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Codi Ffioedd ac Aseadau Ariannol **Financial Assessment and Charging**

Rhan 4 a 5 Deddf Gwasanaethau
Cymdeithasol a Llesiant (Cymru) 2014
**Part 4 and 5 Social Services and Well-
being (Wales) Act 2014**

Beth mae'r Ddeddf yn ei gwneud?/What does the Act do?

Rhan 4:

- rhoi disgresiwn i awdurdodau osod cyfraniad neu ad-daliad ar gyfer taliadau uniongyrchol;
- rhoi dewis i unigolyn gael dewis ynglŷn â'i gartref gofal ac i awdurdod godi ffi pan fo'r dewis yn ddrutach.

Part 4:

- provides authorities with discretion to set a contribution or reimbursement for direct payments;
- provides for a person to have choice over their care home and for an authority to charge where their choice is more expensive.

Beth mae'r Ddeddf yn ei gwneud?/ What does the Act do?

Rhan 5:

- rhoi disgresiwn i awdurdodau godi ffi am ofal a chymorth, cymorth i ofalwr; gwasanaethau ataliol a chynhorthwy;
- sicrhau bod sefyllfaoedd yn bodoli lle gellir codi ffi a lle na ellir codi ffi;
- sicrhau y gellir gosod trefniadau ar gyfer asesiadau ariannol;

Part 5:

- provides authorities with discretion to charge for care and support, support to a carer, preventative services and assistance;
- provides for situations to be set where a charge can and cannot be made;
- provides for arrangements for financial assessments to be set;

Beth mae'r Ddeddf yn ei gwneud?/What does the Act do?

- sicrhau bod sefyllfaoedd yn bodoli lle gellir gohirio talu ffioedd am ofal preswyl pan fo gan unigolyn eiddo;

- sicrhau bod sefyllfaoedd yn bodoli ar gyfer adolygu ffioedd a phenderfyniadau'n ymwneud â chodi ffi;

- sicrhau y gall awdurdodau adfer ffioedd a chreu ffi am dir pan fo achos o ddebyd.

- provides for arrangements to be set for deferring payment of a charge for residential care where a person has a property;

- provides for arrangements to be set for reviews of charges and charging decisions;

- allows for authorities to recover charges and to create a charge over land where a debit occurs.

Beth sy'n cael ei gyflwyno?/What's being introduced?

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| <ul style="list-style-type: none">• Mae'r Ddeddf, y rheoliadau a'r cod yn cyflwyno fframwaith wedi'i symleiddio ar gyfer asesiadau ariannol a chodi ffioedd yn seiliedig ar drefniadau presennol; trefniadau mwy cyson;• cynnal diogelwch ariannol presennol – uchafswm ffioedd, terfyn cyfalaf, byffer/lwfans treuliau personol (lleiafswm incwm); | <ul style="list-style-type: none">• Act, regulations and code introduce streamlined financial assessment and charging framework based on existing arrangements; more consistent arrangements;• maintains existing financial protections – maximum charge, capital limit, buffer/personal expenses allowance (minimum income amounts); |
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Beth sy'n cael ei gyflwyno?/ What's being introduced?

- cynnal yr egwyddor na all y ffi fod yn fwy na chost y gofal a'r cymorth a ddarperir; a dim ond y rhai sy'n gallu fforddio talu fydd yn gorfod talu;

- dileu gallu awdurdod i godi ffi ar riant neu warcheidwad ar gyfer y gofal a'r cymorth y mae eu plentyn yn eu cael dan Ran 4 y Ddeddf (diwallu anghenion);

- maintains principle that charge cannot be more than the cost of the care and support provided; and that only those who can afford to pay will be required to pay;

- removes the ability of an authority to charge a parent or guardian for the care and support their child receives under Part 4 of the Act (meeting needs);

Beth sy'n cael ei gyflwyno/What's being introduced?

- gwella tryloywder mewn datganiadau o ffioedd ac adolygiadau o ffioedd, yn berthnasol i ofal a chymorth preswyl a dibreswyl, gan gynnwys taliadau uniongyrchol;

- parhau i ganiatáu i unigolion gael dewis ynglŷn â'i gartref gofal ac i awdurdod godi ffi atodol (cost ychwanegol) pan fo'n ddrutach;

- improves transparency with statement of charges, and charging reviews, applicable to residential and non-residential care and support, including direct payments;

- continues to allow individuals to have choice over their care home and for an authority to charge a top up (additional cost) where this is more expensive;

Beth sy'n cael ei gyflwyno/What's being introduced?

- parhau â gallu awdurdod lleol i godi ffi cyfradd safonol am wasanaethau ataliol neu gynhorthwy;

- galluogi'r rhai mewn gofal preswyl sydd ag eiddo i ohirio cost hyn yn erbyn ei werth; sicrhau y gall awdurdodau godi ffi am gostau gweinyddol a chyfradd llog penodol petaent yn dewis.

- continues the ability of a local authority to charge a flat rate charge for preventative services or assistance;

- allows those in residential care who have a property to defer the cost of this against its value; provides for authorities to charge administration costs and a set level of interest should they chose.

Sut mae hyn yn cael ei wneud/How is this being done?

O 6 Ebrill 2016 bydd y Ddeddf a phum cyfres o reoliadau yn dod i rym:

- Rheoliadau Gofal a Chymorth (Asesiadau Ariannol) (Cymru) 2015;
- Rheoliadau Gofal a Chymorth (Codi Ffioedd) (Cymru) 2015;
- Rheoliadau Gofal a Chymorth (Taliadau Gohiriedig) (Cymru) 2015;

From 6 April 2016 the Act and five sets of regulations come into force:

- Care and Support (Financial Assessment) (Wales) Regulations 2015;
- Care and Support (Charging) (Wales) Regulations 2015;
- Care and Support (Deferred Payment) (Wales) Regulations 2015;

Sut mae hyn yn cael ei wneud/How is this being done?

- Rheoliadau Gofal a Chymorth (Dewis o Lety) (Cymru) 2015;

- Rheoliadau Gofal a Chymorth (Adolygu Penderfyniadau a Dyfarniadau Codi Ffioedd) (Cymru) 2015.

O'r diwrnod hwnnw bydd cod ymarfer yn dod i rym yn cynnwys asesiadau ariannol a chodi ffioedd dan adrannau perthnasol Rhan 4 a 5;

- Care and Support (Choice of Accommodation) (Wales) Regulations 2015;

- Care and Support (Review of Charging Decisions and Determinations) (Wales) Regulations 2015.

From that day a code of practice will come into force covering financial assessment and charging under the relevant sections of Part 4 and 5;

Sut mae hyn yn cael ei wneud/How is this being done?

Bydd yr holl ddeddfwriaeth, rheoliadau, cyfarwyddiadau a chanllawiau statudol yn dod i ben;

Yr eithriad fydd cleientiaid presennol lle bydd darpariaethau trosiannol yn sicrhau y gellir eu hasesu a chodi ffioedd arnynt dan y trefniadau presennol tan y bydd y cynlluniau gofal wedi'u diweddarau.

All other legislation, regulations, directions and statutory guidance will cease to have effect;

This is with the exception of existing clients where transitional provisions will allow these to be assessed and charged under the existing arrangements until care plans have been updated.

Beth sy'n wahanol/What is different?

- fframwaith unigol ar gyfer asesiadau ariannol, yn hytrach na rhai gwahanol ar gyfer gofal a chymorth preswyl a dibreswyl;

- darparu gwybodaeth benodol i unigolyn cyn iddo gael ei asesu, gan roi 15 diwrnod gwaith i unigolyn ddarparu'r wybodaeth a'r dogfennau y mae awdurdod eu hangen;

- single financial assessment framework, not different one for residential and non-residential care and support;
- set information to be provided to a person before they are assessed, with 15 working days for person to provide information and documentation an authority requires;

Beth sy'n wahanol/What is different?

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| <ul style="list-style-type: none">• ailalluogi am ddim am hyd at 6 wythnos er mwyn galluogi unigolyn i gynnal neu adennill y gallu i fyw gartref yn annibynnol;• codi ffi ar breswylwyr tymor byr mewn cartref gofal fel petaent yn parhau i dderbyn gofal a chymorth dibreswyl;• diystyru o leiaf £25 yr wythnos o'r Pensiwn Anabled Rhyfel; | <ul style="list-style-type: none">• up to 6 weeks free reablement to enable a person to maintain or regain the ability to live independently at home;• short-term residents in a care home charged as if they are still receiving non-residential care and support;• disregard of at least £25 per week of a War Disablement Pension; |
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Beth sy'n wahanol/What is different?

- lleiafswm incwm mewn gofal preswyl (yr hen PEA) £26.50 yr wythnos;
- datganiad o ffioedd, mae'n rhaid darparu cyfraniad o ad-daliadau cyn y gellir eu casglu. Fodd bynnag, erbyn hyn mae'r atebolrwydd amdanynt yn cychwyn pan fo'r unigolyn yn cael ei ofal a'i gymorth am y tro cyntaf;

- minimum income amount in residential care (PEA as was) £26.50 per week;
- statement of charge, contribution of reimbursement must be provided before these can be collected. However, liability for these now commences from when the person first receives their care and support;

Beth sy'n wahanol/What is different?

- cyfanswm y taliad gohiriedig a nodir yn y rheoliadau gyda'r gallu i atal y gohirio os yw incwm yr unigolyn yn uwch na lleiafswm priodol ei warant;

- hefyd, gallu awdurdod i godi llog ar y cyfanswm sy'n cael ei ohirio er mwyn sicrhau y gall awdurdodau fforddio'r trefniadau;

- the amount of a deferred payment specified in the regulations with the ability for the deferment to be suspended if the person's income exceeds their appropriate minimum guarantee;

- also, the ability of an authority to charge interest on the amount deferred so as to make agreements affordable for authorities;

Beth sy'n wahanol/What is different?

- ymestyn yr adolygiad cyfredol ar gyfer ffioedd a phenderfyniadau'n ymwneud â chodi ffioedd am ofal preswyl.

- the current review of charges and charging decisions extended to charging for residential care.

Beth sy'n digwydd nawr/What happens now?

- darllenwch y rheoliadau a'r cod wrth baratoi ar gyfer y flwyddyn nesaf a gofynnwch am eglurhad o'r meysydd rydych yn ansicr ohonynt;

- mae angen i ymarferwyr ystyried beth sy'n wahanol am y fframwaith hwn o safbwynt asesiadau ariannol a chodi ffioedd o gymharu â'u fframwaith a'u polisi codi ffioedd presennol. Mae angen iddynt nodi'r hyn sydd angen newid;

- read the regulations and code in preparation for next year and clarify areas where you are unclear;

- practitioners need to consider where the financial assessment and charging framework is different to their existing framework and charging policy. They need to identify where these need to change;

Beth sy'n digwydd nawr/What happens now?

- mae angen i ymarferwyr nodi'r heriau a ddaw yn sgil hyn a sut y gellid eu goresgyn;
- mae angen iddynt ystyried hefyd pwy fydd angen iddynt ymgynghori â nhw, ee cabinetau, ymgynghoriadau cyhoeddus yn lleol, ac ati;
- ac os yw popeth arall yn methu.....

- practitioners need to identify the challenges this will pose and how these might be overcome;
- they also need to consider who they will need to consult with, eg cabinets, public consultation locally, etc;
- and if all else fails.....

DIOLCH YN FAWR

THANK YOU VERY MUCH

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