O F F E R Y N N A U S T A T U D O L C Y M R U

2026 Rhif 22

Rheoliadau Gofal a Chymorth (Gosod Ffioedd) ac (Asesiad Ariannol) (Cymru) (Diwygiadau Amrywiol) 2026

Gwnaed	*3 Chwefror 2026*
Yn dod i rym	*6 Ebrill 2026*

W E L S H S T A T U T O R Y I N S T R U M E N T S

2026 No. 22

The Care and Support (Charging) and (Financial Assessment) (Wales) (Miscellaneous Amendments) Regulations 2026

Made	*3 February 2026*
Coming into force	*6 April 2026*

£8.90

O F F E R Y N N A U S T A T U D O L C Y M R U

2026 Rhif 22

GOFAL CYMDEITHASOL, CYMRU

Rheoliadau Gofal a Chymorth (Gosod Ffioedd) ac (Asesiad Ariannol) (Cymru) (Diwygiadau Amrywiol) 2026

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Gofal a Chymorth (Gosod Ffioedd) (Cymru) 2015 ("y Rheoliadau Gosod Ffioedd") a Rheoliadau Gofal a Chymorth (Asesiad Ariannol) (Cymru) 2015 ("y Rheoliadau Asesiad Ariannol").

Mae'r Rheoliadau Gosod Ffioedd yn nodi'r gofynion y mae rhaid i awdurdodau lleol eu bodloni wrth ddyfarnu swm y ffioedd sy'n gymwys mewn perthynas â gofal a chymorth a ddarperir neu a drefnir ganddynt, neu y cynigiant eu darparu neu eu trefnu, wrth gyflawni eu swyddogaethau o dan Ran 4 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 ("y Ddeddf"). Mae'r Rheoliadau Gosod Ffioedd hefyd yn cynnwys darpariaethau cyfochrog sy'n nodi gofynion sy'n gymwys pan fydd awdurdod lleol yn gwneud taliadau uniongyrchol i ddiwallu angen person am ofal a chymorth.

Mae'r Rheoliadau Asesiad Ariannol yn gwneud darpariaeth o dan y Ddeddf ynghylch y ffordd y mae rhaid i awdurdod lleol gynnal asesiad ariannol o adnoddau ariannol person ("A") yn yr achosion a ganlyn—

- pan fo'r awdurdod yn tybio, pe bai'n diwallu anghenion A am ofal a chymorth (neu anghenion gofalwr am gymorth), y byddai'n gosod ffi o dan adran 59 o'r Ddeddf, neu
- pan fo'r awdurdod yn tybio, pe bai'n gwneud taliadau tuag at y costau o ddiwallu anghenion A am ofal a chymorth (neu anghenion gofalwr am gymorth) drwy wneud taliadau uniongyrchol yn rhinwedd adran 50 neu 52 o'r Ddeddf, y byddai'n ei gwneud yn ofynnol i A dalu, ar ffurf ad-daliad (yn achos taliadau gros) neu gyfraniad (yn achos taliadau net), tuag at y gost o sicrhau'r ddarpariaeth honno o ofal a chymorth.

Mae rheoliad 2 o'r Rheoliadau hyn yn diwygio rheoliad 13 o'r Rheoliadau Gosod Ffioedd (isafswm incwm ar gyfer person y darperir llety iddo mewn cartref gofal) i gynyddu'r swm

incwm wythnosol net o £44.65 i £46.35. Mae rheoliad 28 hefyd wedi ei ddiwygio i wneud newid cyfatebol ar gyfer derbynyddion taliadau uniongyrchol.

Mae rheoliad 3 o'r Rheoliadau hyn yn diwygio Atodlenni 1 a 2 i'r Rheoliadau Asesiad Ariannol fel bod unrhyw daliadau a geir fel digolledi am gamweinyddiad cyfiawnder sy'n deillio o achosion troseddol yn cael eu diystyru wrth gyfrifo incwm a chyfalaf.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Y Grŵp Iechyd, Gofal Cymdeithasol a'r Blynyddoedd Cynnar, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ ac mae wedi ei gyhoeddi ar www.llyw.cymru.

2026 Rhif 22

GOFAL CYMDEITHASOL, CYMRU

Rheoliadau Gofal a Chymorth (Gosod Ffioedd) ac (Asesiad Ariannol) (Cymru) (Diwygiadau Amrywiol) 2026

Gwnaed	*3 Chwefror 2026*
Yn dod i rym	*6 Ebrill 2026*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir iddynt gan adrannau 50(1), 52(1), 53(3), 61(1), 64(1), 64(2)(b), 66(3) a 196(2) o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014(**1**).

Enwi a dod i rym

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Gofal a Chymorth (Gosod Ffioedd) ac (Asesiad Ariannol) (Cymru) (Diwygiadau Amrywiol) 2026.

(2) Daw'r Rheoliadau hyn i rym ar 6 Ebrill 2026.

Diwygio Rheoliadau Gofal a Chymorth (Gosod Ffioedd) (Cymru) 2015

2. Mae Rheoliadau Gofal a Chymorth (Gosod Ffioedd) (Cymru) 2015(**2**) wedi eu diwygio fel a ganlyn—

(a) yn rheoliad 13 (isafswm incwm ar gyfer person y darperir llety iddo mewn cartref gofal), yn lle "£44.65" rhodder "£46.35";

(b) yn rheoliad 28 (isafswm incwm ar gyfer person y darperir llety iddo mewn cartref gofal), yn lle "£44.65" rhodder "£46.35".

Diwygio Rheoliadau Gofal a Chymorth (Asesiad Ariannol) (Cymru) 2015

3. Mae Rheoliadau Gofal a Chymorth (Asesiad Ariannol) (Cymru) 2015(**3**) wedi eu diwygio fel a ganlyn—

(a) yn Atodlen 1 (symiau sydd i'w diystyru wrth gyfrifo incwm), ar ôl paragraff 44B mewnosoder—

(**1**) 2014 dccc 4. *Gweler* adran 197(1) am y diffiniadau o "penodedig", "a bennir", "a bennwyd" a "rheoliadau".
(**2**) O.S. 2015/1843 (Cy. 271), a ddiwygiwyd gan O.S. 2025/151 (Cy. 31); mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol.
(**3**) O.S. 2015/1844 (Cy. 272), a ddiwygiwyd gan O.S. 2017/214 (Cy. 58), O.S. 2019/234 (Cy. 53), O.S. 2022/99 (Cy. 35), O.S. 2023/67 (Cy. 12) ac O.S. 2025/151 (Cy. 31); mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol.

“44C. Unrhyw daliad a wneir i A o dan adran 133(1) o Ddeddf Cyfiawnder Troseddol 1988(**4**) fel digolledíad am gamweinyddiad cyfiawnder neu unrhyw daliad arall a wneir gan yr Ysgrifennydd Gwladol, Gweinidogion yr Alban neu, yng Ngogledd Iwerddon, yr Adran Gyfiawnder, at y diben o ddigolledu person am gamweinyddiad cyfiawnder sy’n deillio o achos troseddol.”;

(b) yn Atodlen 2 (cyfalaf sydd i’w ddiystyru), ar ôl paragraff 42 mewnosoder—

“43. Unrhyw daliad a wneir i A o dan adran 133(1) o Ddeddf Cyfiawnder Troseddol 1988 fel digolledíad am gamweinyddiad cyfiawnder neu unrhyw daliad arall a wneir gan yr Ysgrifennydd Gwladol, Gweinidogion yr Alban neu, yng Ngogledd Iwerddon, yr Adran Gyfiawnder, at y diben o ddigolledu person am gamweinyddiad cyfiawnder sy’n deillio o achos troseddol.”

Dawn Bowden
Y Gweinidog Plant a Gofal Cymdeithasol, o dan awdurdod Ysgrifennydd y Cabinet dros Iechyd a Gofal Cymdeithasol, un o Weinidogion Cymru
3 Chwefror 2026

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Saul Nassé, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd y Brenin ar gyfer Cymru.

(**4**) 1988 p. 33.

WELSH STATUTORY INSTRUMENTS

2026 No. 22

SOCIAL CARE, WALES

The Care and Support (Charging) and (Financial Assessment) (Wales) (Miscellaneous Amendments) Regulations 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Care and Support (Charging) (Wales) Regulations 2015 ("the Charging Regulations") and the Care and Support (Financial Assessment) (Wales) Regulations 2015 ("the Financial Assessment Regulations").

The Charging Regulations set out the requirements which local authorities must follow when making a determination of the amount of the charges which apply in relation to the care and support which they are providing or arranging or propose to provide or arrange in the course of carrying out their functions under Part 4 of the Social Services and Well-being (Wales) Act 2014 ("the Act"). The Charging Regulations also contain parallel provisions setting out requirements which apply when a local authority makes direct payments to meet a person's need for care and support.

The Financial Assessment Regulations make provision under the Act about the way in which a local authority must carry out a financial assessment of a person's ("A") financial resources in the following cases—

- where the authority thinks that if it were to meet A's needs for care and support (or a carer's needs for support) it would impose a charge under section 59 of the Act, or
- where the authority thinks that if it were to make payments towards meeting the costs of A's needs for care and support (or a carer's needs for support) by making direct payments by virtue of section 50 or 52 of the Act, it would require A to pay, by way of reimbursement (in the case of gross payments) or contribution (in the case of net payments), towards the cost of securing the provision of that care and support.

Regulation 2 of these Regulations amends regulation 13 of the Charging Regulations (minimum income amount where a person is provided with accommodation in a care home) to increase the net weekly income amount from £44.65 to £46.35. Regulation 28 is also amended to make a corresponding amendment for recipients of direct payments.

Regulation 3 of these Regulations amends Schedules 1 and 2 to the Financial Assessment Regulations so that any payments received as compensation for miscarriages of justice arising from criminal proceedings are disregarded in the calculation of income and capital.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Health, Social Care and Early Years Group, Welsh Government, Cathays Park, Cardiff, CF10 3NQ and is published on www.gov.wales.

2026 No. 22

SOCIAL CARE, WALES

The Care and Support (Charging) and (Financial Assessment) (Wales) (Miscellaneous Amendments) Regulations 2026

Made	*3 February 2026*
Coming into force	*6 April 2026*

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by sections 50(1), 52(1), 53(3), 61(1), 64(1), 64(2)(b), 66(3) and 196(2) of the Social Services and Well-being (Wales) Act 2014(**1**).

Title and coming into force

1.—(1) The title of these Regulations is the Care and Support (Charging) and (Financial Assessment) (Wales) (Miscellaneous Amendments) Regulations 2026.

(2) These Regulations come into force on 6 April 2026.

Amendment of the Care and Support (Charging) (Wales) Regulations 2015

2. The Care and Support (Charging) (Wales) Regulations 2015(**2**) are amended as follows—

(a) in regulation 13 (minimum income amount where a person is provided with accommodation in a care home), for "£44.65" substitute "£46.35";

(b) in regulation 28 (minimum income amount where a person is provided with accommodation in a care home), for "£44.65" substitute "£46.35".

Amendment of the Care and Support (Financial Assessment) (Wales) Regulations 2015

3. The Care and Support (Financial Assessment) (Wales) Regulations 2015(**3**) are amended as follows—

(a) in Schedule 1 (sums to be disregarded in the calculation of income), after paragraph 44B insert—

(**1**) 2014 anaw 4. *See* section 197(1) for the definitions of "regulations" and "specified".
(**2**) S.I. 2015/1843 (W. 271), amended by S.I. 2025/151 (W. 31); there are other amending instruments, but none is relevant.
(**3**) S.I. 2015/1844 (W. 272), amended by S.I. 2017/214 (W. 58), S.I. 2019/234 (W. 53), S.I. 2022/99 (W. 35), S.I. 2023/67 (W. 12) and S.I. 2025/151 (W. 31); there are other amending instruments, but none is relevant.

"44C. Any payment made to A under section 133(1) of the Criminal Justice Act 1988(**4**) as compensation for a miscarriage of justice or any other payment made by the Secretary of State, the Scottish Ministers or, in Northern Ireland, the Department of Justice, for the purpose of compensating a person for a miscarriage of justice arising from criminal proceedings.";

(b) in Schedule 2 (capital to be disregarded), after paragraph 42 insert—

"43. Any payment made to A under section 133(1) of the Criminal Justice Act 1988 as compensation for a miscarriage of justice or any other payment made by the Secretary of State, the Scottish Ministers or, in Northern Ireland, the Department of Justice, for the purpose of compensating a person for a miscarriage of justice arising from criminal proceedings."

Dawn Bowden
Minister for Children and Social Care, under the authority of the Cabinet Secretary for Health and Social Care, one of the Welsh Ministers
3 February 2026

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(**4**) 1988 c. 33.

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