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Sesiwn Ymgysylltu LPS gyda ffocws ar Anabledd Dysgu

LPS Engagement Session with a focus on Learning Disability

Cyd-destun

- Bydd y Diogeliadau Amddiffyn Rhyddid (LPS) yn disodli'r Trefniadau Diogelu wrth Amddifadu o Ryddid (DoLS).
- Bydd y diogeliadau newydd yn amddiffyn hawliau a rhyddid pobl os nad oes ganddynt y gallu meddyliol i wneud eu penderfyniadau eu hunain
- Bydd yr LPS yn berthnasol i bobl ifanc 16 a 17 oed ac yn cael ei gymhwyso ym mhob lleoliad gan gynnwys cartrefi pobl eu hunain
- Bydd gan Gymru ei set ei hun o Rheoliadau ynghylch sut i roi'r LPS ar waith

Context

- The Liberty Protection Safeguards (LPS) will be replacing the Deprivation of Liberty Safeguards (DoLS).
- The new safeguards will protect people's rights and freedom if they lack the mental capacity to make their own decisions.
- The LPS will apply to 16 and 17 year olds and be applied in all settings including people's own homes.
- Wales will have its own Regulations about how to put the LPS into practice.



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Sut gallwch chi ddweud eich dweud am
Reoliadau LPS Cymru?

How can you have your say on the
LPS Regulations for Wales?

Pwyntiau allweddol

- Mae Llywodraeth Cymru yn **ymgyngori** ar **Reoliadau i Gymru** a fydd yn cefnogi gweithrediad yr LPS.
- Ar yr un pryd, mae Llywodraeth y DU yn ymgynghori ar **y Cod Ymarfer** ar gyfer yr LPS (yn ogystal ag ar Reoliadau LPS ar gyfer Lloegr).
- Mae'r ddau ymgynghoriad bellach yn fyw a byddant yn cau ar yr 14 Gorffennaf.
- Bydd angen i chi ystyried y ddau ymgynghoriad.

Key points

- Welsh Government is **consulting** on draft **Regulations for Wales** which will support the implementation of the LPS.
- At the same time, UK Government is consulting on the **Code of Practice** for the LPS (as well as on LPS Regulations for England).
- Both consultations are now live and will close on the 14 July.
- You will need to consider both consultations.



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Adnoddau ymgynghori ychwanegol

Additional Consultation Resources

Fersiynau Cymraeg Clir

- Crynodeb o'r Rheoliadau drafft
- Cynlluniau ar gyfer y gweithlu a hyfforddiant
- Cynlluniau ar gyfer monitro ac adrodd

Plain English Versions

- Summary of the draft Regulations
- Plans for workforce and training
- Plans for monitoring and reporting




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Fersiwn Hawdd ei Ddeall a Ffurflen Ymateb

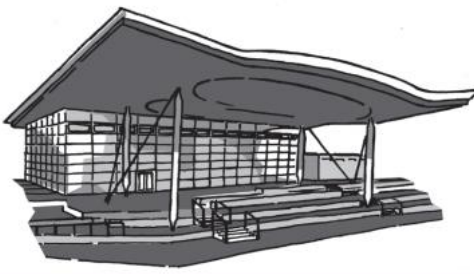
Easy Read Versions and Response Form



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Getting it right
Regulations and plans for Wales
for the Liberty Protection Safeguards



This is an Easy Read document from the Welsh Government
Published 'date to be confirmed'

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**Overview of the Mental Capacity
(Amendment) Act 2019 and the
new Liberty Protection Safeguards**



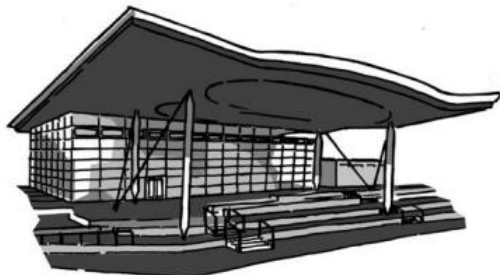
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Response Form
Implementing the Liberty Protection
Safeguards: New regulations for Wales


Please tell us what you think by xxxxxx



Published xxxxxxxxxxxxxxxxxxxx

Proof

**Summary of the Regulatory Impact
Assessment for Regulations for Wales
which support the implementation of
the Mental Capacity (Amendment)
Act 2019**



This is an Easy Read document from the Welsh Government

Animeiddio, fideos byr, siwrnai'r LPS, dogfen cwestiynau cyffredin

- Animeiddiad trosolwg
- Mae gennym bedwar fideo byr hefyd – un ar gyfer pob un o'r Rheoliadau
- Siwrnai'r LPS
- Dogfen Cwestiynau Cyffredin
- MAE'R CYFAN AR GAEL YN:

<https://llyw.cymru/diogeliadau-amddiffyn-rhyddid>

Animation, Short Videos, LPS Journey, FAQ Document

- Overview animation
- We also have four short videos – one for each of the Regulations
- LPS Journey
- FAQ Document
- ALL AVAILABLE AT

<https://gov.wales/liberty-protection-safeguards>



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Animeiddiadau a fideos byr

- Animeiddiad trosolwg o'r LPS
- Mae gennym bedwar fideo byr hefyd – un ar gyfer pob un o'r Rheoliadau
- Gallwch ddod o hyd i'r holl fideos drwy'r ddolen isod:

<https://www.youtube.com/playlist?list=PLHBVoCVw4XZQLxG2Oi1D5W1M2HuILNTSD>

Animations and short videos

- Overview animation of the LPS
- We also have four short videos – one for each of the Regulations
- You can find all the videos via the link below:

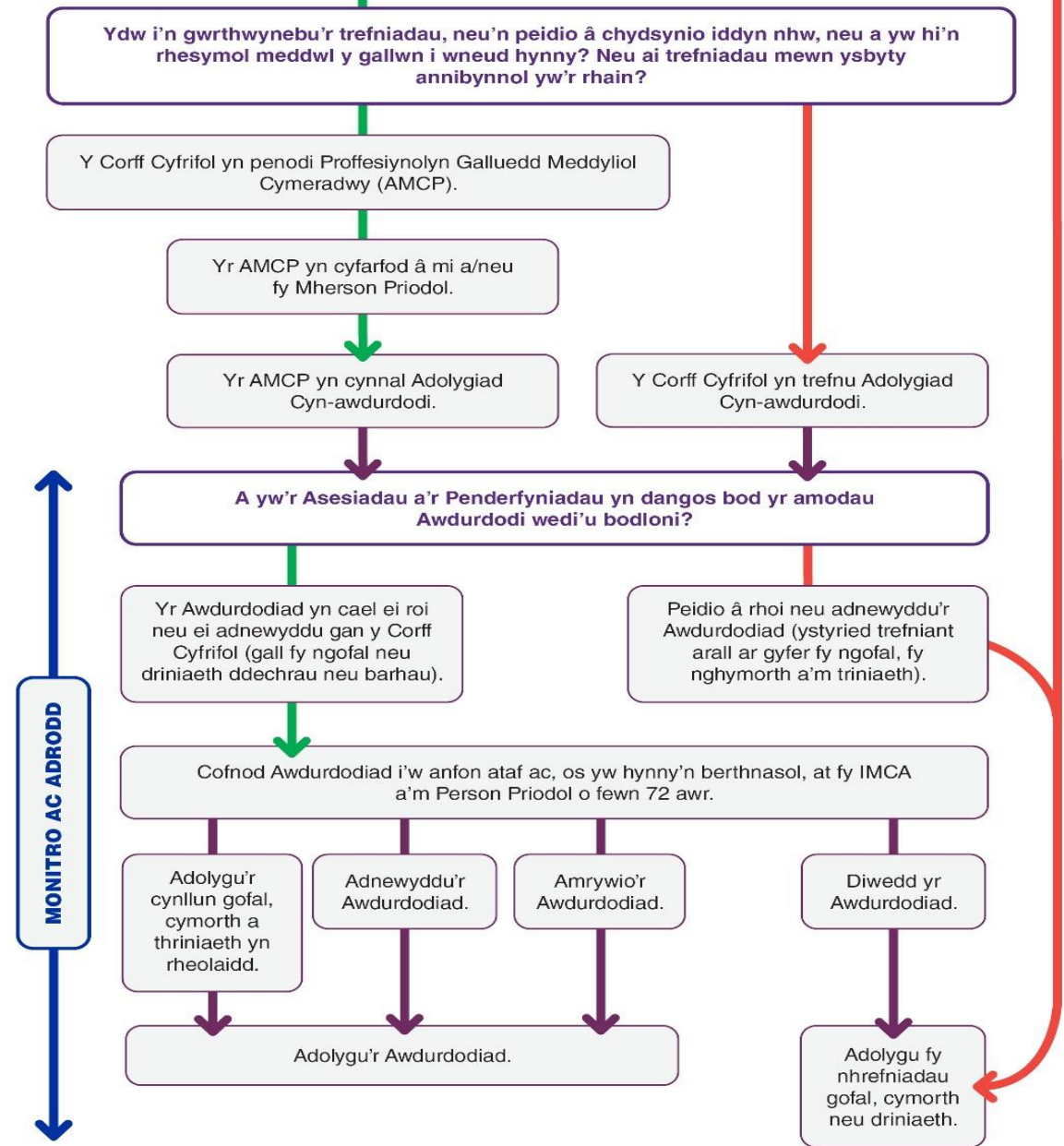
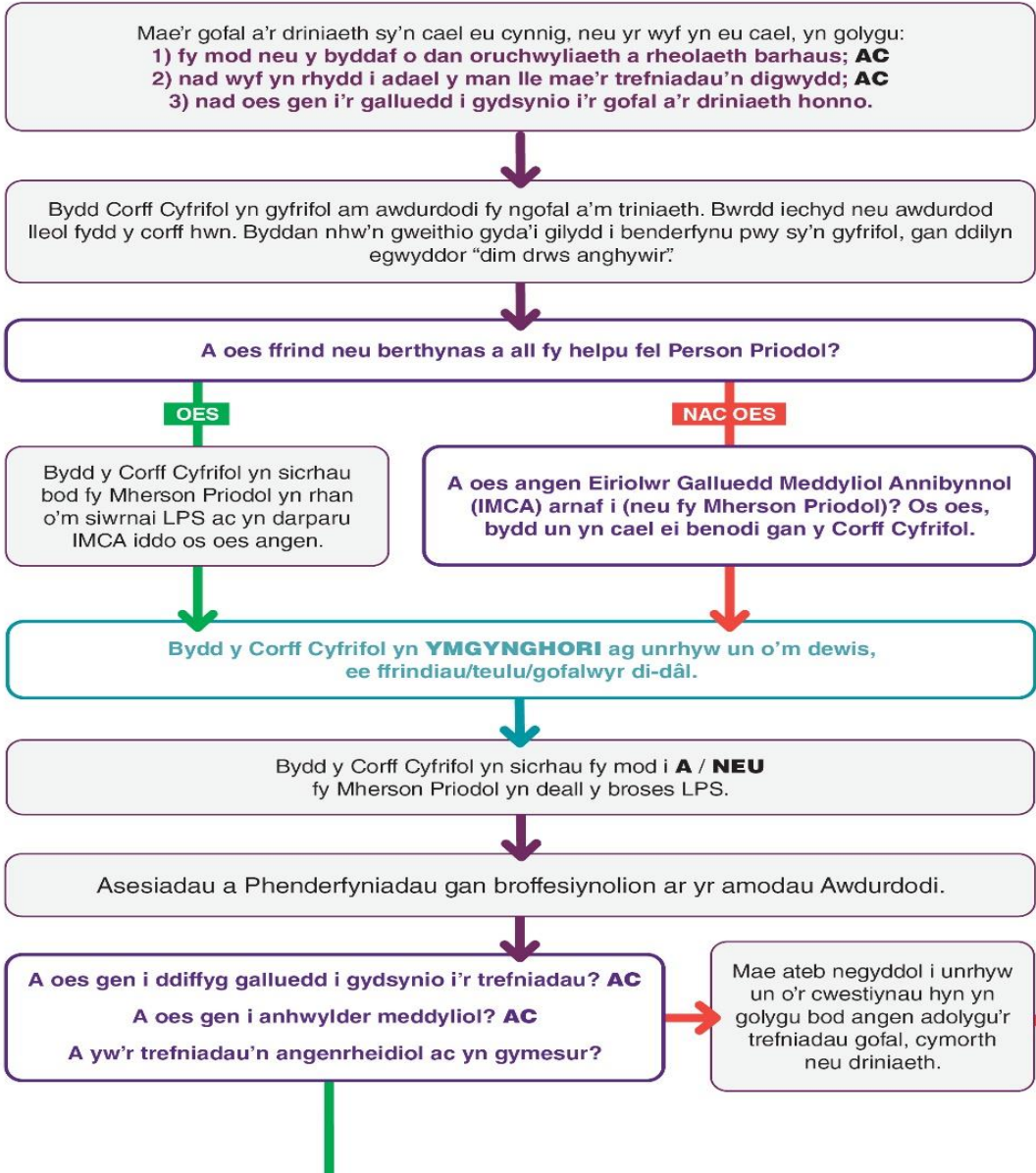
<https://www.youtube.com/playlist?list=PLHBVoCVw4XZQLxG2Oi1D5W1M2HuILNTSD>



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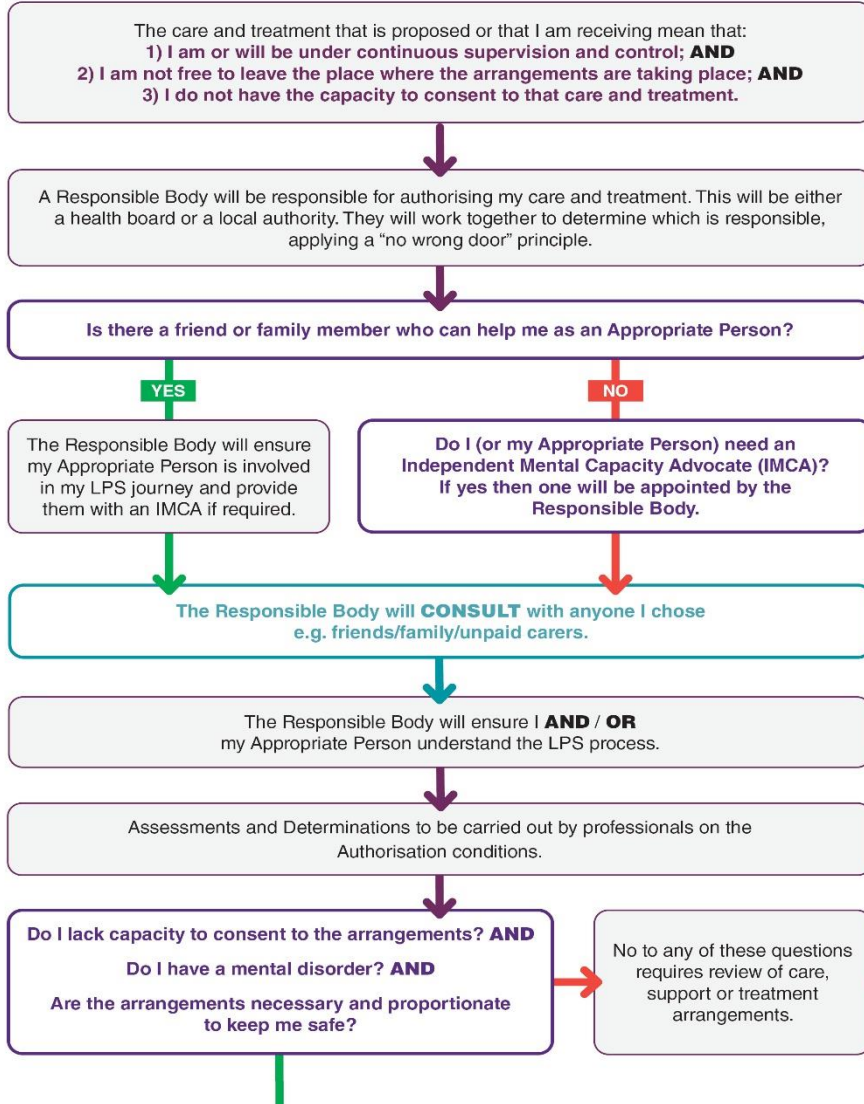
Fy Siwrnai LPS

BYDD FY SIWRNAI YN DECHRAU OS CREDIR Y GALL FOD GEN I DDIFFYG GALLUEDD I GYDSYNIO I'M GOFAL A'M TRINIAETH, AC Y GALL FOD GEN I ANHWYLDER MEDDYLIOL.

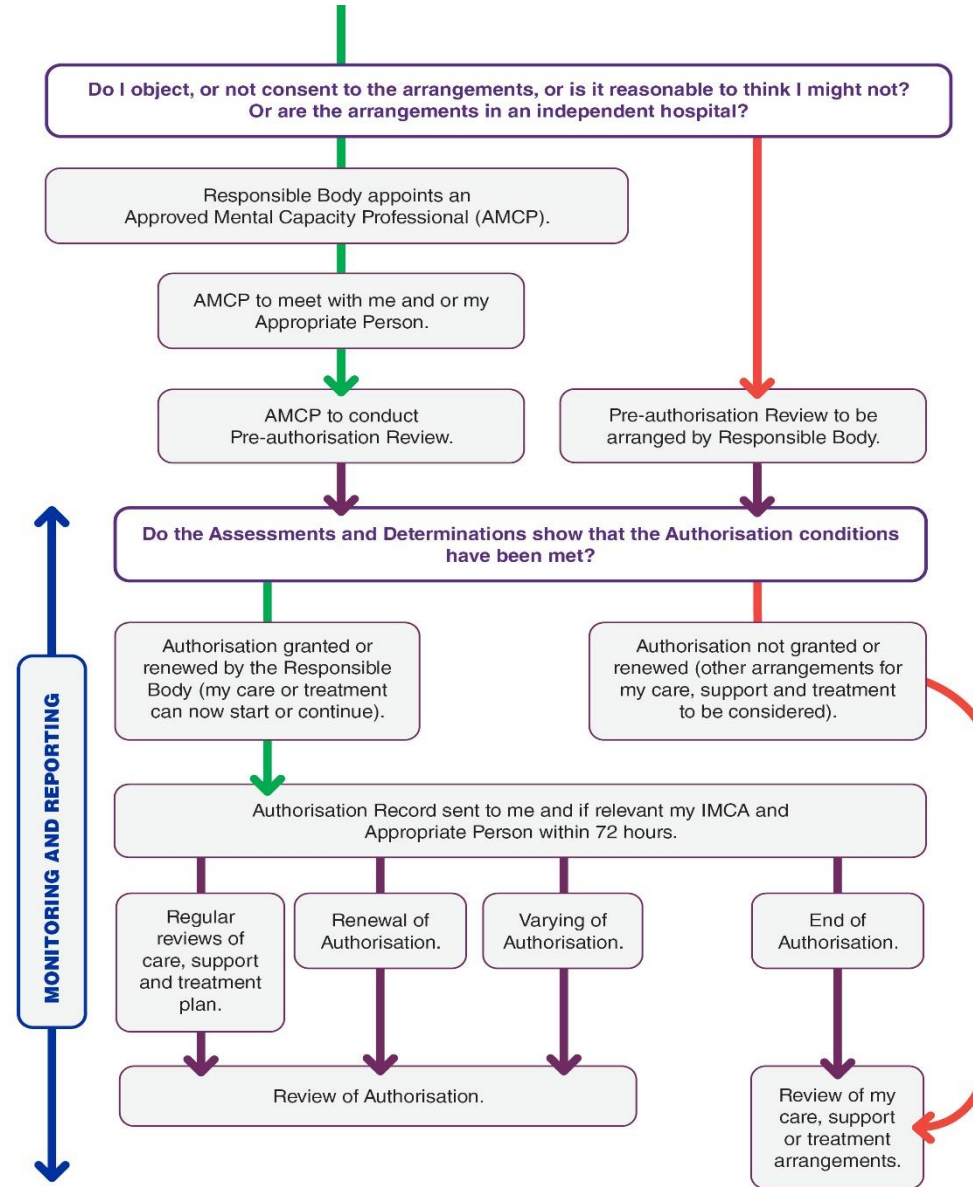


My LPS Journey

MY JOURNEY WILL BEGIN IF IT IS CONSIDERED I MAY LACK CAPACITY TO CONSENT TO MY CARE AND TREATMENT, AND I MAY HAVE A MENTAL DISORDER.



MONITORING AND REPORTING



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Rheoliadau drafft i Gymru

Draft Regulations for Wales



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Pwy all gynnal asemiadau?

Who can carry out assessments?



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- Mae 3 math o asesiad o dan yr LPS
 - Aseiad meddygol, aseiad gallu meddyliol ac aseiad angenrheidiol a chymesur
 - Mae'r Rheoliadau yn nodi pwy all gael eu hawdurdodi i gynnal yr asesiadau hyn
- There are 3 types of assessment under the LPS
 - A medical assessment, a mental capacity assessment and a necessary and proportionate assessment
 - The draft Regulations set out who can be authorised to carry out these assessments



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Proffesiynolion Galluedd Meddyliol Cymradwy (AMCP)

Approved Mental Capacity Professionals



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- Bydd AMCP yn helpu i amddiffyn hawliau rhywun sydd heb y galluedd meddyliol i gytuno i'w ofal, cymorth neu driniaeth lle mae hyn yn golygu cael gwared ar ei ryddid.
- Bydd y Rheoliadau hyn yn nodi'r hyn y bydd angeni chi ei wneud i ddod yn AMCP a sut i gynnal eich awdurdodiad.
- An AMCP will help to protect the rights of someone who lacks the mental capacity to agree to their care, support or treatment where this involves having their liberty taken away
- These draft Regulations will set out what you will need to do to become an AMCP and how to maintain your authorisation



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Eiriolwyr Galluedd Meddyliol Annibynnol (IMCAs)

Independent Mental Capacity Advocates



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- Mae rôl yr IMCAs yn newido dan yr LPS.
- O dan DoLS eu rôl oedd casglu gwybodaeth ac ysgrifennu adroddiad ar gyfer y person a oedd yn gwneud y penderfyniad.
- Fodd bynnag, o dan yr LPS, eu rôl fydd cynrychioli a chefnogi'r person i gymryd rhan yn y penderfyniad, canfod dymuniadau a theimladau'r person, darganfod pa ddewisiadau eraill llai cyfyngol sydd ar gael, a chadw mewn cysylltiad â'r person.
- Gall IMCAs hefyd roi cymorth i'r Person Priodol.
- The role of the IMCA is changing under the LPS.
- Under DoLS their role was to gather information and write a report for the person making the decision.
- However, under the LPS, their role will be to represent and support the person to take part in the decision, find out the person's wishes and feelings, find out what less restrictive alternatives there are, and keep in touch with the person.
- IMCAs may also provide support to the Appropriate Person.



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Monitro ac Adrodd

Monitoring and Reporting



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- Mae 3 chorff monitro: Arolygiaeth Gofal Iechyd Cymru, Arolygiaeth Gofal Cymru ac Estyn.
- Bydd monitro and adrodd ar yr LPS yn rhoi syniad i ni o sut mae'n gweithio yn ymarferol ar draws Cymru ac yn helpu i gadw safonau'n uchel.
- Rhaid i fyrddau iechyd ac awdurdodau lleol roi gwybodaeth i'r cyrff monitro am eu defnydd o'r LPS.
- Mae rhestr o wybodaeth y bydd angen iddynt ei chasglu: gelwir hyn yn Set Isafswm Data Genedlaethol.
- There are 3 monitoring bodies: Healthcare Inspectorate Wales, Care Inspectorate Wales and Estyn.
- Monitoring and reporting on the LPS will give us an idea of how it is working in practice across Wales and help keep standards high.
- Health boards and local authorities must provide the monitoring bodies with information about their use of the LPS.
- There is a list of information they will need to collect: this is called the National Minimum Data Set.



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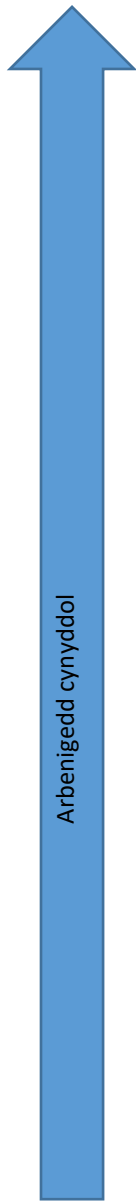
Cynllun Gweithlu a Fframwaith Hyfforddiant

Workforce Plan and Training Framework



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- Mae gan yr LPS rolau gwahanol i'r DoLS – bydd y wybodaeth a'r sgiliau sydd eu hangen ar staff yn newid.
 - Bydd angen i fyrddau iechyd ac awdurdodau lleol gyfrifo faint o staff fydd eu hangen i gyflawni gwahanol rannau'r LPS.
 - Bydd angen hyfforddiant ar bob aelod o staff, ond ni fydd angen yr un hyfforddiant arnynt i gyd.
- The LPS have different roles to the DoLS – the knowledge and skills staff need will change
 - Health boards and local authorities will need to work out how many staff will be needed to carry out the different parts of the LPS
 - All staff will need training, but they will not all need the same training



Grŵp Cymhwysedd

F

AMCP
(trosi a newydd)

E

IMCA

D

Cyn-
awdurdodi

Awdurdodi

C

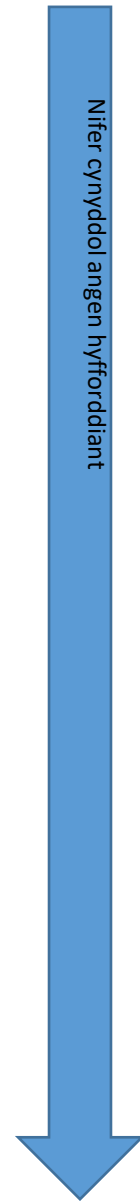
Asesu, penderfynu ac ymgynghori

B

Nodi ac atgyfeirio

A

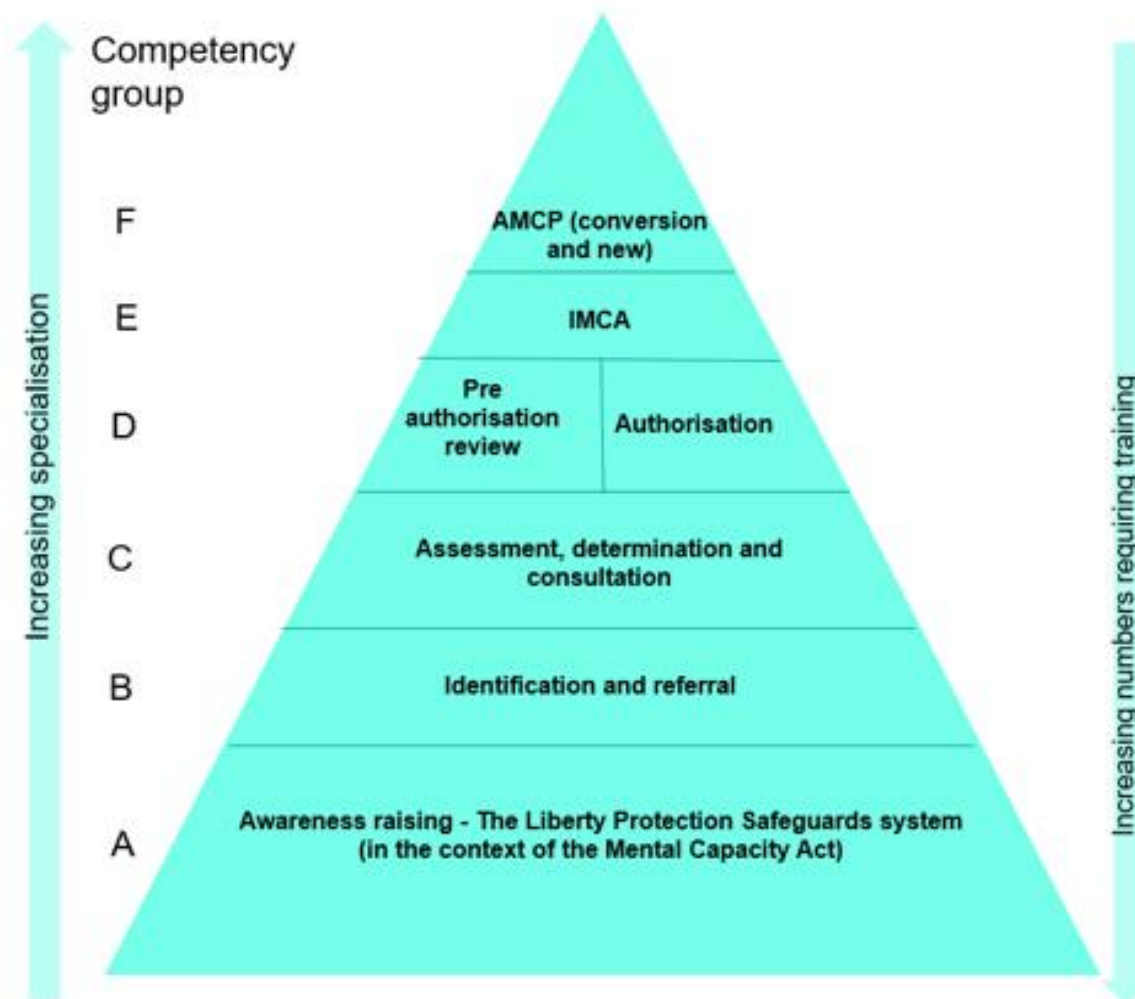
Codi ymwybyddiaeth – system y Diogeliadau Amddiffyn Rhyddid (yng nghydestun y Ddeddf Galluedd Meddyliol)



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Liberty Protection Safeguards (LPS) Workforce and Training Triangle



Cyllid

- Bydd Llywodraeth Cymru yn cefnogi rhanddeiliaid i baratoi ar gyfer gweithredu'r LPS
- Dyrannwyd dros £4m i Fyrddau Iechyd ac Awdurdodau Lleol yn 2021/22 i gefnogi lleihau ôl-groniadau DoLS a darparu hyfforddiant y Ddeddf Galluedd Meddyliol.
- £8miliwn i'r ddyrannu ar gyfer 22/23. Cyhoeddir cyllid ychwanegol (lan at £17miliwn) ar gyfer 23/24 a 24/25 yn dilyn y cyfnod ymgynghori.

Funding

- Welsh Government will be supporting stakeholders to prepare for the implementation of the LPS
- Over £4m was allocated to Health Boards and Local Authorities in 2021/22 to support the reduction of DoLS backlogs and the delivery of MCA training
- £8million to be allocated for 22/23. Additional funding (up to £17million) to be announced for 23/24 and 24/25 following the consultation period.



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Cwestiynau Allweddol

- 1) A yw'r deunyddiau ategol ar gyfer yr ymgynghoriad yn eich helpu i ddeall y newidiadau? A oes unrhyw adnoddau eraill yr hoffech eu datblygu?
- 2) Ydych chi'n teimlo y bydd y dull a ddefnyddir yn darparu'r mesurau diogelu angenrheidiol ar gyfer pobl sy'n byw gydag anabledd dysgu?
- 3) Ydych chi'n teimlo bod y dull sy'n cael ei ddefnyddio yn diogelu preifatrwydd a hawliau pobl sy'n byw gydag anabledd dysgu yn ddigonol?

Key Questions

- 1) Do the supporting materials for the consultation aid your understanding of the changes? Are there any other resources you would like to be developed?
- 2) Do you feel the approach being taken will provide the necessary safeguards for people living with learning disabilities?
- 3) Do you feel the approach being taken sufficiently protects the privacy and rights of people living with learning disabilities?



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Cwestiynau Allweddol

Key Questions



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4) A oes gennych unrhyw farn am y broses sydd wedi'i nodi yn y ddogfen fy siwrnai?

4) Do you have any views on the process which is set out within the my journey document?

5) Ydych chi'n cytuno bod y Rheoliadau drafft yn galluogi'r gweithwyr proffesiynol perthnasol i wneud y canlynol:

5) Do you agree the draft Regulations enable the relevant professionals to carry out:

- asesiadau meddygol
- asesiadau galluedd meddyliol
- asesiadau angenrheidiol a chymesur

- medical assessments
- mental capacity assessments
- necessary and proportionate assessments

6) A oes elfennau y dylid eu hystyried wrth ddatblygu hyfforddiant ar gyfer AMCPs?

6) Are there elements that should be taken into consideration when developing training for AMCPs?

Cwestiynau Allweddol

Key Questions



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7) A yw rolau'r IMCA a'r Person Priodol yn glir?

7) Are the roles of the IMCA and Appropriate Person clear?

8) A yw'r dull sy'n seiliedig ar gydsyniad yr ydym yn ei gynnig ar gyfer monitro ac adrodd yn adlewyrchu hawliau pobl ac yn darparu mesurau diogelu digonol?

8) Does the consent based approach we are proposing for monitoring and reporting reflect people's rights and provide adequate safeguards?

9) Beth yw eich barn am y dull sy'n cael ei ddefnyddio i baratoi ar gyfer gweithredu'r LPS?

9) What are your views on the approach being taken to preparing for the implementation of the LPS?