



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2006 Rhif 1705 (Cy.167)

2006 No. 1705 (W.167)

**PLANT A PHOBL IFANC,
CYMRU**

**CHILDREN AND YOUNG
PERSONS, WALES**

**Rheoliadau Byrddau Lleol ar gyfer
Diogelu Plant (Cymru) 2006**

**The Local Safeguarding Children
Boards (Wales) Regulations 2006**

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 darparu ar gyfer swyddogaethau Byrddau Lleol Cymru ar gyfer Diogelu Plant o ran yr amcan a osodwyd ar eu cyfer gan adran 32 o Ddeddf Plant 2004, aelodaeth y Byrddau a'u gweithdrefnau.

These Regulations provide for the functions of Welsh Local Safeguarding Children Boards in relation to the objective set for them by section 32 of the Children Act 2004, the membership of Boards and their procedures.

Mae rheoliadau 3 a 4 yn ymdrin â swyddogaethau Byrddau. Mae rheoliad 3 yn rhagnodi swyddogaethau Bwrdd mewn cysylltiad â'i amcan. Mae rheoliad 4 yn gwneud darpariaeth ynghylch cynnal adolygiadau achos difrifol.

Regulations 3 and 4 deal with the functions of Boards. Regulation 3 prescribes a Board's functions in relation to its objective. Regulation 4 makes provision about the carrying out of serious case reviews.

Mae rheoliad 5 yn rhagnodi aelodaeth Bwrdd. Mae rheoliad 6 yn ymdrin â gweithdrefnau Bwrdd ac mae rheoliad 7 yn rhoi swyddogaethau i awdurdodau gwasanaethau plant mewn cysylltiad â'u Bwrdd.

Regulation 5 prescribes the membership of a Board. Regulation 6 deals with a Board's procedures and regulation 7 confers functions upon children's services authorities in relation to their Boards.

Mae'r Rheoliadau hyn yn dod i rym ar 1 Hydref 2006.

These Regulations come into force on 1 October 2006.

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**Rheoliadau Byrddau Lleol ar gyfer
Diogelu Plant (Cymru) 2006**

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Boards (Wales) Regulations 2006**

Wedi'u gwneud 27 Mehefin 2006

Made 27 June 2006

Yn dod i rym 1 Hydref 2006

Coming into force 1 October 2006

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 31(2), (4) a (5), 32(2) a (3), 34(1) a 66(1) o Ddeddf Plant 2004(1), a chyda chydysyniad yr Ysgrifennydd Gwladol o ran rheoliad 5(2)(a) i (c), (dd) ac (e)(2), drwy hyn yn gwneud y Rheoliadau a ganlyn:

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 31(2), (4) and (5), 32(2) and (3), 34(1) and 66(1) of the Children Act 2004 (1), and with the consent of the Secretary of State as respects regulation 5(2)(a) to (c), (f) and (g)(2), hereby makes the following Regulations:

Enwi, cychwyn a chymhwyso

Title, commencement and application

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Byrddau Lleol ar gyfer Diogelu Plant (Cymru) 2006.

1.-(1) The title of these Regulations is the Local Safeguarding Children Boards (Wales) Regulations 2006.

(2) Daw'r Rheoliadau hyn i rym ar 1 Hydref 2006.

(2) These Regulations shall come into force on 1 October 2006.

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

(3) These Regulations apply in relation to Wales.

Dehongli

Interpretation

2.-(1) Yn y Rheoliadau hyn-

2.-(1) In these Regulations-

mae i "aelod" ("*member*") yr ystyr a roddir iddo yn rheoliad 6(1);

"2004 Act" ("*Deddf 2004*") means the Children Act 2004;

mae i "adolygiad achos difrifol" ("*serious case review*") yr ystyr a roddir iddo yn rheoliad 4;

"area" ("*ardal*") means the area for which a Board is established;

mae i "adroddiad trosolwg" ("*overview report*") yr ystyr a roddir iddo gan reoliad 4(4)(b);

"Board" ("*Bwrdd*") means either a Local Safeguarding Children Board established for the area of a children's services authority in Wales or a Local Safeguarding Children Board established

ystyr "ardal" ("*area*") yw'r ardal y sefydlwyd Bwrdd ar ei chyfer;

(1) 2004 p. 31.

(1) 2004 c. 31.

(2) *Gweler* adran 31(4) o Ddeddf 2004 am y gofyniad i gael cydysyniad yr Ysgrifennydd Gwladol.

(2) *See* section 31(4) of the 2004 Act for the requirement to obtain the consent of the Secretary of State.

ystyr "awdurdod gwasanaethau plant" ("*children's services authority*"), o ran Bwrdd, yw'r awdurdod neu'r awdurdodau a sefydlodd y Bwrdd;

ystyr "Bwrdd" ("*Board*") yw naill ai Bwrdd Lleol ar gyfer Diogelu Plant a sefydlwyd ar gyfer ardal awdurdod gwasanaethau plant yng Nghymru neu Fwrdd Lleol ar gyfer Diogelu Plant a sefydlwyd ar gyfer ardaloedd dau neu fwy o awdurdodau gwasanaethau plant yng Nghymru(1)

ystyr "Cadeirydd" ("*Chair*"), o ran Bwrdd, yw person sy'n dal swydd gyfredol i weithredu felly o dan reoliad 6;

ystyr "corff cynrychioliadol" ("*representative body*") yw corff sydd wedi penodi person i weithredu fel ei gynrychiolydd ar y Bwrdd;

mae i "cyfarwyddwr gwasanaethau cymdeithasol" yr ystyr a roddir i "director of social services" yn Neddf Gwasanaethau Cymdeithasol Awdurdodau Lleol 1970(2);

ystyr "Deddf 2004" ("*2004 Act*") yw Deddf Plant 2004;

mae i "niwed" yr ystyr a roddir i "harm" yn adran 31(9) o Ddeddf Plant 1989(4);

ystyr "nyrs gofrestrdig" ("*registered nurse*") yw nyrs neu fydwrraig sydd wedi'i chofrestru gyda'r Cyngor Nyrsio a Bydwreigiaeth;

ystyr "prif swyddfa" ("*principal office*"), o ran Bwrdd, yw mangre a ddyndir felly gan y Bwrdd;

ystyr "prif swyddog addysg" ("*chief education officer*") yw swyddog a benodir o dan adran 532 o Ddeddf Addysg 1996(3);

(2) Yn y Rheoliadau hyn mae cyfeiriad-

- (a) at reoliad â rhif yn gyfeiriad at y rheoliad sy'n dwyn y rhif hwnnw yn y Rheoliadau hyn;
- (b) mewn rheoliad at baragraff â rhif yn gyfeiriad at y paragraff yn y rheoliad hwnnw sy'n dwyn y rhif hwnnw;
- (c) mewn paragraff at is-baragraff â rhif yn gyfeiriad at yr is-baragraff sy'n dwyn y rhif hwnnw yn y paragraff hwnnw.

for the area of two or more children's services authorities in Wales(1)

"Chair" ("*Cadeirydd*") , in relation to a Board, means the person who holds a current appointment to act as such under regulation 6;

"chief education officer" ("*prif swyddog addysg*") means an officer appointed under section 532 of the Education Act 1996(2);

"children's services authority" ("*awdurdod gwasanaethau plant*"), in relation to a Board, means the authority or authorities by whom the Board is established

"director of social services" ("*cyfarwyddwr gwasanaethau cymdeithasol*") has the same meaning as in the Local Authority Social Services Act 1970(3);

"harm" ("*niwed*") has the meaning given in section 31(9) of the Children Act 1989(4);

"member" ("*aelod*") has the meaning given by regulation 6(1);

"overview report" ("*adroddiad trosolwg*") has the meaning given by regulation 4(4)(b);

"principal office" ("*prif swyddfa*"), in relation to a Board, means the premises designated as such by the Board;

"registered nurse" ("*nyrs gofrestrdig*") means a nurse or midwife registered with the Nursing and Midwifery Council;

"representative body" ("*corff cynrychioliadol*") means a body who has appointed a person to act as its representative on the Board;

"serious case review" ("*adolygiad achos difrifol*") has the meaning given in regulation 4.

(2) In these Regulations, a reference-

- (a) to a numbered Regulation is to the regulation bearing that number in these Regulations;
- (b) in a regulation to a numbered paragraph is to the paragraph bearing that number in that regulation;
- (c) in a paragraph to a numbered sub-paragraph is to the sub-paragraph bearing that number in that paragraph.

(1) Mae adran 31(1) o Ddeddf 2004 yn ei gwneud yn ofynnol i bob awdurdod gwasanaethau plant yng Nghymru sefydlu Bwrdd Lleol ar gyfer Diogelu Plant ar gyfer eu hardal. Mae adran 31(9) yn caniatáu i ddau awdurdod neu fwy gyflawni eu dyletswyddau yn eu trefn o dan adran 31(1) drwy sefydlu Bwrdd ar gyfer eu hardal gyfun.

(2) 1970 p. 42.

(3) 1996 p. 56.

(4) 1989 p.41.

(1) Section 31(1) of the 2004 Act requires each children's services authority in Wales to establish a Local Safeguarding Children Board for their area. Section 31(9) permits two or more authorities to discharge their respective duties under section 31(1) by establishing a Board for their combined area.

(2) 1996 c. 56.

(3) 1970 c. 42.

(4) 1989 p.41.

Swyddogaethau Bwrdd o ran ei amcan

3.-(1) Mae Bwrdd i gael y swyddogaethau canlynol o ran ei amcan o dan adran 32 o Ddeddf 2004(1)-

- (a) cymryd camau sydd â'r nod o feithrin perthynas o ymddiriedaeth a dealltwriaeth gilyddol ymhlith y personau neu'r cyrff a gynrychiolir ar y Bwrdd o ran diogelu a hybu lles plant o fewn ardal y Bwrdd;
- (b) cymryd camau sydd â'r nod o godi ymwybyddiaeth ledled ardal y Bwrdd o'r angen i ddiogelu a hybu lles plant a darparu gwybodaeth am y modd y gellir cyflawni hyn;
- (c) datblygu polisiau a gweithdrefnau sydd â'r diben o gydlynu yr hyn a wneir gan bob corff cynrychioliadol at ddibenion diogelu a hybu lles plant o fewn ardal y Bwrdd, gan gynnwys polisiau a gweithdrefnau o ran-
 - (i) rhannu gwybodaeth;
 - (ii) camau i'w cymryd pan fo pryderon am ddiogelwch neu les plentyn, gan gynnwys nodi terfynau i ymyriad;
 - (iii) recriwtio a goruchwylio personau sy'n gweithio gyda phlant neu sy'n cael ymwneud â phlant yn rheolaidd;
 - (iv) diogelwch a lles plant a faethir yn breifat.
- (ch) adolygu effeithiolrwydd y mesurau a gymerwyd gan bob person neu gorff a gynrychiolir ar y Bwrdd i gydlynu yr hyn a wnânt at ddibenion diogelu a hybu lles plant o fewn ardal y Bwrdd a gwneud pa argymhellion bynnag y gwêl yn dda ar gyfer y personau neu'r cyrff hynny yng ngoleuni'r cyfryw adolygiad;
- (d) gwneud "adolygiadau achos difrifol" yn unol â rheoliad 4;
- (dd) monitro i ba raddau y mae unrhyw argymhellion a wnaed mewn adolygiad o dan baragraff (ch) neu mewn adolygiad achos difrifol yn cael eu bodloni neu wedi cael eu bodloni;

(1) O dan adran 32(1) o Ddeddf 2004, amcan y Bwrdd yw (a) cydlynu yr hyn a wneir gan bob person neu gorff a gynrychiolir ar y Bwrdd at ddibenion diogelu a hybu lles plant yn ardal yr awdurdod a'i sefydlodd; a (b) sicrhau effeithiolrwydd yr hyn a wneir gan bob un o'r personau neu'r cyrff hynny at y dibenion hynny.

Functions of a Board in relation to its objective

3.-(1) A Board is to have the following functions in relation to its objective under section 32 of the 2004 Act(1)-

- (a) to take steps whose aim is to foster a relationship of mutual trust and understanding amongst the persons or bodies represented on the Board in relation to safeguarding and promoting the welfare of children within the area of the Board;
- (b) to take steps whose aim is to raise awareness throughout the Board's area of the need to safeguard and promote the welfare of children and to provide information about how this might be achieved;
- (c) to develop policies and procedures whose purpose is to co-ordinate what is done by each representative body for the purposes of safeguarding and promoting the welfare of children within the area of the Board, including policies and procedures in relation to-
 - (i) information sharing;
 - (ii) actions, including thresholds for intervention, to be taken where there are concerns about a child's safety or welfare;
 - (iii) the recruitment and supervision of persons who work with or have regular access to children;
 - (iv) the safety and welfare of children who are privately fostered.
- (d) to review the efficacy of the measures taken by each person or body represented on the Board to co-ordinate what they do for the purposes of safeguarding and promoting the welfare of children within the area of the Board and to make whatever recommendations it sees fit to those persons or bodies in light of such a review;
- (e) to undertake "serious case reviews" in accordance with regulation 4;
- (f) to monitor the extent to which any recommendations made in a review under paragraph (d) or a serious case review are being or have been met;

(1) Under section 32(1) of the 2004 Act, the objective of a Board is (a) to co-ordinate what is done by each person or body represented on the Board for the purposes of safeguarding and promoting the welfare of children in the area of the authority by which it is established; and (b) to ensure the effectiveness of what is done by each such person or body for those purposes.

- (e) datblygu meini prawf ar gyfer mesur perfformiad awdurdod gwasanaethau plant yn erbyn y cynllun a luniwyd o dan adran 26 o Ddeddf 2004 (cynlluniau plant a phobl ifanc)(1), i'r graddau y mae'r cynllun yn ymwneud â diogelu a hybu lles plant yn ardal un o'r awdurdodau;
- (f) lledaenu gwybodaeth am yr arferion gorau wrth ddiogelu a hybu lles plant ymhlith y cyrff cynrychioliadol a'r personau eraill hynny y mae'r Bwrdd yn barnu eu bod yn briodol;
- (ff) gwneud ymchwil i ddiogelu a hybu lles plant;
- (g) adolygu anghenion hyfforddi'r sawl sy'n gweithio yn ardal y Bwrdd gyda'r bwriad o ganfod gweithgareddau hyfforddi a chynorthwyo i ddiogelu a hybu lles plant yn ardal y Bwrdd;
- (ng) darparu hyfforddiant er mwyn cynorthwyo i ddiogelu a hybu lles plant yn ardal y Bwrdd;
- (h) cydweithredu â Byrddau eraill (p'un ai yng Nghymru neu yn Lloegr) ac unrhyw gyrff tebyg o'r fath yn yr Alban a Gogledd Iwerddon os bydd y Bwrdd yn ystyried y byddai hynny o fudd cilyddol; ac
- (i) ceisio cyngor neu wybodaeth os yw'r Bwrdd o'r farn bod hynny'n ddymunol at ddibenion unrhyw un o'r swyddogaethau uchod.
- (g) to develop criteria for measuring the performance of the children's services authority against the plan produced under section 26 of the 2004 Act (children and young people's plans)(1), in so far as the plan relates to safeguarding and promoting the welfare of children in an authority's area;
- (h) to disseminate information about best practice in safeguarding and promoting the welfare of children amongst the representative bodies and such other persons as the Board sees fit;
- (i) to undertake research into safeguarding and promoting the welfare of children;
- (j) to review the training needs of those working in the area of the Board with a view to identifying training activities to assist in safeguarding and promoting the welfare of children in the area of the Board;
- (k) to provide training whose purpose is to assist in safeguarding and promoting the welfare of children in the area of the Board;
- (l) to co-operate with other Boards (whether in Wales or England) and any similar such bodies in Scotland and Northern Ireland where the Board considers that would be of mutual benefit; and
- (m) to seek advice or information where the Board considers that to be desirable for the purposes of any of the above functions.

Adolygiadau achos difrifol

4.-(1) Rhaid i Fwrdd gynnal adolygiad ("adolygiad achos difrifol") yn unol â'r rheoliad hwn yn unrhyw un o'r achosion canlynol os bydd yn wybyddus bod plentyn, o fewn ardal y Bwrdd, yn cael ei gam-drin neu ei esgeuluso, neu os amheuir hynny, ac-

- (a) bod plentyn wedi marw, neu
- (b) bod plentyn wedi dioddef anaf a allai roi ei fywyd mewn perygl, neu
- (c) bod plentyn wedi dioddef nam difrifol a pharhaol i'w iechyd neu i'w ddatblygiad.

(2) Caiff Bwrdd gynnal adolygiad achos difrifol yn unol â'r rheoliad hwn os bydd plentyn o fewn ardal y Bwrdd yn dioddef niwed nad yw'n dod o fewn paragraffau 1(a)(b) neu (c).

(3) Diben adolygiad achos difrifol yw canfod camau y gellir eu cymryd i rwystro marwolaeth neu niwed o'r tebyg rhag digwydd.

(4) Wrth gynnal adolygiad achos difrifol, rhaid i Fwrdd-

Serious case reviews

4.-(1) A Board must undertake a review (a "serious case review") in accordance with this regulation in any of the following cases where, within the area of the Board, abuse or neglect of a child is known or suspected, and-

- (a) a child has died, or
- (b) has sustained a potentially life-threatening injury, or
- (c) has sustained serious and permanent impairment of health or development.

(2) A Board may undertake a serious case review in accordance with this regulation where a child within its area suffers harm which does not fall within paragraphs 1(a)(b) or (c).

(3) The purpose of a serious case review is to identify steps that might be taken to prevent a similar death or harm occurring.

(4) In carrying out a serious case review, a Board must-

(1) Bydd Rheoliadau a wneir o dan adran 26(2) o Ddeddf 2004 yn gwneud darpariaeth benodol o ran cynlluniau plant a phobl ifanc.

(1) Regulations made under section 26(2) of the 2004 Act will make specific provision in relation to children and young people's plans.

- (a) gofyn i bob corff cynrychioliadol roi i'r Bwrdd adroddiad ysgrifenedig o'i ymwneud â'r plentyn sy'n destun yr adolygiad, onid yw'r Bwrdd o'r farn bod adroddiad o'r fath yn ddiangen yn yr amgylchiadau;
- (b) ar ôl cael yr adroddiad y cyfeirir ato yn is-baragraff (a), llunio adroddiad ysgrifenedig (y cyfeirir ato yn y Rheoliadau hyn fel "adroddiad trosolwg")-
 - (i) sy'n canfod y camau sydd i'w cymryd i leihau'r risg o farwolaeth debyg neu niwed tebyg rhag digwydd; a
 - (ii) sy'n argymhell erbyn pryd y dylid cyflawni'r camau hynny, ac yn enwi'r personau a ddylai eu cyflawni;
- (c) llunio crynodeb heb gynnwys enw neb o bob adroddiad trosolwg a sicrhau ei fod ar gael i'w archwilio ym mhrif swyddfa'r Bwrdd.

(5) Rhaid i'r Bwrdd roi i Gynulliad Cenedlaethol Cymru-

- (a) copi o bob adroddiad a ddarperir gan gorff cynrychioliadol yn unol â pharagraff (4)(a) uchod;
- (b) copi o bob crynodeb heb gynnwys enw neb; ac
- (c) copi o bob adroddiad trosolwg.

(6) Rhaid i'r Bwrdd roi i bob cynrychiolydd-

- (a) copi o bob crynodeb heb gynnwys enw neb; a
- (b) oni bai bod y Bwrdd yn ei hystyried yn amhriodol, pob adroddiad trosolwg.

Cynrychiolwyr

5.-(1) Rhaid i Fwrdd gynnwys y canlynol yn gynrychiolwyr awdurdod gwasanaethau plant-

- (a) cyfarwyddwr arweiniol yr awdurdod dros wasanaethau plant a phobl ifanc neu ryw swyddog arall sy'n uniongyrchol atebol i'r cyfarwyddwr ac sydd ar lefel ddigonol o gyfrifoldeb i gynrychioli'r awdurdod yn lle'r cyfarwyddwr;
- (b) onid-
 - (i) cyfarwyddwr y gwasanaethau cymdeithasol, cyfarwyddwr gwasanaethau cymdeithasol yr awdurdod neu ryw swyddog arall sy'n uniongyrchol atebol i'r cyfarwyddwr hwnnw ac sydd ar lefel ddigonol o gyfrifoldeb i gynrychioli'r awdurdod yn lle'r cyfarwyddwr hwnnw;
 - (ii) y prif swyddog addysg, prif swyddog addysg yr awdurdod neu ryw swyddog arall sy'n uniongyrchol atebol i'r prif swyddog addysg ac sydd ar lefel ddigonol o gyfrifoldeb i gynrychioli'r awdurdod yn lle'r prif gyfarwyddwr addysg;

- (a) ask each representative body to provide the Board with a written report of its involvement with the child who is the subject of the review, unless the Board is of the opinion that such a report is unnecessary in the circumstances;
- (b) following receipt of each report referred to in sub-paragraph (a), produce a written report (referred to in these Regulations as an "overview report") that-
 - (i) identifies steps to be taken to reduce the risk of a similar death or harm occurring; and
 - (ii) recommends the time by which, and identifies the persons by whom, those steps should be performed;
- (c) produce an anonymised summary of each overview report and make it available for inspection at the Board's principal office.

(5) The Board must provide the National Assembly for Wales with a copy of-

- (a) each report provided by a representative body in accordance with paragraph (4)(a) above;
- (b) each anonymised summary; and
- (c) each overview report.

(6) The Board must provide each representative body with a copy of-

- (a) each anonymised summary; and
- (b) unless the Board considers it inappropriate, each overview report.

Representatives

5.-(1) A Board must include the following as representatives of the children's services authority-

- (a) the authority's lead director for children and young people's services or some other officer directly accountable to the director who is of sufficient seniority to represent the authority instead of the director;
- (b) unless the authority's lead director for children and young people's services is-
 - (i) the director of social services, the authority's director of social services or some other officer directly accountable to that director who is of sufficient seniority to represent the authority instead of that director;
 - (ii) the chief education officer, the authority's chief education officer or some other officer directly accountable to the chief education officer who is of sufficient seniority to represent the authority instead of the chief education officer;

- (iii) y swyddog a benodwyd gan yr awdurdod yn swyddog â chyfrifoldeb dros gyflawni swyddogaethau'r awdurdod o dan Ran VI neu VII o Ddeddf Tai 1996(1) neu ryw swyddog arall sy'n uniongyrchol atebol i'r person hwnnw ac sydd ar lefel ddigonol o gyfrifoldeb i gynrychioli'r awdurdod yn ei le;

yw cyfarwyddwr arweiniol yr awdurdod dros wasanaethau plant a phobl ifanc.

(2) Rhaid i Fwrdd gynnwys y canlynol fel cynrychiolwyr Partneriaid Bwrdd yr awdurdod gwasanaethau plant-

- (a) o ran prif swyddog yr heddlu ar gyfer unrhyw ardal heddlu y mae unrhyw ran ohoni yn dod o fewn ardal y Bwrdd, swyddog-
 - (i) sydd o leiaf ar radd Arolygydd; a
 - (ii) y mae'r prif swyddog wedi gosod arno gyfrifoldeb dros ddiogelu a hybu lles plant;
- (b) o ran bwrdd prawf lleol ar gyfer unrhyw ardal y mae unrhyw ran ohoni yn dod o fewn ardal y Bwrdd, y Prif Swyddog neu ryw swyddog arall sy'n uniongyrchol atebol i'r Prif Swyddog ac sydd ar lefel ddigonol o gyfrifoldeb i gynrychioli'r bwrdd prawf yn lle'r Prif Swyddog;
- (c) o ran tîm troseddwy'r ifanc ar gyfer ardal y mae unrhyw ran ohoni yn dod o fewn ardal y Bwrdd, rheolwr y tîm neu'r dirprwy reolwr;
- (ch) o ran Bwrdd Iechyd Lleol ("BIL") ar gyfer ardal y mae unrhyw rhan ohoni yn dod o fewn ardal y Bwrdd-
 - (i) swyddog arweiniol y BIL dros wasanaethau plant a phobl ifanc neu ryw swyddog arall sy'n uniongyrchol atebol i'r swyddog arweiniol ac sydd ar lefel ddigonol o gyfrifoldeb i gynrychioli'r BIL yn lle'r swyddog arweiniol;
 - (ii) ymarferydd meddygol cofrestredig y gosodwyd arno gyfrifoldebau penodedig o ran amddiffyn plant o fewn ardal y BIL; a
 - (iii) nyrs gofrestredig y gosodwyd arni gyfrifoldebau penodedig o ran amddiffyn plant o fewn ardal y BIL;
- (d) o ran Ymddiriedolaeth GIG sy'n darparu gwasanaethau meddygol yn ardal yr awdurdod, heblaw Ymddiriedolaeth GIG Gwasanaethau Ambiwylans Cymru, cyfarwyddwr gweithredol arweiniol yr Ymddiriedolaeth dros wasanaethau plant a phobl ifanc neu ryw swyddog arall sy'n uniongyrchol atebol iddo ac sydd ar lefel ddigonol o gyfrifoldeb i weithredu fel cynrychiolydd yr Ymddiriedolaeth yn lle'r

- (iii) the officer appointed by the authority with responsibility for the discharge of its functions under Part VI or VII of the Housing Act 1996(1), some other officer directly accountable to that person who is of sufficient seniority to represent the authority instead.

(2) A Board must include the following as representatives of the children's services authority's Board Partners-

- (a) in respect of the chief officer of police for any police area any part of which falls within the area of the Board, an officer who-
 - (i) holds at least the rank of Inspector; and
 - (ii) whom the chief officer has charged with responsibility for safeguarding and promoting the welfare of children;
- (b) in respect of a local probation board for any area any part of which falls within the area of the Board, the Chief Officer or some other officer directly accountable to the Chief Officer who is of sufficient seniority to represent the Board instead of the Chief Officer;
- (c) in respect of a youth offending team for an area any part of which falls within the area of the Board, the team's manager or the manager's deputy;
- (d) in respect of a Local Health Board ("LHB") for any area any part of which falls within the area of the Board-
 - (i) the LHB's lead officer for children and young people's services or some other officer directly accountable to the lead officer who is of sufficient seniority to act as the LHB's representative instead of the lead officer;
 - (ii) a registered medical practitioner charged with specific responsibilities in relation to the protection of children within the area of the LHB; and
 - (iii) a registered nurse charged with specific responsibilities in relation to the protection of children within the area of the LHB;
- (e) in respect of an NHS Trust providing medical services in the area of the authority, other than the Welsh Ambulance Services NHS Trust, the Trust's lead executive director for children and young people's services or some other officer directly accountable to him or her who is of sufficient seniority to act as the Trust's representative instead of the lead executive

(1) 1996 p. 52.

(1) 1996 c. 52.

cyfarwyddwr gweithredol arweiniol;

- (dd) o ran llywodraethwr unrhyw ganolfan hyfforddi ddiogel o fewn ardal y Bwrdd (neu, yn achos canolfan hyfforddi ddiogel a gontractiwyd allan, ei chyfarwyddwr), dirprwy'r llywodraethwr (neu'r cyfarwyddwr) neu unigolyn o radd uwch; ac
- (e) o ran llywodraethwr unrhyw garchar yn ardal y Bwrdd sydd fel arfer yn cadw plant yn gaeth (neu, yn achos carchar a gontractiwyd allan, ei gyfarwyddwr), dirprwy'r llywodraethwr (neu'r cyfarwyddwr) neu unigolyn o radd uwch.

(3) Drwy hyn rhagnodir y cynrychiolwyr ym mharagraff (2) at ddibenion adran 31(2) o Ddeddf 2004.

Gweithdrefn etc. Bwrdd

6.-(1) Rhaid i Fwrdd gynnal rhestr o'r personau hynny sy'n dal swydd gyfredol i gynrychioli person neu gorff ar y Bwrdd (y cyfeirir atynt yn y Rheoliadau hyn fel "aelodau'r" Bwrdd).

(2) Mae Bwrdd i wneud penderfyniadau drwy bleidlais mwyafrif ei aelodau onid yw'r penderfyniad yn un sydd i'w gymryd mewn cysylltiad â swyddogaeth y mae paragraff (4) yn gymwys iddi. Mae gan y Cadeirydd bleidlais fwrw.

(3) Caiff Bwrdd benderfynu y gellir cyflawni swyddogaeth benodol i unrhyw raddau penodedig (gan gynnwys y swyddogaeth yn ei chyfanrwydd), ac yn ddarostyngedig i unrhyw amodau penodedig, ar ei ran gan unrhyw un neu fwy o'i aelodau, onid yw'r swyddogaeth yn un y mae paragraff (4) yn gymwys iddi.

(4) Mae'r paragraff hwn yn gymwys i swyddogaethau'r Bwrdd o ran datblygu gweithdrefnau i gydlyn gweithgareddau cyrff cynrychioliadol o dan reoliad 3(1)(c).

(5) Os bydd paragraff (4) yn gymwys, dim ond gyda phleidlais unfrydol yr aelodau y caniateir cymryd penderfyniad mewn cysylltiad â'r swyddogaeth.

(6) Rhaid i Fwrdd drwy benderfyniad mwyafrif benodi un o'i aelodau yn Gadeirydd iddo. Wrth wneud y penderfyniad hwnnw rhaid i'r aelodau roi sylw i'r angen i benodi Cadeirydd sydd ag arbenigedd a safle digonol i hawlio parch y cyrff cynrychioliadol.

(7) Daw penodiad y Cadeirydd i ben-

- (a) os penodwyd ef am gyfnod penodol a bod y cyfnod yn dod i ben;
- (b) os yw'n ymddiswyddo;
- (c) os nad yw bellach yn aelod o'r Bwrdd;
- (ch) os yw'r aelodau drwy benderfyniad y mwyafrif yn penderfynu hynny.

director;

- (f) in respect of the governor of any secure training centre within the area of the Board (or, in the case of a contracted out secure centre, its director), the governor's (or director's) deputy or an individual of higher rank; and
- (g) in respect of the governor of any prison in the area of the Board which ordinarily detains children (or, in the case of a contracted out prison, its director), the governor's (or director's) deputy or an individual of higher rank.

(3) The representatives in paragraph (2) are hereby prescribed for the purposes of section 31(2) of the 2004 Act.

Procedure etc. of a Board

6.-(1) A Board must maintain a list of those persons who hold a current appointment to represent a person or body on the Board (referred to in these Regulations as the Board's "members").

(2) A Board is to take decisions by majority vote of its members unless the decision falls to be taken in connection with a function to which paragraph (4) applies. The Chair has a casting vote.

(3) A Board may decide that a particular function may to any specified extent (including in its totality), and subject to any specified conditions, be discharged on its behalf by any one or more of its members, unless the function is one to which paragraph (4) applies.

(4) This paragraph applies to the Board's function of developing procedures to co-ordinate the activities of representative bodies under regulation 3(1)(c).

(5) Where paragraph (4) applies, a decision in connection with the function may only be taken by unanimous vote of the members.

(6) A Board must by majority decision appoint one of its members to be its Chair. In making that decision the members shall have regard to the need to appoint a Chair who has sufficient expertise and standing to command the respect of the representative bodies.

(7) The Chair's appointment shall come to an end if-

- (a) he or she was appointed for a fixed term and that term expires;
- (b) he or she resigns;
- (c) he or she is no longer a member of the Board;
- (d) the members by majority decision so decide.

(8) Yn ddarostyngedig i'r darpariaethau uchod, mae Bwrdd i benderfynu ei weithdrefnau ei hun.

Swyddogaethau Awdurdodau Gwasanaethau Plant o ran eu Bwrdd etc.

7.-(1) Rhaid i awdurdod gwasanaethau plant ddarparu aelod o'i staff i ddarparu gwasanaethau gweinyddol i'r Bwrdd.

(2) Mae cofnodion Bwrdd (ar ba ffurf bynnag y maent) i'w trin fel pe baent yn gofnodion yr awdurdod gwasanaethau plant.

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

27 Mehefin 2006

Llywydd y Cynulliad Cenedlaethol

(8) Subject to the above provisions, a Board is to decide on its own procedures.

Functions of Children's Services Authorities in relation to their Boards etc.

7.-(1) A children's services authority must provide a member of its staff to provide administrative services to the Board.

(2) The records of a Board (in whatever form) are to be treated as if they were records of the children's services authority.

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

27 June 2006

D. Elis-Thomas

The Presiding Officer of the National Assembly

OFFERYNNAU STATUDOL

2006 Rhif 1705 (Cy.167)

**PLANT A PHOBL IFANC,
CYMRU**

Rheoliadau Byrddau Lleol ar gyfer
Diogelu Plant (Cymru) 2006

STATUTORY INSTRUMENTS

2006 No. 1705 (W.167)

**CHILDREN AND YOUNG
PERSONS, WALES**

The Local Safeguarding Children
Boards (Wales) Regulations 2006

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