



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2014 Rhif 1212 (Cy. 128)

2014 No. 1212 (W. 128)

ADDYSG, CYMRU

EDUCATION, WALES

**Rheoliadau Addysg (Diwygiadau
sy'n Ymwneud ag Arolygu Addysg
a Hyfforddiant) (Cymru) 2014**

**The Education (Amendments
Relating to the Inspection of
Education and Training) (Wales)
Regulations 2014**

NODYN ESBONIADOL

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn diwygio—

- (a) Rheoliadau Addysg (Arolygu Addysg Feithrin) (Cymru) 1999,
- (b) Rheoliadau Arolygu Addysg a Hyfforddiant (Cymru) 2001,
- (c) Rheoliadau Addysg (Arolygu Ysgolion) (Cymru) 2006, a
- (d) Rheoliadau Arolygu'r Gwasanaeth Gyrfaoedd a Gwasanaethau Cysylltiedig (Cymru) 2006,

er mwyn ei gwneud yn ofynnol i Brif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru/Her Majesty's Chief Inspector of Education and Training in Wales ("y Prif Arolygydd") sicrhau bod arolygiadau'n cael eu cynnal o leiaf unwaith o fewn pob cyfnod o chwe blynedd yn dechrau ar 1 Medi 2014. Bydd y diwygiadau yn rhoi mwy o le i'r Prif Arolygydd amrywio'r dyddiad y caiff ysgol neu sefydliad addysg ei arolygu er mwyn gwneud arolygiadau yn llai rhagweladwy. Bydd hyn yn caniatáu i'r Prif Arolygydd arolygu'r ysgolion hynny a all fod yn achosi pryder yn fwy aml. Mewn cyferbyniad os nad oes achos pryder o'r fath caniateir i'r ysgol gael ei harolygu'n llai aml.

Mae'r Rheoliadau hyn yn diwygio ymhellach—

- (a) Rheoliadau Arolygu Addysg a Hyfforddiant (Cymru) 2001,
- (b) Rheoliadau Addysg (Arolygu Ysgolion) (Cymru) 2006, ac
- (c) Rheoliadau Arolygu'r Gwasanaeth Gyrfaoedd a Gwasanaethau Cysylltiedig (Cymru) 2006,

These Regulations amend the—

- (a) Education (Inspection of Nursery Education) (Wales) Regulations 1999,
- (b) Inspection of Education and Training (Wales) Regulations 2001,
- (c) Education (School Inspection) (Wales) Regulations 2006, and
- (d) Inspection of Careers and Related Services (Wales) Regulations 2006,

so as to require Her Majesty's Chief Inspector of Education and Training in Wales/Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru ("the Chief Inspector") to ensure that inspections are conducted at least once within every six year period beginning on 1 September 2014. The amendments will allow the Chief Inspector greater scope to vary the date on which a school or education setting is inspected in order to reduce predictability of inspections. This will allow the Chief Inspector to inspect those schools that may be causing concern more frequently. In contrast if there was no such cause for concern the school may be inspected less frequently.

These Regulations further amend the—

- (a) Inspection of Education and Training (Wales) Regulations 2001,
- (b) Education (School Inspection) (Wales) Regulations 2006, and
- (c) Inspection of Careers and Related Services (Wales) Regulations 2006,

er mwyn ei gwneud yn ofynnol i'r cynllun gweithredu ar ôl arolygiad gael ei lunio o fewn 20 o ddiwrnodau gwaith ar ôl y dyddiad y daw'r adroddiad arolygu i law'r awdurdod priodol ar gyfer yr ysgol (y corff llywodraethu neu'r awdurdod lleol sy'n cynnal yr ysgol), neu'r perchennog (yn ôl y digwydd).

Mae Rheoliadau Addysg (Arolygu Ysgolion) (Cymru) 2006 yn ei gwneud yn ofynnol i ysgol roi o leiaf dair wythnos o rybudd am gyfarfod rhieni a gynhelir yn unol â'i dyletswydd ym mharagraff 6(b) o Atodlen 4 i Ddeddf Addysg 2005. Mae'r Rheoliadau hyn yn dileu'r gofyniad bod rhaid rhoi rhybudd o leiaf dair wythnos ymlaen llaw.

so as to require the post inspection action plan to be produced within 20 working days from the date the appropriate authority for the school (the governing body or the local authority maintaining the school), or the proprietor (as the case maybe) receives the inspection report.

The Education (School Inspection) (Wales) Regulations 2006 require a school to give at least three weeks notice of a parents meeting held pursuant to its duty in paragraph 6(b) of Schedule 4 of the Education Act 2005. These Regulations remove the requirement that the notice be given at least three weeks in advance.

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Regulations 2014**

Gwnaed 8 Mai 2014
*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 12 Mai 2014
Yn dod i rym 1 Medi 2014

Made 8 May 2014
Laid before the National Assembly for Wales
12 May 2014
Coming into force 1 September 2014

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 122(1) a 138(7) ac (8) o Ddeddf Safonau a Fframwaith Ysgolion 1998(1) a pharagraff 6B(1)(a) o Atodlen 26 i'r Ddeddf honno, a thrwy arfer y pwerau a roddwyd i Gynulliad Cenedlaethol Cymru gan adrannau 77(2) a (9), 80(4), 150 a 152 o Ddeddf Dysgu a Sgiliau 2000(2), a thrwy arfer y pwerau a roddwyd i Gynulliad Cenedlaethol Cymru gan adrannau 28(1) ac (8), 39(2)(a), 42(2)(a), 50(4) ac (8), 55(4), 56(3), 57(9) a (10) a 120(2) o Ddeddf Addysg 2005(3) a pharagraff 6(b) o Atodlen 4 a pharagraffau 2(1) a 3(1) o Atodlen 6 i'r Ddeddf honno, ac a freiniwyd bellach ynddynt hwy, yn gwneud y Rheoliadau a ganlyn:

The Welsh Ministers in exercise of the powers conferred on the Secretary of State by sections 122(1) and 138(7) and (8) of, and paragraph 6B(1)(a) of Schedule 26 to, the School Standards and Framework Act 1998(1), and in exercise of the powers conferred on the National Assembly for Wales by sections 77(2) and (9), 80(4), 150 and 152 of the Learning and Skills Act 2000(2), and in exercise of the powers conferred on the National Assembly of Wales by sections 28(1) and (8), 39(2)(a), 42(2)(a), 50(4) and (8), 55(4), 56(3), 57(9) and (10) and 120(2) of, and paragraph 6(b) of Schedule 4 and paragraphs 2(1) and 3(1) of Schedule 6 to, the Education Act 2005(3), and now vested in them make the following Regulations:

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- (1) 1998 p. 31. Diwygiwyd adran 122(1) gan baragraff 33(1) a (3) o Atodlen 2 i Ddeddf Gofal Plant 2006 (p. 21), a rhoddwyd paragraff 6B yn lle paragraff 6, fel y'i deddfwyd yn wreiddiol, o Atodlen 26 gan baragraffau 8 a 12 o Ran 2 o Atodlen 7 i Ddeddf Addysg 2005 (p. 18). Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 138 ac Atodlen 26 i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac yna i Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).
- (2) 2000 p. 21. Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru o dan yr adrannau hyn i Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006.
- (3) 2005 p. 18. Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru o dan yr adrannau hyn i Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006.

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- (1) 1998 c. 31. Section 122(1) was amended by paragraph 33(1) and (3) of Schedule 2 to the Childcare Act 2006 (c. 21), and paragraph 6, as originally enacted, of Schedule 26 was substituted for paragraph 6B by paragraphs 8 and 12 of Part 2 of Schedule 7 to the Education Act 2005 (c. 18). The functions of the Secretary of State under section 138 and Schedule 26 were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and then to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).
- (2) 2000 c. 21. The functions of the National Assembly for Wales under these sections were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006.
- (3) 2005 c. 18. The functions of the National Assembly for Wales under these sections were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006.

Enwi, cychwyn a chymhwysio

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Diwygiadau sy'n Ymwneud ag Arolygu Addysg a Hyfforddiant) (Cymru) 2014 a deuant i rym ar 1 Medi 2014.

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

Diwygio Rheoliadau Addysg (Arolygu Addysg Feithrin) (Cymru) 1999

2. Yn Rheoliadau Addysg (Arolygu Addysg Feithrin) (Cymru) 1999(1) yn rheoliad 4, yn lle paragraff (1)(b) rhodder—

“(b) in all other cases at least once within a six year period beginning on 1 September 2014 and ending on 31 August 2020 and at least once within every subsequent six year period beginning on the expiry of the previous six year period.”.

Diwygio Rheoliadau Arolygu Addysg a Hyfforddiant (Cymru) 2001

3.—(1) Mae Rheoliadau Arolygu Addysg a Hyfforddiant (Cymru) 2001(2) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2, yn lle paragraff (1)(b) rhodder—

“(b) ym mhob achos arall o leiaf unwaith o fewn cyfnod o chwe blynedd yn dechrau ar 1 Medi 2014 ac yn dod i ben ar 31 Awst 2020 ac o leiaf unwaith o fewn pob cyfnod o chwe blynedd wedi hynny yn dechrau pan ddaw'r cyfnod blaenorol o chwe blynedd i ben.”.

(3) Yn rheoliad 4 yn lle “50” rhodder “20”.

Diwygio Rheoliadau Addysg (Arolygu Ysgolion) (Cymru) 2006

4.—(1) Mae Rheoliadau Addysg (Arolygu Ysgolion) (Cymru) 2006(1) wedi eu diwygio fel a ganlyn.

(1) O.S. 1999/1441 fel y'i diwygiwyd gan Ddeddf Addysg 2002 (Darpariaethau Trosiannol a Diwygiadau Canlyniadol) (Cymru) 2004 (O.S. 2004/1743 (Cy. 182)), Rheoliadau Deddf Addysg 2002 (Darpariaethau Trosiannol a Diwygiadau Canlyniadol) (Cymru) 2005 (O.S. 2005/2913 (Cy. 210)) a Rheoliadau Addysg (Diwygiadau ynglŷn â'r Ysbeidiau rhwng Arolygiadau Addysg a Hyfforddiant) (Cymru) 2010 (O.S. 2010/1436 (Cy. 127)).

(2) O.S. 2001/2501 (Cy. 204) fel y'i diwygiwyd gan Reoliadau Arolygu Addysg a Hyfforddiant (Diwygio) (Cymru) 2004 (O.S. 2004/783 (Cy. 80)), Gorchymyn Cyngor Cenedlaethol Cymru dros Addysg a Hyfforddiant (Trosglwyddo Swyddogaethau i Gynulliad Cenedlaethol Cymru a Diddymu'r Cyngor) 2005 (O.S. 2005/3238 (Cy. 243)) a Rheoliadau Addysg (Diwygiadau ynglŷn â'r Ysbeidiau rhwng Arolygiadau Addysg a Hyfforddiant) (Cymru) 2010 (O.S. 2010/1436 (Cy. 127)).

Title, commencement and application

1.—(1) The title of these Regulations is the Education (Amendments Relating to the Inspection of Education and Training) (Wales) Regulations 2014 and they come into force on 1 September 2014.

(2) These Regulations apply in relation to Wales.

Amendment to the Education (Inspection of Nursery Education) (Wales) Regulations 1999

2. In the Education (Inspection of Nursery Education) (Wales) Regulations 1999(1) in regulation 4, for paragraph (1)(b) substitute—

“(b) in all other cases at least once within a six year period beginning on 1 September 2014 and ending on 31 August 2020 and at least once within every subsequent six year period beginning on the expiry of the previous six year period.”.

Amendment to the Inspection of Education and Training (Wales) Regulations 2001

3.—(1) The Inspection of Education and Training (Wales) Regulations 2001(2) are amended as follows.

(2) In regulation 2, for paragraph (1)(b) substitute—

“(b) in all other cases at least once within a six year period beginning on 1 September 2014 and ending on 31 August 2020 and at least once within every subsequent six year period beginning on the expiry of the previous six year period.”.

(3) In regulation 4 for “50” substitute “20”.

Amendment to the Education (School Inspection) (Wales) Regulations 2006

4.—(1) The Education (School Inspection) (Wales) Regulations 2006(1) are amended as follows.

(1) S.I. 1999/1441 as amended by the Education Act 2002 (Transitional Provisions and Consequential Amendments) (Wales) Regulations 2004 (S.I. 2004/1743 (W. 182)), the Education Act 2002 (Transitional Provisions and Consequential Amendments) (Wales) Regulations 2005 (S.I. 2005/2913 (W. 210)) and the Education (Amendments Relating to the Intervals for the Inspection of Education and Training) (Wales) Regulations 2010 (S.I. 2010/1436 (W. 127)).

(2) S.I. 2001/2501 (W. 204) as amended by the Inspection of Education and Training (Amendment) (Wales) Regulations 2004 (S.I. 2004/783 (W. 80)), the National Council for Education and Training for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3238 (W. 243)) and the Education (Amendments Relating to the Intervals for the Inspection of Education and Training) (Wales) Regulations 2010 (S.I. 2010/1436 (W. 127)).

(2) Yn rheoliad 6, yn lle paragraff (1)(b), rhodder—
“(b) ym mhob achos arall o leiaf unwaith o fewn cyfnod o chwe blynedd yn dechrau ar 1 Medi 2014 ac yn dod i ben ar 31 Awst 2020 ac o leiaf unwaith o fewn pob cyfnod o chwe blynedd wedi hynny yn dechrau pan ddaw’r cyfnod blaenorol o chwe blynedd i ben.”.

(3) Ym mharagraff (c) o reoliad 8 hepgorer “o leiaf dair wythnos ymlaen llaw”.

(4) Ym mharagraff (1) o reoliad 10 yn lle “ddeugain a phump” rhodder “20”.

(5) Yn lle rheoliad 14 rhodder—

“14. Cyfnodau rhwng arolygiadau

Pan fo’n ofynnol gan adran 50(1) i gorff llywodraethu ysgol wirfoddol neu ysgol sefydledig sicrhau bod addysg enwadol a roddir i unrhyw ddisgybl a chynnwys addoli ar y cyd yn yr ysgol yn cael eu harolygu, rhaid iddo sicrhau bod yr arolygiad yn cael ei gynnal—

(a) yn achos ysgol nad oedd wedi’i harolygu o’r blaen, o fewn chwe blynedd i’r dyddiad y derbyniwyd disgyblion gyntaf i’r ysgol; a

(b) ym mhob achos arall, o leiaf unwaith o fewn cyfnod o chwe blynedd yn dechrau ar 1 Medi 2014 ac yn dod i ben ar 31 Awst 2020 ac o leiaf unwaith o fewn pob cyfnod o chwe blynedd wedi hynny yn dechrau pan ddaw’r cyfnod blaenorol o chwe blynedd i ben.”.

(6) Ym mharagraff (4) o reoliad 16 yn lle “ddeugain a phump” rhodder “20”.

Diwygio Rheoliadau Arolygu’r Gwasanaeth Gyrfaedd a Gwasanaethau Cysylltiedig (Cymru) 2006

5.—(1) Mae Rheoliadau Arolygu’r Gwasanaeth Gyrfaedd a Gwasanaethau Cysylltiedig (Cymru) 2006(2) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 4 yn lle paragraff (1), rhodder—

“(1) Ac eithrio pan fo rheoliad 3 yn gymwys, rhaid i’r Prif Arolygydd arolygu pob darparrydd gwasanaeth o dan adran 55 o Ddeddf 2005 a phob darparrydd perthnasol o dan adran 56 o Ddeddf 2005 o leiaf unwaith o fewn cyfnod o

(2) In regulation 6, for paragraph (1)(b), substitute—
“(b) in all other cases at least once within a six year period beginning on 1 September 2014 and ending on 31 August 2020 and at least once within every subsequent six year period beginning on the expiry of the previous six year period.”.

(3) In paragraph (c) of regulation 8 omit “at least three weeks in advance”.

(4) In paragraph (1) of regulation 10 for “forty five” substitute “20”.

(5) For regulation 14 substitute—

“14. Intervals for inspection

Where the governing body of a voluntary or foundation school are required by section 50(1) to secure that denominational education given to any pupil and the content of the school’s collective worship are inspected they must secure that the inspection takes place—

(a) in the case of a school which had no previous inspection, within six years of the date on which pupils were first admitted to the school; and

(b) in all other cases, at least once within a six year period beginning on 1 September 2014 and ending on 31 August 2020 and at least once within every subsequent six year period beginning on the expiry of the previous six year period.”.

(6) In paragraph (4) of regulation 16 for “forty five” substitute “20”.

Amendments to the Inspection of the Careers and Related Services (Wales) Regulations 2006

5.—(1) The Inspection of the Careers and Related Services (Wales) Regulations 2006(2) are amended as follows.

(2) In regulation 4 for paragraph (1), substitute—

“(1) Save where regulation 3 applies, the Chief Inspector must inspect each service provider under section 55 of the 2005 Act and each relevant provider under section 56 of the 2005 Act at least once within a six year period

(1) O.S. 2006/1714 (Cy. 176) fel y’i diwygiwyd gan Reoliadau Addysg (Diwygiadau ynglŷn â’r Ysbeidiau rhwng Arolygiadau Addysg a Hyfforddiant) (Cymru) 2010 (O.S. 2010/1436 (Cy. 127)).

(2) O.S. 2006/3103 (Cy. 286) fel y’i diwygiwyd gan Reoliadau Addysg (Diwygiadau ynglŷn â’r Ysbeidiau rhwng Arolygiadau Addysg a Hyfforddiant) (Cymru) 2010 (O.S. 2010/1436 (Cy. 127)).

(1) S.I. 2006/1714 (W. 176) as amended by the Education (Amendments Relating to the Intervals for the Inspection of Education and Training) (Wales) Regulations 2010 (S.I. 2010/1436 (W. 127)).

(2) S.I. 2006/3103 (W. 286) as amended by the Education (Amendments Relating to the Intervals for the Inspection of Education and Training) (Wales) Regulations 2010 (S.I. 2010/1436 (W. 127)).

chwe blynedd yn dechrau ar 1 Medi 2014 ac yn dod i ben ar 31 Awst 2020 ac o leiaf unwaith o fewn pob cyfnod o chwe blynedd wedi hynny yn dechrau pan ddaw'r cyfnod blaenorol o chwe blynedd i ben.”.

(3) Yn rheoliad 7, yn lle “hanner cant” rhodder “20”.

beginning on 1 September 2014 and ending on 31 August 2020 and at least once within every subsequent six year period beginning on the expiry of the previous six year period.”.

(3) In regulation 7 for “fifty” substitute “20”.

Carwyn Jones

Prif Weinidog Cymru

8 Mai 2014

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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.

First Minister for Wales

8 May 2014

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