hefyd yn cynnwys rhiant sydd o dan 18 oed.

(5) Rhaid i'r person cofrestredig sicrhau bod pob person a gyflogir ganddo -

- (a) yn cael hyfforddiant, goruchwyliaeth a gwerthusiadau priodol; a
(b) yn cael eu galluogi o dro i dro i ennill cymwysterau pellach sy'n briodol i'r gwaith y maent yn ei gyflawni.

Barn y staff ynghylch rhedeg y ganolfan breswyl i deuluoedd

18. -(1) Mae'r rheoliad hwn yn gymwys i unrhyw fater sy'n ymwneud â rhedeg y ganolfan breswyl i deuluoedd i'r graddau y gallai adlewyrchu iechyd neu les y trigolion.

(2) Rhaid i'r person cofrestredig wneud trefniadau i alluogi personau sy'n gweithio yn y ganolfan breswyl i deuluoedd i roi gwybod i'r person cofrestredig a swyddfa briodol y Cynulliad Cenedlaethol am unrhyw fater y mae'r rheoliad hwn yn gymwys iddo.

Cofnodion

19. -(1) Rhaid i'r person cofrestredig gadw, mewn perthynas â phob teulu sy'n cael ei letya yn y ganolfan breswyl i deuluoedd, gofnod sydd -

- (a) yn cynnwys yr wybodaeth, y dogfennau a'r cofnodion eraill a bennir yn Atodlen 3 mewn perthynas ag aelodau'r teulu;
(b) yn cael ei gadw yn gyfoes; ac
(c) yn cael ei gadw mewn lle diogel am gyfnod o bymtheng mlynedd ar ôl dyddiad y cofnod olaf.

(2) Rhaid i'r cofnod a grybwyllir ym mharagraff (1) gael ei gadw'n ddiogel a rhaid peidio â'i ddatgelu i neb ac eithrio yn unol â'r canlynol -

- (a) unrhyw ddarpariaeth mewn statud sydd yn awdurdodi gweld y cofnodion hynny odano, neu unrhyw ddarpariaeth a wneir o dan statud felly neu yn rhinwedd statud felly; neu
(b) unrhyw orchymyn llys sy'n awdurdodi gweld cofnodion o'r fath.

(3) Rhaid hefyd i'r person cofrestredig gadw'r cofnodion a bennir yn Atodlen 4 mewn perthynas â'r ganolfan breswyl i deuluoedd.

(4) Rhaid i'r person cofrestredig sicrhau bod y cofnodion y cyfeirir atynt ym mharagraff (3) -

- (a) yn cael eu cadw yn gyfoes;
(b) ar gael bob amser i'w harchwilio yn y ganolfan

- (e) an officer of the National Society for the Prevention of Cruelty to Children.

(4) In paragraph (2), "child" also includes a parent who is under the age of 18.

(5) The registered person must ensure that all persons employed by him or her -

- (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 views as to conduct of residential family centre

18.-(1) This regulation applies to any matter relating to the conduct of the residential family centre so far as it may reflect the health or welfare of residents.

(2) The registered person must make arrangements to enable persons working at the residential family centre to inform the registered person and the appropriate office of the National Assembly about any matter to which this regulation applies.

Records

19.-(1) The registered person must maintain in respect of each family accommodated in the residential family centre a record which -

- (a) includes the information, documents and other records specified in Schedule 3 relating to the members of the family;
(b) is kept up to date; and
(c) is retained in a place of security for a period of fifteen years from the date of the last entry.

(2) The record referred to in paragraph (1) must be kept securely and is not to be disclosed to any person except in accordance with -

- (a) any provision of, or made under or by virtue of a statute under which access to such records is authorised; or
(b) any court order authorising access to such records.

(3) The registered person must also maintain the records specified in Schedule 4 in respect of the residential family centre.

(4) The registered person must ensure that the records referred to in paragraph (3) are -

- (a) kept up to date;
(b) at all times available for inspection in the

breswyl i deuluoedd gan unrhyw berson a awdurdodir gan swyddfa briodol y Cynulliad Cenedlaethol i fynd i'r ganolfan breswyl i deuluoedd a'i harchwilio; ac

- (c) yn cael eu cadw am gyfnod o nid llai na thair blynedd ar ôl dyddiad y cofnod olaf.

(5) Rhaid i gofnod sy'n cael ei gadw yn unol â pharagraff (1) gael ei gadw yn y ganolfan breswyl i deuluoedd cyhyd ag y bydd y teulu y mae'n ymwneud ag ef yn cael ei letya yno.

Cwynion

20.-(1) Rhaid i'r person cofrestredig sefydlu gweithdrefn ("y weithdrefn gwynion") ar gyfer ystyried cwynion a wneir i'r person cofrestredig gan drigolyn neu gan berson sy'n gweithredu ar ran trigolyn.

(2) Rhaid i'r person cofrestredig sicrhau bod unrhyw gŵyn a wneir o dan y weithdrefn gwynion yn cael ei hymchwilio'n llawn.

(3) Rhaid i'r person cofrestredig roi copi ysgrifenedig o'r weithdrefn gwynion i unrhyw drigolyn ac i unrhyw berson sy'n gweithredu ar ran trigolyn os gofynnir amdano.

(4) Rhaid i'r copi ysgrifenedig o'r weithdrefn gwynion gynnwys -

- (a) enw a chyfeiriad swyddfa briodol y Cynulliad Cenedlaethol, a
- (b) y weithdrefn (os oes un) y mae swyddfa briodol y Cynulliad Cenedlaethol wedi'i hysbysu i'r person cofrestredig ar gyfer gwneud cwynion i swyddfa briodol y Cynulliad Cenedlaethol sy'n ymwneud â chanolfannau preswyl i deuluoedd.

(5) Rhaid i'r person cofrestredig roi gwybod i'r person a wnaeth y gŵyn am y camau sydd i'w cymryd (os oes rhai), a hynny o fewn 28 diwrnod ar ôl dyddiad gwneud y gŵyn, neu unrhyw gyfnod byrrach a fydd yn rhesymol o dan yr amgylchiadau.

(6) Rhaid i'r person cofrestredig sicrhau bod cofnod ysgrifenedig yn cael ei wneud o unrhyw gŵyn neu sylw, o'r camau a gymerir mewn ymateb iddynt, ac o ganlyniad yr ymchwiliad.

(7) Rhaid i'r person cofrestredig roi i swyddfa briodol y Cynulliad Cenedlaethol pan ofynnir amdano ddatganiad sy'n cynnwys crynodeb o'r cwynion a wnaed yn ystod y deuddeg mis blaenorol a'r camau a gymerwyd.

residential family centre by any person authorised by the appropriate office of the National Assembly to enter and inspect the residential family centre; and

- (c) retained for a period of not less than three years from the date of the last entry.

(5) A record kept in accordance with paragraph (1) must be retained in the residential family centre so long as the family to which it relates is accommodated there.

Complaints

20.-(1) The registered person must establish a procedure ("the complaints procedure") for considering complaints made to the registered person by a resident or a person acting on behalf of a resident.

(2) The registered person must ensure that any complaint made under the complaints procedure is fully investigated.

(3) The registered person must provide a written copy of the complaints procedure on request to any resident and any person acting on behalf of a resident.

(4) The written copy of the complaints procedure must include -

- (a) the name and address of the appropriate office of the National Assembly, and
- (b) the procedure (if any) that has been notified by the of the appropriate office of the National Assembly to the registered person for the making of complaints to the appropriate office of the National Assembly relating to residential family centres.

(5) The registered person must, within 28 days after the date on which the complaint is made, or such shorter period as may be reasonable in the circumstances, inform the person who made the complaint of the action (if any) that is to be taken.

(6) The registered person must ensure that a written record is made of any complaint or representation, the action taken in response, and the outcome of the investigation.

(7) The registered person must supply to the appropriate office of the National Assembly at its request a statement containing a summary of the complaints made during the preceding twelve months and the action that was taken.

RHAN IV

SAFLEOEDD

Ffitrwydd tir ac adeiladau

21. -(1) Yn ddarostyngedig i reoliad 4(6), rhaid i'r person cofrestredig beidio â defnyddio tir ac adeiladau at ddibenion canolfan breswyl i deuluoedd oni bai -

- (a) bod y tir a'r adeiladau'n addas at ddibenion cyflawni'r nodau a'r amcanion a nodir yn y datganiad o ddiben; a
- (b) bod lleoliad y tir a'r adeiladau'n briodol ar gyfer anghenion y trigolion.

(2) Rhaid i'r person cofrestredig sicrhau -

- (a) bod dyluniad a chynllun ffisegol y tir ac adeiladau sydd i'w ddefnyddio fel y ganolfan breswyl i deuluoedd yn diwallu anghenion y teuluoedd;
- (b) bod yr adeiladau sydd i'w ddefnyddio fel y ganolfan breswyl i deuluoedd o adeiladwaith cadarn ac yn cael ei gadw mewn cyflwr da y tu allan a'r tu mewn;
- (c) bod pob rhan o'r ganolfan breswyl i deuluoedd yn cael eu cadw'n lân ac wedi'u haddurno'n rhesymol;
- (ch) bod llety preifat a chyffredin digonol yn cael ei ddarparu ar gyfer y teuluoedd;
- (d) bod maint a chynllun yr ystafelloedd a feddiennir neu a ddefnyddir gan deuluoedd yn addas at eu hanghenion a bod pob teulu yn cael o leiaf un ystafell i'w defnyddio ganddyn nhw yn unig;
- (dd) bod cyfleusterau addas yn cael eu darparu i'r trigolion gyfarfod, yn breifat, ag unrhyw berson a awdurdodir gan swyddfa briodol y Cynulliad Cenedlaethol;
- (e) bod niferoedd digonol o doiledau, ac o fasnau ymolchi, baddonau a chawodydd wedi'u ffitio â chyflenwad dŵr poeth ac oer, yn cael eu darparu mewn mannau priodol yn yr adeiladau;
- (f) bod gan yr tir a'r adeiladau yr hyn sy'n rhesymol angenrheidiol, wedi'i addasu yn ôl yr angen, er mwyn diwallu'r anghenion sy'n codi yn sgil anabledd unrhyw drigolyn sy'n anabl;
- (ff) bod cyfleusterau addas yn cael eu darparu ar gyfer astudio preifat ar gyfer unrhyw un o'r trigolion sydd yn gofyn amdanynt;
- (g) bod tiroedd allanol sy'n addas ac yn ddiogel i'r trigolion eu defnyddio yn cael eu darparu a'u cynnal yn briodol;
- (ng) bod awyru, gwresogi a goleuo digonol yn cael eu darparu ym mhob rhan o'r ganolfan breswyl i deuluoedd sy'n cael eu defnyddio gan drigolion.

PART IV

PREMISES

Fitness of premises

21.-(1) Subject to regulation 4(6), the registered person must not use premises for the purposes of a residential family centre unless -

- (a) the premises are suitable for the purpose of achieving the aims and objectives set out in the statement of purpose; and
- (b) the location of the premises is appropriate to the needs of residents.

(2) The registered person must ensure that -

- (a) the physical design and layout of the premises to be used as the residential family centre meet the needs of families;
- (b) the premises to be used as the residential family centre are of sound construction and kept in a good state of repair externally and internally;
- (c) all parts of the residential family centre are kept clean and reasonably decorated;
- (d) adequate private and communal accommodation is provided for families;
- (e) the size and layout of rooms occupied or used by families are suitable for their needs, and each family is provided with at least one room for its exclusive use;
- (f) suitable facilities are provided for residents to meet, in private, with any person authorised by the appropriate office of the National Assembly;
- (g) there are provided at appropriate places in the premises sufficient numbers of lavatories, and of wash-basins, baths and showers fitted with a hot and cold water supply;
- (h) the premises are equipped with what is reasonably necessary, and adapted as necessary, in order to meet the needs arising from the disability of any disabled resident;
- (i) suitable facilities are provided for private study for any resident requiring them;
- (j) external grounds which are suitable for, and safe for use by, residents are provided and appropriately maintained;
- (k) adequate ventilation, heating and lighting is provided in all parts of the residential family centre which are used by residents.

(3) Rhaid i'r person cofrestredig ddarparu ar gyfer personau sy'n gweithio yn y ganolfan breswyl i deuluoedd -

- (a) cyfleusterau a llety addas, heblaw llety cysgu, gan gynnwys -
 - (i) cyfleusterau ar gyfer newid;
 - (ii) cyfleusterau storio;
- (b) llety ar gyfer cysgu, os oes ar bersonau sy'n gweithio yn y ganolfan breswyl i deuluoedd angen darpariaeth llety o'r fath mewn cysylltiad â'u gwaith.

Rhagofalon Tân

22. -(1) Ar ôl ymgynghori â'r awdurdod tân, rhaid i'r person cofrestredig -

- (a) cymryd rhagofalon digonol rhag risg tân, gan gynnwys darparu offer tân addas,
- (b) darparu dulliau dianc digonol,
- (c) gwneud trefniadau digonol ar gyfer y canlynol-
 - (i) canfod, cyfyngu a diffodd tanau;
 - (ii) rhoi rhybuddion tân;
 - (iii) gwacâd yr holl bersonau sydd yn y ganolfan breswyl i deuluoedd a lleoli'r trigolion yn ddiogel, os digwydd tân;
 - (iv) cynnal a chadw'r holl offer tân; a
 - (v) adolygu'r rhagofalon tân, a phrofi'r offer tân, ar adegau addas;
- (ch) gwneud trefniadau i'r personau sy'n gweithio yn y ganolfan breswyl i deuluoedd gael hyfforddiant addas mewn atal tân; a
- (d) sicrhau, drwy gyfrwng ymarferion tân ar adegau addas, fod y personau sy'n gweithio yn y ganolfan breswyl i deuluoedd ac, i'r graddau y mae'n ymarferol, y trigolion, yn ymwybodol o'r weithdrefn sydd i'w dilyn os digwydd tân, gan gynnwys y weithdrefn ar gyfer achub bywyd.

(2) Yn y rheoliad hwn ystyr "awdurdod tân" yw'r awdurdod sy'n cyflawni, yn yr ardal y mae canolfan breswyl i deuluoedd wedi'i lleoli ynnddi, swyddogaeth awdurdod tân o dan Ddeddf Gwasanaethau Tân 1947(a).

RHAN V

RHEOLI

Adolygu ansawdd y gofal

23. -(1) Rhaid i'r person cofrestredig sefydlu a

(a) 1947 p.41.

(3) The registered person must provide for persons working at the residential family centre -

- (a) suitable facilities and accommodation, other than sleeping accommodation, including -
 - (i) facilities for the purpose of changing;
 - (ii) storage facilities;
- (b) sleeping accommodation where the provision of such accommodation is needed for persons working at the residential family centre in connection with their work.

Fire Precautions

22.-(1) The registered person must after consultation with the fire authority -

- (a) take adequate precautions against the risk of fire, including the provision of suitable fire equipment,
- (b) provide adequate means of escape,
- (c) make adequate arrangements -
 - (i) for detecting, containing and extinguishing fires;
 - (ii) for giving warnings of fires;
 - (iii) for the evacuation, in the event of fire, of all persons in the residential family centre and safe placement of residents;
 - (iv) for the maintenance of all fire equipment; and
 - (v) for reviewing fire precautions, and testing fire equipment, at suitable intervals;
- (d) make arrangements for persons working at the residential family centre to receive suitable training in fire prevention; and
- (e) ensure, by means of fire drills and practices at suitable intervals, that the persons working at the residential family centre and, so far as practicable, residents, are aware of the procedure to be followed in case of fire, including the procedure for saving life.

(2) In this regulation, "fire authority" means the authority discharging in the area in which a residential family centre is situated, the function of fire authority under the Fire Services Act 1947(a) .

PART V

MANAGEMENT

Review of quality of care

23.-(1) The registered person must establish and

(a) 1947 c.41.

chynnal system ar gyfer -

- (a) adolygu ar adegau priodol, a
- (b) gwella,

ansawdd y gofal a ddarperir yn y ganolfan breswyl i deuluoedd.

(2) Rhaid i'r person cofrestredig roi adroddiad i swyddfa briodol y Cynulliad Cenedlaethol mewn perthynas ag unrhyw adolygiad a gynhelir ganddo at ddibenion paragraff (1), a threfnu bod copi o'r adroddiad ar gael i'r trigolion.

(3) Rhaid i'r system y cyfeirir ati ym mharagraff (1) ddarparu ar gyfer ymgynghori â thrigolion.

Y sefyllfa ariannol

24. -(1) Rhaid i'r person cofrestredig redeg y ganolfan breswyl i deuluoedd mewn modd sy'n debyg o sicrhau y bydd y ganolfan breswyl i deuluoedd yn hyfyw yn ariannol er mwyn cyflawni'r nodau a'r amcanion a nodir yn y datganiad o ddiben.

(2) Rhaid i'r person cofrestredig roi i swyddfa briodol y Cynulliad Cenedlaethol unrhyw wybodaeth a dogfennau y gall ofyn amdanynt er mwyn ystyried hyfywedd ariannol y ganolfan breswyl i deuluoedd, gan gynnwys -

- (a) cyfrifon blynyddol y ganolfan breswyl i deuluoedd, wedi'u hardystio gan gyfrifydd;
- (b) tystlythyr gan fanc yn mynegi barn am sefyllfa ariannol y darparrydd cofrestredig;
- (c) gwybodaeth am ariannu'r ganolfan breswyl i deuluoedd a'i hadnoddau ariannol;
- (ch) os cwmni yw'r darparrydd cofrestredig, gwybodaeth am unrhyw un o'i gwmnïau cysylltiedig;
- (d) tystysgrif yswiriant i'r darparrydd cofrestredig mewn perthynas â'r rhwymedigaeth y gallai ei thynnu mewn perthynas â'r ganolfan breswyl i deuluoedd ynghylch marwolaeth, niwed, rhwymedigaeth gyhoeddus, difrod neu golled arall.

(3) Yn y rheoliad hwn mae cwmni yn gwmni cysylltiedig ag un arall os oes gan un ohonynt reolaeth ar y llall neu os yw'r ddau o dan reolaeth yr un person.

Ymweliadau gan y darparrydd cofrestredig

25. -(1) Os unigolyn yw'r darparrydd cofrestredig, ond nad yw â gofal y ganolfan breswyl i deuluoedd o ddydd i ddydd, rhaid iddo ymweld â'r ganolfan breswyl i deuluoedd yn unol â'r rheoliad hwn.

(2) Os corff yw'r darparrydd cofrestredig, rhaid i'r canlynol ymweld â'r ganolfan breswyl i deuluoedd yn unol â'r rheoliad hwn -

maintain a system for -

- (a) reviewing at appropriate intervals, and
- (b) improving,

the quality of care provided at the residential family centre.

(2) The registered person must supply to the appropriate office of the National Assembly a report in respect of any review conducted by him or her for the purposes of paragraph (1), and make a copy of the report available to residents.

(3) The system referred to in paragraph (1) must provide for consultation with residents.

Financial position

24.-(1) The registered person must carry on the residential family centre in such manner as is likely to ensure that it will be financially viable for the purpose of achieving the aims and objectives set out in the statement of purpose.

(2) The registered person must provide the appropriate office of the National Assembly with such information and documents as it may require for the purpose of considering the financial viability of the residential family centre, including -

- (a) the annual accounts of the residential family centre certified by an accountant;
- (b) a reference from a bank expressing an opinion as to the registered provider's financial standing;
- (c) information as to the financing and financial resources of the residential family centre;
- (d) where the registered provider is a company, information as to any of its associated companies;
- (e) a certificate of insurance for the registered provider in respect of liability which may be incurred by him or her in relation to the residential family centre in respect of death, injury, public liability, damage or other loss.

(3) In this regulation a company is an associated company of another if one of them has control of the other or both are under the control of the same person.

Visits by registered provider

25.-(1) Where the registered provider is an individual, but is not in day-to-day charge of the residential family centre, he or she must visit the residential family centre in accordance with this regulation.

(2) Where the registered provider is an organisation, the residential family centre must be visited in accordance with this regulation by -

- (a) yr unigolyn cyfrifol;
- (b) un arall o'r cyfarwyddwyr neu'r personau eraill sy'n gyfrifol am reoli'r corff; neu
- (c) cyflogai i'r corff nad yw'n ymwneud yn uniongyrchol â rhedeg y ganolfan breswyl i deuluoedd.

(3) Rhaid i ymweliadau o dan baragraff (1) neu (2) ddigwydd o leiaf unwaith y mis a gallant fod yn ddirybudd.

(4) Rhaid i'r person sy'n ymweld -

- (a) cyfweld, gyda'u cydsyniad ac yn breifat, ag unrhyw un o'r trigolion a'r personau sy'n gweithio yn y ganolfan breswyl i deuluoedd y mae'n ymddangos iddo ei bod yn angenrheidiol er mwyn ffurfio barn am safon y gofal sy'n cael ei ddarparu yn y ganolfan breswyl i deuluoedd;
- (b) archwilio tir ac adeiladau'r ganolfan breswyl i deuluoedd, ei chofnod dyddiol o ddigwyddiadau a'i chofnodion o unrhyw gŵynion; ac
- (c) paratoi adroddiad ysgrifenedig ynghylch sut mae'r ganolfan breswyl i deuluoedd yn cael ei rhedeg.

(5) Rhaid i'r darparydd cofrestredig roi copi o'r adroddiad y mae'n ofynnol ei gyflwyno o dan baragraff (4)(c) -

- (a) i swyddfa briodol y Cynulliad Cenedlaethol;
- (b) i'r rheolwr cofrestredig; ac
- (c) yn achos ymweliad o dan baragraff (2), i bob un o'r cyfarwyddwyr neu'r personau eraill sy'n gyfrifol am reoli'r corff.

RHAN VI

AMRYWIOL

Hysbysu marwolaeth, salwch a digwyddiadau eraill

26. -(1) Rhaid i'r person cofrestredig roi hysbysiad i swyddfa briodol y Cynulliad Cenedlaethol yn ddi-oed os digwydd -

- (a) marwolaeth unrhyw un o'r trigolion, gan gynnwys amgylchiadau'r farwolaeth;
- (b) brigiad unrhyw glefyd heintus yn y ganolfan breswyl i deuluoedd sydd ym marn unrhyw ymarferydd meddygol cofrestredig sy'n gofalu am drigolion yn y ganolfan breswyl i deuluoedd yn ddigon difrifol i gael ei hysbysu felly;
- (c) unrhyw ddamwain ddifrifol, anaf difrifol neu

- (a) the responsible individual;
- (b) another of the directors or other persons responsible for the management of the organisation; or
- (c) an employee of the organisation who is not directly concerned with the conduct of the residential family centre.

(3) Visits under paragraph (1) or (2) shall take place at least once a month and may be unannounced.

(4) The person carrying out the visit must -

- (a) interview, with their consent and in private, such of the residents and persons working at the residential family centre as appears necessary in order to form an opinion of the standard of care provided in the residential family centre;
- (b) inspect the premises of the residential family centre, its daily log of events and records of any complaints; and
- (c) prepare a written report on the conduct of the residential family centre.

(5) The registered provider must supply a copy of the report required to be made under paragraph (4)(c) to -

- (a) the appropriate office of the National Assembly;
- (b) the registered manager; and
- (c) in the case of a visit under paragraph (2) where the registered provider is an organisation, to each of the directors or other persons responsible for the management of the organisation.

PART VI

MISCELLANEOUS

Notification of death, illness and other events

26.-(1) The registered person must give notice to the appropriate office of the National Assembly without delay of the occurrence of -

- (a) the death of any resident, including the circumstances of his or her death;
- (b) the outbreak in the residential family centre of any infectious disease which in the opinion of any registered medical practitioner attending residents of the residential family centre is sufficiently serious to be so notified;
- (c) any serious accident, serious injury or serious

salwch difrifol a gaiff un o'r trigolion;

- (ch) unrhyw ddigwyddiad difrifol yn y ganolfan breswyl i deuluoedd sy'n golygu bod rhaid galw'r heddlu i'r ganolfan breswyl i deuluoedd;
- (d) unrhyw ymholiad amddiffyn plant sy'n cynnwys unrhyw un o'r trigolion, sy'n ymwneud ag unrhyw bryder sy'n codi yn ystod y cyfnod y bydd person yn cael ei letya mewn canolfan breswyl i deuluoedd;
- (dd) unrhyw honiad o gamymddwyn gan y person cofrestredig neu unrhyw berson sy'n gweithio yn y ganolfan breswyl i deuluoedd.

(2) Rhaid i unrhyw hysbysiad a roddir yn unol â'r rheoliad hwn ar lafar gael ei gadarnhau yn ysgrifenedig.

Hysbysu absenoldeb

27. -(1) Os yw -

- (a) y darparydd cofrestredig os ef yw'r person sydd â gofal y ganolfan breswyl i deuluoedd o ddydd i ddydd, neu
- (b) y rheolwr cofrestredig,

yn bwriadu bod yn absennol o'r ganolfan breswyl i deuluoedd am gyfnod di-dor o 28 diwrnod neu fwy, rhaid i'r person cofrestredig roi hysbysiad ysgrifenedig i swyddfa briodol y Cynulliad Cenedlaethol o'r absenoldeb arfaethedig.

(2) Ac eithrio mewn achos brys, rhaid i'r hysbysiad y cyfeirir ato ym mharagraff (1) gael ei roi o leiaf 28 diwrnod cyn i'r absenoldeb arfaethedig gychwyn neu o fewn unrhyw gyfnod byrrach y gellir cytuno arno gyda swyddfa briodol y Cynulliad Cenedlaethol a rhaid i'r hysbysiad bennu -

- (a) pa mor hir y bydd yr absenoldeb arfaethedig neu pa mor hir y disgwylir iddo fod;
- (b) y rheswm dros yr absenoldeb arfaethedig;
- (c) y trefniadau sydd wedi'u gwneud ar gyfer rhedeg y ganolfan breswyl i deuluoedd yn ystod yr absenoldeb hwnnw;
- (ch) enw, cyfeiriad a chymwysterau y person a fydd yn gyfrifol am y ganolfan breswyl i deuluoedd yn ystod yr absenoldeb; a
- (d) yn achos absenoldeb y rheolwr cofrestredig, y trefniadau sydd wedi'u gwneud neu y bwriedir eu gwneud i benodi person arall i reoli'r ganolfan breswyl i deuluoedd yn ystod yr absenoldeb hwnnw, gan gynnwys y dyddiad arfaethedig y bydd y penodiad yn cael ei wneud.

(3) Os yw'r absenoldeb yn codi o ganlyniad i argyfwng, rhaid i'r person cofrestredig roi hysbysiad o'r absenoldeb o fewn un wythnos wedi i'r argyfwng ddigwydd, gan bennu'r materion yn is-baragraffau (a) i

illness sustained by a resident;

- (d) any serious incident in the residential family centre necessitating the calling of police to the residential family centre;
- (e) any child protection enquiry involving any resident, which relates to any concern arising during the period in which a person is accommodated in a residential family centre;
- (f) any allegation of misconduct by the registered person or by any person who works at the residential family centre.

(2) Any notification made in accordance with this regulation which is given orally shall be confirmed in writing.

Notice of absence

27.-(1) Where -

- (a) the registered provider if he or she is the person in day-to-day charge of the residential family centre, or
- (b) the registered manager,

proposes to be absent from the residential family centre for a continuous period of 28 days or more, the registered person must give notice in writing to the appropriate office of the National Assembly of the proposed absence.

(2) Except in the case of an emergency, the notice referred to in paragraph (1) must be given at least 28 days before the proposed absence is to start, or within such shorter period as may be agreed with the appropriate office of the National Assembly, and the notice must specify -

- (a) the length or expected length of the proposed absence;
- (b) the reason for the proposed absence;
- (c) the arrangements which have been made for the running of the residential family centre during that absence;
- (d) the name, address and qualifications of the person who will be responsible for the residential family centre during the absence; and
- (e) in the case of the absence of the registered manager, the arrangements that have been, or are proposed to be, made for appointing another person to manage the residential family centre during that absence, including the proposed date by which the appointment is to be made.

(3) Where the absence arises as a result of an emergency, the registered person must give notice of the absence within one week of its occurrence specifying the matters in sub-paragraphs (a) to (e) of

(d) o baragraff (2).

(4) Os bydd -

- (a) y darparrydd cofrestredig os nhw yw'r person sydd â gofal y ganolfan breswyl i deuluoedd o ddydd i ddydd, neu
- (b) y rheolwr cofrestredig,

wedi bod yn absennol o'r ganolfan breswyl i deuluoedd am gyfnod di-dor o 28 diwrnod neu fwy, ac nad yw swyddfa briodol y Cynulliad Cenedlaethol wedi cael hysbysiad o'r absenoldeb, rhaid i'r person cofrestredig roi hysbysiad ysgrifenedig ar unwaith i swyddfa briodol y Cynulliad Cenedlaethol gan bennu'r materion a grybwyllir ym mharagraffau (a) i (d) o baragraff (2).

(5) Rhaid i'r person cofrestredig hysbysu swyddfa briodol y Cynulliad Cenedlaethol pan fydd y darparrydd cofrestredig neu (yn ôl fel y digwydd) y rheolwr cofrestredig yn dychwelyd i'r gwaith heb fod yn hwyrach na saith diwrnod wedi iddo dychwelyd.

Hysbysu newidiadau

28. Rhaid i'r person cofrestredig roi hysbysiad ysgrifenedig i swyddfa briodol y Cynulliad Cenedlaethol cyn gynted ag y bo'n ymarferol gwneud hynny os bydd unrhyw un o'r digwyddiadau canlynol yn digwydd neu os bwriedir iddynt ddiwydd -

- (a) bod person heblaw'r person cofrestredig yn rhedeg neu'n rheoli'r ganolfan breswyl i deuluoedd;
- (b) bod person yn rhoi'r gorau i redeg neu i reoli'r ganolfan breswyl i deuluoedd;
- (c) os unigolyn yw'r person cofrestredig, ei fod yn newid ei enw;
- (ch) os corff yw'r darparrydd cofrestredig -
 - (i) bod enw neu gyfeiriad y corff yn newid;
 - (ii) bod unrhyw newid cyfarwyddwr, rheolwr, ysgrifennydd neu swyddog cyffelyb arall i'r corff yn digwydd;
 - (iii) bod unrhyw newid yn yr unigolyn cyfrifol;
- (d) os unigolyn yw'r darparrydd cofrestredig, bod ymddiriedolwr mewn methodaliad yn cael ei benodi;
- (dd) os cwmni yw'r darparrydd cofrestredig, bod derbynydd, rheolwr, datodwr neu ddatodwr dros dro yn cael ei benodi mewn perthynas â'r darparrydd cofrestredig;
- (e) os yw darparrydd cofrestredig mewn partneriaeth y mae ei busnes yn cynnwys rhedeg canolfan breswyl i deuluoedd, bod derbynydd neu reolwr yn cael, neu'n debygol o gael, ei benodi ar gyfer y bartneriaeth; neu

paragraph (2).

(4) Where -

- (a) the registered provider if he or she is the person in day-to-day charge of the residential family centre; or
- (b) the registered manager,

has been absent from the residential family centre for a continuous period of 28 days or more, and the appropriate office of the National Assembly has not been given notice of the absence, the registered person must without delay give notice in writing to the appropriate office of the National Assembly specifying the matters mentioned in sub-paragraphs (a) to (e) of paragraph (2).

(5) The registered person must inform the appropriate office of the National Assembly of the return to work of the registered provider or (as the case may be) the registered manager not later than 7 days after the date of his or her return.

Notice of changes

28. The registered person must give notice in writing to the appropriate office of the National Assembly as soon as it is practicable to do so if any of the following events takes place or is proposed to take place -

- (a) a person other than the registered person carries on or manages the residential family centre;
- (b) a person ceases to carry on or manage the residential family centre;
- (c) where the registered person is an individual, he or she changes his or her name;
- (d) where the registered provider is an organisation -
 - (i) the name or address of the organisation is changed;
 - (ii) there is any change of director, manager, secretary or other similar officer of the organisation;
 - (iii) there is to be any change of responsible individual;
- (e) where the registered provider is an individual, a trustee in bankruptcy is appointed;
- (f) where the registered provider is a company, a receiver, manager, liquidator or provisional liquidator is appointed in respect of the registered provider; or
- (g) where a registered provider is in a partnership whose business includes carrying on a residential family centre, a receiver or manager is, or is likely to be, appointed for the partnership.

- (f) bod tir neu adeiladau'r ganolfan breswyl i deuluoedd i'w gael ei newid neu ei estyn yn sylweddol, neu fod tir neu adeiladau ychwanegol yn cael ei sicrhau.

Penodi datodwyr etc.

29. -(1) Rhaid i unrhyw berson y mae paragraff (2) yn gymwys iddo -

- (a) hysbysu swyddfa briodol y Cynulliad Cenedlaethol ar unwaith o'i benodiad gan nodi'r rhesymau dros ei benodi;
- (b) penodi rheolwr i gymryd gofal llawn-amser o ddydd i ddydd o'r ganolfan breswyl i deuluoedd mewn unrhyw achos lle nad oes rheolwr cofrestredig; ac
- (c) o fewn 28 diwrnod o gael ei benodi, hysbysu swyddfa briodol y Cynulliad Cenedlaethol o'i fwriadau ynghylch gweithredu'r ganolfan breswyl i deuluoedd yn y dyfodol.

(2) Mae'r paragraff hwn yn gymwys i unrhyw berson a benodir -

- (a) yn dderbynnnydd neu'n rheolwr eiddo cwmni sy'n ddarparrydd cofrestredig canolfan breswyl i deuluoedd;
- (b) yn ddatodwr neu'n ddatodwr dros dro i gwmni sy'n ddarparrydd cofrestredig canolfan breswyl i deuluoedd;
- (c) yn dderbynnnydd neu'n rheolwr eiddo partneriaeth y mae ei busnes yn cynnwys rhedeg canolfan breswyl i deuluoedd; neu
- (ch) yn ymddiriedolwr mewn methdaliad i ddarparrydd cofrestredig canolfan breswyl i deuluoedd.

Marwolaeth person cofrestredig

30. -(1) Os oes mwy nag un person wedi'i gofrestru mewn perthynas â chanolfan breswyl i deuluoedd, a bod person cofrestredig yn marw, rhaid i'r person cofrestredig arall hysbysu swyddfa briodol y Cynulliad Cenedlaethol yn ysgrifenedig o'r farwolaeth yn ddi-oed.

(2) Os nad oes ond un person wedi'i gofrestru mewn perthynas â chanolfan breswyl i deuluoedd, a mae'r person hwnnw yn marw, rhaid i'w gynrychiolwyr personol hysbysu swyddfa briodol y Cynulliad Cenedlaethol yn ysgrifenedig -

- (a) o'r farwolaeth yn ddi-oed; a
- (b) o fewn 28 diwrnod o'u bwriadau ynghylch rhedeg y ganolfan breswyl i deuluoedd yn y dyfodol.

(3) Caiff cynrychiolwyr personol darparrydd cofrestredig marw redeg y ganolfan breswyl i deuluoedd heb fod wedi'u cofrestru mewn perthynas â hi -

- (h) the premises of the residential family centre are to be significantly altered or extended, or additional premises are acquired.

Appointment of liquidators etc.

29.-(1) Any person to whom paragraph (2) applies must -

- (a) forthwith notify the appropriate office of the National Assembly of his or her appointment indicating the reasons for it;
- (b) appoint a manager to take full-time day-to-day charge of the residential family centre in any case where there is no registered manager; and
- (c) within 28 days of his or her appointment, notify the appropriate office of the National Assembly of his or her intentions regarding the future operation of the residential family centre.

(2) This paragraph applies to any person appointed as -

- (a) the receiver or manager of the property of a company which is a registered provider of a residential family centre;
- (b) a liquidator or provisional liquidator of a company which is the registered provider of a residential family centre;
- (c) the receiver or manager of the property of a partnership whose business includes carrying on a residential family centre; or
- (d) the trustee in bankruptcy of a registered provider of a residential family centre.

Death of registered person

30.-(1) If more than one person is registered in respect of a residential family centre, and a registered person dies, the other registered person must without delay notify the appropriate office of the National Assembly of the death in writing.

(2) If only one person is registered in respect of a residential family centre, and that person dies, his or her personal representatives must notify the appropriate office of the National Assembly in writing -

- (a) without delay of the death; and
- (b) within 28 days of their intentions regarding the future operation of the residential family centre.

(3) The personal representatives of a deceased registered provider may carry on the residential family centre without being registered in respect of it -

- (a) am gyfnod heb fod yn hirach nag 28 diwrnod;
- (b) am unrhyw gyfnod pellach a benderfynir yn unol â pharagraff (4).

(4) Gall y Cynulliad Cenedlaethol ymestyn y cyfnod a bennir ym mharagraff (3)(a) gan gyfnod pellach, heb fod yn fwy na blwyddyn, a bennir gan y Cynulliad Cenedlaethol a rhaid iddynt hysbysu unrhyw benderfyniad o'r fath yn ysgrifenedig i'r cynrychiolwyr personol.

(5) Rhaid i'r cynrychiolwyr personol benodi person i gymryd gofal amser-llawn o ddydd i ddydd dros y ganolfan breswyl i deuluoedd yn ystod unrhyw gyfnod pan fyddant yn rhedeg y ganolfan breswyl i deuluoedd yn unol â pharagraff (3) heb fod wedi'u cofrestru mewn perthynas â hi.

Tramgwyddau

31. -(1) Bydd torri neu fethu â chydymffurfio ag unrhyw un o ddarpariaethau rheoliadau 4 i 28 yn dramgwydd.

(2) Caiff Swyddfabriodol y Cynulliad Cenedlaethol ddwyn achos yn erbyn person a fu unwaith yn berson cofrestredig ond nad yw'n un mwyach, mewn perthynas â methiant i gydymffurfio â rheoliad 19.

Cydymffurfio â'r rheoliadau

32. Os oes mwy nag un person cofrestredig mewn perthynas â chanolfan breswyl i deuluoedd, ni fydd yn ofynnol i unrhyw un o'r personau cofrestredig wneud unrhyw beth y mae'n ofynnol i'r person cofrestredig ei wneud o dan y rheoliadau hyn, os yw wedi'i wneud gan un o'r personau cofrestredig eraill.

Ffioedd

33.-(1) Mae Rheoliadau Cofrestru Gofal Cymdeithasol a Gofal Iechyd Annibynnol (Ffioedd) (Cymru) 2002(a) yn cael eu diwygio yn unol â'r darpariaethau canlynol yn y rheoliad hwn.

(2) Yn y paragraff o dan y pennawd "Arrangement of Regulations", ychwanegir y llinell ganlynol ar y diwedd - "11. Annual fee - residential family centres."

(3) Yn rheoliad 2(1),

- (a) yn y diffiniad o "establishment" ar ôl y geiriau "children's home," ychwanegir "residential family centres,"
- (b) yn y diffiniad o "statement of purpose" ychwanegir "(e) in relation to residential family centres, the written statement required to be compiled in relation to the residential family centre in accordance with regulation 4(1) of the Residential Family Centres (Wales) Regulations 2003;"

- (a) for a period not exceeding 28 days;
- (b) for any further period as may be determined in accordance with paragraph (4).

(4) The appropriate office of the National Assembly may extend the period specified in paragraph (3)(a) by such further period, not exceeding one year, as the appropriate office of the National Assembly shall determine and shall notify any such determination to the personal representatives in writing.

(5) The personal representatives must appoint a person to take full-time day-to-day charge of the residential family centre during any period in which in accordance with paragraph (3), they carry on the residential family centre without being registered in respect of it.

Offences

31.-(1) A contravention or failure to comply with any of the provisions of regulations 4 to 28 shall be an offence.

(2) The appropriate office of the National Assembly may bring proceedings against a person who was once, but no longer is, a registered person, in respect of a failure to comply with regulation 19.

Compliance with regulations

32. Where there is more than one registered person in respect of a residential family centre, anything which is required under these Regulations to be done by the registered person shall, if done by one of the registered persons, not be required to be done by any of the other registered persons.

Fees

33.-(1) The Registration of Social Care and Independent Healthcare (Fees)(Wales) Regulations 2002(a) are amended in accordance with the following provisions of this regulation.

(2) In the paragraph headed "Arrangement of Regulations", the following line shall be added at the end - "11. Annual fee - residential family centres."

(3) In regulation 2(1),

- (a) in the definition of "establishment" after the words "children's home," there shall be added "residential family centre,"
- (b) in the definition of "statement of purpose" there shall be added "(e) in relation to residential family centres, the written statement required to be compiled in relation to the residential family centre in accordance with regulation 4(1) of the Residential Family Centres (Wales) Regulations 2003;"

(a) O.S. 2002/921 fel y'i diwygiwyd gan Reoliadau Arolygu Ysgolion Preswyl (Pwerau a Ffioedd) (Cymru) 2002 (O.S. 2002/3161).

(a) S.I. 2002/921 as amended by the Inspection of Boarding Schools and Colleges (Powers and Fees) (Wales) Regulation 2002 (S.I. 2002/3161).

(4) Ar ôl rheoliad 10 (Annual Fee - boarding schools and colleges), mewnosodir y rheoliad canlynol -

"Annual fee - residential family centres

11.-(1) The annual fee in respect of a residential family centre which shall be paid by the registered provider shall be the sum of the amounts identified in sub-paragraphs (a) and (b) -

- (a) £400;
- (b) £50 multiplied by the relevant number, except that if the product of that multiplication is a negative number the product of the multiplication shall instead be deemed to be zero for the purposes of the summation performed under this paragraph.

(2) The relevant number for the purposes of paragraph (3) in respect of a residential family centre is the number of approved places at the centre, minus the number three.

(3) In the case of a residential family centre providing accommodation for any family on the date on which the Residential Family Centres (Wales) Regulations 2003 come into force the annual fee shall first be payable on 1st March 2004 and, in all other cases, on the date of the establishment of the residential family centre.

(4) Thereafter the annual fee shall be payable every year on the anniversary of the date on which it was first payable."

Darpariaethau trosiannol

34. -(1) Mae'r rheoliad hwn yn gymwys i unrhyw berson sy'n rhedeg canolfan breswyl i deuluoedd ac sy'n gwneud cais yn briodol am gofrestru cyn 31 Rhagfyr 2003 o dan Ran II o Ddeddf 2000 (y "darparydd anghofrestredig").

(2) Ni fydd adran 11(1), (5) a (6) o Ddeddf 2000 yn gymwys i ddarparydd anghofrestredig mewn perthynas â'r sefydliad -

- (a) tan yr amser y bydd y cais yn cael ei dderbyn, naill ai yn ddi-amod neu yn ddarostyngedig yn unig i amodau y cytunwyd arnynt yn ysgrifenedig rhwng y darparydd a'r Cynulliad Cenedlaethol; neu
- (b) os yw'r cais yn cael ei dderbyn yn ddarostyngedig i amodau na chytunwyd arnynt felly, neu yn cael ei wrthod -
 - (i) os na ddeuir ag apêl, hyd at ddiwedd y cyfnod o 28 diwrnod ar ôl cyflwyno penderfyniad y Cynulliad Cenedlaethol i'r darparydd; neu
 - (ii) os deuir ag apêl, hyd at ei phenderfynu neu rhoi'r gorau iddi.

(4) After regulation 10 (Annual fee - boarding schools and colleges), there shall be inserted the following regulation -

"Annual fee - residential family centres

11.-(1) The annual fee in respect of a residential family centre which shall be paid by the registered provider shall be the sum of the amounts identified in sub-paragraphs (a) and (b) -

- (a) £400;
- (b) £50 multiplied by the relevant number, except that if the product of that multiplication is a negative number the product of the multiplication shall instead be deemed to be zero for the purposes of the summation performed under this paragraph.

(2) The relevant number for the purposes of paragraph (1) in respect of a residential family centre is the number of approved places at the centre, minus the number three.

(3) In the case of a residential family centre providing accommodation for any family on the date on which the Residential Family Centres (Wales) Regulations 2003 come into force the annual fee shall first be payable on 1st March 2004 and, in all other cases, on the date of the establishment of the residential family centre.

(4) Thereafter the annual fee shall be payable every year on the anniversary of the date on which it was first payable."

Transitional Provisions

34.-(1) This regulation applies to any person who carries on a residential family centre and duly makes an application for registration before 31st December 2003 under Part II of the 2000 Act ("the unregistered provider").

(2) Section 11(1), (5) and (6) of the 2000 Act will not apply to an unregistered provider in respect of the establishment -

- (a) until such time as the application is granted, either unconditionally or subject only to conditions which have been agreed in writing between the provider and the National Assembly; or
- (b) if the application is granted subject to conditions which have not been so agreed, or refused -
 - (i) if no appeal is brought, until the expiration of the period of 28 days after service on the provider of the National Assembly's decision; or
 - (ii) if an appeal is brought, until it is determined or abandoned.

(3) Mae'r paragraff hwn yn gymwys -

- (a) os yw'r Cynulliad Cenedlaethol yn gwneud cais i ynad heddwch am orchymyn y dylai adran 11(1), (5) a (6) o Ddeddf 2000 fod yn gymwys i ddarparwydd anghofrestredig ac y dylai paragraff (2) o'r rheoliad hwn beidio â bod yn gymwys i'r darparwydd anghofrestredig hwnnw; a
- (b) os yw'n ymddangos i'r ynad y bydd perygl difrifol i fywyd, iechyd neu lesiant person os na chaiff y gorchymyn ei wneud.

(4) Os yw paragraff 3 yn gymwys -

- (a) caiff yr ynad wneud y gorchymyn y cyfeirir ato yn y paragraff hwnnw;
- (b) bydd adran 11 o Ddeddf 2000 yn gymwys i'r darparwydd anghofrestredig,

a bydd paragraff (2) o'r rheoliad hwn yn peidio â bod yn gymwys i'r darparwydd anghofrestredig, o'r adeg y caiff y gorchymyn ei wneud.

(5) Bydd adran 20(2), (4) a (5) o Ddeddf 2000 yn gymwys i unrhyw gais a wneir i ynad o dan baragraff (3), ac i unrhyw orchymyn a wneir o dan bargaraff (4), fel petai'r cais neu'r gorchymyn (yn ôl fel y digwydd) wedi'i wneud o dan adran 20(1) o Ddeddf 2000 a'i gymhwyso at y darparwydd anghofrestredig.

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

18 Mawrth 2003

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

(3) This paragraph applies where -

- (a) the National Assembly applies to a justice of the peace for an order that section 11(1),(5) and (6) of the 2000 Act should apply to an unregistered provider and that paragraph (2) of this regulation should cease to apply to that unregistered provider; and
- (b) it appears to the justice that, unless the order is made, there will be a serious risk to a person's life, health or well-being.

(4) Where paragraph (3) applies -

- (a) the justice may make the order referred to in that paragraph;
- (b) section 11 of the 2000 Act will apply to the unregistered provider,

and paragraph (2) of this regulation shall cease to apply to the unregistered provider, from the time when the order is made.

(5) Section 20(2), (4) and (5) of the 2000 Act will apply to any application made to a justice under paragraph (3), and to any order made under paragraph (4), as if the application or order (as the case may be) were made under section 20(1) of the 2000 Act and applied to the unregistered provider.

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

18th March 2003

The Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

Rheoliad 4(1)

Regulation 4(1)

**YR WYBODAETH SYDD I'W CHYNNWYS
YN Y DATGANIAD O DDIBEN**

1. Datganiad o nodau ac amcanion y ganolfan breswyl i deuluoedd.
2. Datganiad o'r cyfleusterau a'r gwasanaethau, gan gynnwys manylion y math o lety, sydd i'w darparu gan y ganolfan breswyl i deuluoedd.
3. Enw a chyfeiriad y darparydd cofrestredig ac enw a chyfeiriad unrhyw reolwr cofrestredig.
4. Cymwysterau a phrofiad perthnasol y darparydd cofrestredig a'r rheolwr cofrestredig.
5. Niferoedd y personau sy'n gweithio yn y ganolfan breswyl i deuluoedd, eu cymwysterau a'u profiad perthnasol.
6. Strwythur trefniadol y ganolfan breswyl i deuluoedd.
7. Ffioedd a thaliadau'r ganolfan breswyl i deuluoedd.
8. Y meini prawf ar gyfer derbyniadau i'r ganolfan breswyl i deuluoedd, gan gynnwys, fel y bo'n gymwys, oedran isaf ac uchaf y rhieni a'r plant a dderbynnir (os oes oedran isaf ac uchaf).
9. Disgrifiad o ethos ac athroniaeth sylfaenol y ganolfan breswyl i deuluoedd, ac os yw'r rhain wedi'u seilio ar unrhyw fodel damcaniaethol neu therapiwtig, disgrifiad o'r model hwnnw.
10. Disgrifiad o unrhyw dechnegau penodol ar gyfer asesu, monitro neu therapi sydd i'w defnyddio yn y ganolfan breswyl i deuluoedd ac o'r trefniadau ar gyfer eu goruchwylio.
11. Disgrifiad o'r cyngor, y canllawiau a'r cwnsela a ddarperir, gan gynnwys y trefniadau ar gyfer goruchwyliaeth broffesiynol.
12. Y rhagofalon tân a'r gweithdrefnau brys sy'n gysylltiedig â hwy yn y ganolfan breswyl i deuluoedd.
13. Y trefniadau ar gyfer ymdrin â chwynion.
14. Y rheolau ac amodau sy'n gymwys i drigolion, ac o dan ba amgylchiadau y gall lleoliadau gael eu terfynu.
15. Y trefniadau ar gyfer parchu preifatrwydd ac urddas y trigolion.
16. Y polisi ynghylch defnyddio cyffuriau ac alcohol yn y ganolfan breswyl i deuluoedd.
17. Polisi cyfrinachedd y ganolfan breswyl i deuluoedd.
18. Y trefniadau ar gyfer amddiffyn plant.

**INFORMATION TO BE INCLUDED IN THE
STATEMENT OF PURPOSE**

1. A statement of the aims and objectives of the residential family centre.
2. A statement of the facilities and services, including details of the type of accommodation, to be provided by the residential family centre.
3. The name and address of the registered provider and of any registered manager.
4. The relevant qualifications and experience of the registered provider and registered manager.
5. The number, relevant qualifications and experience of persons working at the residential family centre.
6. The organisational structure of the residential family centre.
7. The fees and charges of the residential family centre.
8. The criteria for admission to the residential family centre, including, as applicable, the minimum and maximum ages (if any) of parents and children to be accommodated.
9. A description of the underlying ethos and philosophy of the residential family centre, and where this is based on any theoretical or therapeutic model, a description of that model.
10. A description of any specific assessment, monitoring or therapeutic techniques to be used in the residential family centre and of the arrangements for their supervision.
11. A description of the advice, guidance and counselling provided, including the arrangements for professional supervision.
12. The fire precautions and associated emergency procedures in the residential family centre.
13. The arrangements for dealing with complaints.
14. The rules and conditions applying to residents, and the circumstances in which placements may be terminated.
15. The arrangements for respecting the privacy and dignity of residents.
16. The policy relating to the use of drugs and alcohol in the residential family centre.
17. The residential family centre's confidentiality policy.
18. The arrangements for protecting children.

**YR WYBODAETH Y MAE EI HANGEN MEWN
PERTHYNAS Â PHERSONAU SY'N CEISIO
RHEDEG NEU REOLI CANOLFAN BRESWYL
I DEULUOEDD NEU WEITHIO MEWN UN**

1. Prawf adnabod cadarnhaol.
2. Naill ai -
 - (a) os yw'r swydd yn dod o fewn adran 115(3) o Ddeddf yr Heddlu 1997(a), tystysgrif record droseddol fanwl wedi'i rhoi o dan adran 115 o'r Ddeddf honno; neu
 - (b) mewn unrhyw achos arall, tystysgrif record droseddol wedi'i rhoi o dan adran 113 o'r Ddeddf honno,

gan gynnwys yn y naill achos a'r llall, ganlyniad gwiriadau sydd wedi'u cynnal yn unol, yn ôl fel y digwydd, ag adran 113(3A) neu 115(6A) o'r Ddeddf honno.

3. Dau dystlythyr ysgrifenedig gan gynnwys tystlythyr oddi wrth y cyflogwr diwethaf, os oes un.
4. Pan fo person wedi bod yn gweithio gynt mewn swydd yr oedd ei dyletswyddau'n cynnwys gweithio gyda phlant neu oedolion hawdd eu niweidio, cadarnhad, i'r graddau y bo hynny'n rhesymol ymarferol, o'r rheswm y daeth y gyflogaeth neu'r swydd i ben.
5. Tystiolaeth ddogfennol o unrhyw gymhwyster perthnasol.
6. Hanes cyflogaeth llawn, ynghyd ag esboniad ysgrifenedig bodddhaol o unrhyw fylchau mewn cyflogaeth.
7. Gwiriad heddlu, sef adroddiad a gynhyrchir gan neu ar ran prif swyddog heddlu o fewn ystyr Deddf yr Heddlu 1996 sy'n cofnodi, fel y maent adeg cynhyrchu'r adroddiad, yr holl dramgwyddau troseddol -
 - (a) yr oedd y person wedi'i euogfarnu ohonynt gan gynnwys euogfarnau sydd wedi'u disbyddu fewn ystyr Deddf Adsefydlu Troseddwyr 1974(b) ac y caniateir eu datgelu yn rhinwedd Gorchymyn Deddf Adsefydlu Troseddwyr 1974 (Eithriadau) 1975(c); neu

-
- (a) 1997 p.50. Mae swydd yn dod o fewn adran 115(3) os yw'n cynnwys gofalu yn rheolaidd am bersonau o dan 18 oed, eu hyfforddi, eu goruchwyllo neu fod y daliwr â gofal drostynt ar ei ben ei hun.
- (b) 1974 p.53
- (c) O.S. 1975/1023. Mae diwygiadau perthnasol wedi'u gwneud gan O.S. 1986/1249, O.S. 1986/2268 ac O.S. 2001/1192.

**INFORMATION REQUIRED IN RESPECT OF
PERSONS SEEKING TO CARRY ON, MANAGE
OR WORK AT A RESIDENTIAL FAMILY
CENTRE**

1. Positive proof of identity.
2. Either -
 - (a) if the position falls within section 115(3) of the Police Act 1997(a), an enhanced criminal record certificate issued under section 115 of that Act; or
 - (b) in any other case, a criminal record certificate issued under section 113 of that Act,

including in either case, the result of checks made in accordance with, as the case may be, section 113(3A) or 115(6A) of that Act.

3. Two written references, including a reference from the last employer, if any.
4. Where a person has previously worked in a position whose duties involved 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.
7. A police check being a report produced by or on behalf of a chief officer of police within the meaning of the Police Act 1996 which records, as at the time the report is produced, all criminal offences -

- (a) for which the person had been convicted including convictions which are spent within the meaning of the Rehabilitation of Offenders Act 1974(b) and which may be disclosed by virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975(c); or

-
- (a) 1997 c.50. A position is within section 115(3) if it involves regularly caring for, training, supervising or the holder being in sole charge of persons aged under 18.
- (b) 1974 c.53
- (c) S.I. 1975/1023. Relevant amendments have been made by S.I. 1986/1249, S.I. 1986/2268 and S.I. 2001/1192.

(b) y mae'r person wedi'i rybuddio amdanynt
ac wedi'u cyfaddef adeg cael y rhybudd.

(b) in respect of which the person has been
cautioned and which, at the time the
caution was given, the person admitted.

Rheoliad 19(1)(a)

Regulation 19(1)(a)

**YR WYBODAETH SYDD I'W CHYNNWYS
MEWN COFNODION ACHOSION****INFORMATION TO BE INCLUDED IN CASE
RECORDS**

1. Mewn perthynas â phob aelod o'r teulu -
 - (a) ei enw llawn a'i gyfeiriad cartref;
 - (b) unrhyw enw y mae wedi'i adnabod wrtho o'r blaen;
 - (c) ei ddyddiad geni a'i ryw;
 - (ch)ei argyhoeddiad crefyddol (os oes un); a
 - (d) disgrifiad o'i darddiad hiliol, ei gefndir diwylliannol ac ieithyddol.
 2. Enw'r awdurdod lleoli, os oes un, ac enw, cyfeiriad a rhif ffôn cynrychiolydd i'r awdurdod hwnnw.
 3. Enw, cyfeiriad a rhif ffôn unrhyw weithiwr cymdeithasol sydd am y tro wedi'i ddyrannu i unrhyw aelod o'r teulu.
 4. Telerau unrhyw orchymyn llys y mae'r teulu yn cael llety yn y ganolfan breswyl i deuluoedd odano.
 5. Enw a chyfeiriad yr ymarferydd cyffredinol y mae aelodau'r teulu wedi'u cynnwys yn ei restr.
 6. Enw, cyfeiriad a rhif ffôn unrhyw ysgol, coleg neu weithle y mae unrhyw aelod o'r teulu'n eu mynychu.
 7. Dyddiad ac amgylchiadau unrhyw ddigwyddiad difrifol sy'n cynnwys unrhyw aelod o'r teulu, a dyddiad ac amgylchiadau unrhyw fesurau disgyblu neu ataliad corfforol a ddefnyddiwyd ar unrhyw aelod o'r teulu.
 8. Unrhyw anghenion arbennig o ran deiet, deintyddiaeth neu unrhyw rai eraill o ran iechyd, gan gynnwys manylion unrhyw alergeddau sydd gan unrhyw aelod o'r teulu.
 9. Manylion unrhyw feddyginiaethau sy'n cael eu cadw ar gyfer unrhyw aelod o'r teulu yn y ganolfan breswyl i deuluoedd, a manylion unrhyw feddyginiaethau a roddir i unrhyw un o'r trigolion gan berson sy'n gweithio yn y ganolfan breswyl i deuluoedd.
 10. Manylion unrhyw ddamwain neu salwch difrifol a gaiff unrhyw aelod o'r teulu tra bo'n cael ei letya yn y ganolfan breswyl i deuluoedd.
 11. Y trefniadau ar gyfer cysylltiadau rhwng unrhyw blentyn sy'n cael ei letya yn y ganolfan breswyl i deuluoedd ac unrhyw berson perthnasol arall, gan gynnwys unrhyw gyfyngiadau ar y cysylltiadau, a manylion unrhyw orchymynion llys sy'n ymwneud â chysylltiadau unrhyw berson â'r plentyn.
1. In respect of each member of the family -
 - (a) his full name and home address;
 - (b) any name by which he has previously been known;
 - (c) his date of birth and sex;
 - (d) his religious persuasion (if any); and
 - (e) a description of his racial origin, cultural and linguistic background.
 2. The name of the placing authority, if any, and the name, address and telephone number of a representative of that authority.
 3. The name, address and telephone number of any social worker for the time being assigned to any member of the family.
 4. The terms of any court order under which the family is provided with accommodation in the residential family centre.
 5. The name and address of the general practitioner in whose list the members of the family are included.
 6. The name, address and telephone number of any school, college or place of work attended by any member of the family.
 7. The date and circumstances of any serious incident involving any member of the family, and of any disciplinary measures or physical restraint used on any member of the family.
 8. Any special dietary, dental or other health needs, including details of any allergies, of any member of the family.
 9. Details of any medicines kept for any member of the family at the residential family centre, and of any medicines administered to any resident by a person working at the residential family centre.
 10. Details of any accident or serious illness sustained by any member of the family whilst accommodated at the residential family centre.
 11. Arrangements for, including any restrictions on, contact between any child accommodated in the residential family centre and any other relevant person, and details of any court orders relating to contact with the child by any person.

12. Manylion am unrhyw gyfnod pryd y bu unrhyw aelod o'r teulu yn absennol o'r ganolfan breswyl i deuluoedd, ac a gafodd yr absenoldeb ei awdurdodi gan y person cofrestredig neu beidio.

13. Copi o'r cynllun lleoliad ac unrhyw adolygiad ohono.

14. Cofnod o unrhyw arian neu bethau gwerthfawr a adneuir gan unrhyw aelod o'r teulu i'w cadw'n ddiogel, ynghyd â'r dyddiad y cafodd yr arian hwnnw ei dynnu neu y cafodd unrhyw bethau gwerthfawr eu dychwelyd.

15. Y cyfeiriad, a'r math o sefydliad neu lety, y mae'r teulu'n mynd iddo wrth ymadael â'r ganolfan breswyl i deuluoedd.

12. Details of any period of absence from the residential family centre by any member of the family, and whether or not the absence was authorised by the registered person.

13. A copy of the placement plan and any revision of it.

14. A record of any money or valuables deposited by any member of the family for safekeeping, together with the date on which that money was withdrawn, or any valuables were returned.

15. The address, and type of establishment or accommodation, to which the family goes when leaving the residential family centre.

**COFNODION ERAILL MEWN PERTHYNAS Â
CHANOLFANNAU PRESWYL I DEULUOEDD**

1. Copi o'r datganiad o ddiben.
2. Cofnod ar ffurf cofrestr sy'n dangos -
 - (a) enw, cyfeiriad, dyddiad geni a statws priodasol pob aelod o bob teulu;
 - (b) y dyddiad y dechreuodd breswyl yn y ganolfan breswyl i deuluoedd;
 - (c) y dyddiad y peidiodd â chael ei letya yno, a'r rheswm pam;
 - (ch) enw'r person neu'r corff sy'n gyfrifol am drefnu i'r teulu aros yn y ganolfan breswyl i deuluoedd;
 - (d) enw a chyfeiriad ymarferydd cyffredinol a gweithiwr cymdeithasol, os oes un, pob aelod o'r teulu;
 - (dd) yn achos plentyn, unrhyw orchymyn llys y mae'n dod odano;
 - (g) yn achos plentyn sy'n destun gorchymyn gofal, enw, cyfeiriad a rhif ffôn yr awdurdod lleol dynodedig a swyddog yr awdurdod sy'n gyfrifol am achos y plentyn.
3. Datganiad o'r weithdrefn sydd i'w dilyn os digwydd damweiniau neu os aiff un o'r trigolion ar goll.
4. Datganiad o'r weithdrefn sydd i'w dilyn os ceir tân.
5. Cofnod o bob ymarfer tân, dril neu brawf ar offer tân (gan gynnwys larymau tân) a gynhelir yn y ganolfan breswyl i deuluoedd a chofnod o unrhyw gamau a gymerir i gywiro diffygion yn yr offer tân.
6. Cofnod dyddiol o'r digwyddiadau yn y ganolfan breswyl i deuluoedd y bydd yn rhaid iddynt gynnwys manylion unrhyw un o'r digwyddiadau canlynol a fydd yn effeithio ar drigolion -
 - (a) unrhyw ddamwain;
 - (b) unrhyw ddigwyddiad sy'n niweidiol i iechyd neu les trigolyn, gan gynnwys brigiad clefyd heintus;
 - (c) unrhyw anaf neu salwch a gaiff unrhyw drigolyn;
 - (ch) unrhyw dân;
 - (d) unrhyw ladrad neu fyrgleriaeth.
7. Cofnod sy'n dangos mewn perthynas â phob

**OTHER RECORDS WITH RESPECT TO
RESIDENTIAL FAMILY CENTRES**

1. A copy of the statement of purpose.
2. A record in the form of a register showing -
 - (a) the name, address, date of birth and marital status of each member of each family;
 - (b) the date on which he or she took up residence at the residential family centre;
 - (c) the date on which, and the reason why, he or she ceased to be accommodated there;
 - (d) the name of the person or organisation responsible for arranging the family's stay in the residential family centre;
 - (e) the name and address of the general practitioner and social worker if any, of each member of the family;
 - (f) in the case of a child, any court order to which he or she is subject;
 - (g) in the case of a child who is subject to a care order, the name, address and telephone number of the designated local authority and of the officer of the authority responsible for the child's case.
3. A statement of the procedure to be followed in the event of accidents or in the event of a resident going missing.
4. A statement of the procedure to be followed in the event of a fire.
5. A record of every fire practice, drill or test of fire equipment (including fire alarms) conducted in the residential family centre and of any action taken to remedy defects in the fire equipment.
6. A daily log of events occurring in the residential family centre which must include details of any of the following events affecting residents -
 - (a) any accident;
 - (b) any incident which is detrimental to the health or welfare of a resident, including the outbreak of infectious disease;
 - (c) any injury or illness to any resident;
 - (d) any fire;
 - (e) any theft or burglary.
7. A record showing in respect of each person

person a gyflogir yn y ganolfan breswyl i deuluoedd -

- (a) enw llawn;
- (b) rhyw;
- (c) dyddiad geni;
- (d) cyfeiriad cartref;
- (e) cymwysterau sy'n berthnasol i waith sy'n cynnwys plant a'i brofiad o waith o'r fath;
- (f) y swydd y mae'r person hwnnw yn ei dal, a faint o oriau y bydd yn gweithio bob wythnos, ar gyfartaledd.

8. Copi o unrhyw adroddiad a wneir o dan reoliad 25.

9. Cofnod o bob cwyn a wneir gan y trigolion neu gan bersonau sy'n gweithio yn y ganolfan breswyl i deuluoedd am sut mae'r ganolfan breswyl i deuluoedd yn gweithredu, a'r camau a gymerwyd gan y person cofrestredig mewn perthynas ag unrhyw gŵyn o'r fath.

10. Cofnod o'r taliadau a godir, a'r ffioedd a delir, gan bob teulu neu mewn perthynas â hwy, gan gynnwys unrhyw symiau ychwanegol sy'n daladwy am wasanaethau nad yw'r taliadau hynny'n eu cynnwys, a'r symiau a delir gan bob un o'r trigolion neu mewn perthynas â hwy.

11. Copi o roster dyletswyddau staff y personau sy'n gweithio yn y ganolfan breswyl i deuluoedd, a chofnod o'r rosteri a gafodd eu gweithio mewn gwirionedd.

12. Cofnod o bob ymwelydd â'r ganolfan breswyl i deuluoedd.

13. Cofnod o bob cyfrif a gedwir yn y ganolfan breswyl i deuluoedd.

employed at the residential family centre -

- (a) full name;
- (b) sex;
- (c) date of birth;
- (d) home address;
- (e) qualifications relevant to, and experience of work involving children;
- (f) the position held by that person, and the average number of hours worked by him or her per week.

8. A copy of any report made under regulation 25.

9. A record of all complaints made by residents or by persons working at the residential family centre about the operation of the residential family centre, and the action taken by the registered person in respect of any such complaint.

10. A record of the charges made, and fees paid, by or in respect of each family, including any extra amounts payable for additional services not covered by those charges, and the amounts paid by or in respect of each resident.

11. A copy of the staff duty roster of persons working at the residential family centre, and a record of the actual rosters worked.

12. A record of all visitors to the residential family centre.

13. A record of all accounts kept in the residential family centre.

©© Hawlfraint y Goron 2003

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

© Crown copyright 2003

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.