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INSTRUMENTS

**2020 Rhif 1121 (Cy. 255)**

**2020 No. 1121 (W. 255)**

**ADDYSG, CYMRU**

**EDUCATION, WALES**

**Gorchymyn Cyflog ac Amodau  
Athrawon Ysgol (Cymru) 2020**

**The School Teachers' Pay and  
Conditions (Wales) Order 2020**

**NODYN ESBONIADOL**

*(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)*

Mae'r Gorchymyn hwn yn gwneud darpariaeth ar gyfer penderfynu'r tâl ar gyfer athrawon ysgol (o fewn ystyr adran 122 o Ddeddf Addysg 2002 (p. 32)) yng Nghymru ac amodau cyflogaeth eraill ar gyfer athrawon ysgol yng Nghymru sy'n ymwneud â'u dyletswyddau proffesiynol a'u hamser gweithio.

Mae'r Gorchymyn yn gwneud y ddarpariaeth hon drwy gyfeirio at adran 2 o ddogfen o'r enw "Dogfen Cyflog ac Amodau Athrawon Ysgol (Cymru) 2020 a chanllawiau ar gyflog ac amodau athrawon ysgol" ("y Ddogfen"). Gellir canfod y Ddogfen ar wefan Llywodraeth Cymru: [www.llyw.cymru](http://www.llyw.cymru).

Mae'r Gorchymyn yn gwneud darpariaeth ôl-weithredol, o dan adran 123(3) o Ddeddf Addysg 2002, er mwyn darparu bod y darpariaethau a nodir yn adran 2 o'r Ddogfen yn cael effaith ar ac ar ôl 1 Medi 2020 er bod y Gorchymyn yn dod i rym ar ôl y dyddiad hwnnw (erthygl 2).

Mae'r Gorchymyn yn dirymu Gorchymyn Cyflog ac Amodau Athrawon Ysgol (Cymru) 2019 a Gorchymyn Cyflog ac Amodau Athrawon Ysgol (Cymru) (Diwygio) 2020 (erthygl 3).

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Gorchymyn hwn. Gellir cael copi oddi wrth: Y Gangen Lles Disgyblion, Yr Is-adran Cymorth i Ddysgwyr, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order makes provision for the determination of the remuneration of school teachers (within the meaning of section 122 of the Education Act 2002 (c. 32)) in Wales and other conditions of employment of school teachers in Wales which relate to their professional duties and working time.

The Order makes this provision by reference to section 2 of a document entitled "School Teachers' Pay and Conditions (Wales) Document 2020 and guidance on school teachers' pay and conditions" ("the Document"). It can be found on the Welsh Government website: [www.gov.wales](http://www.gov.wales).

The Order makes retrospective provision, under section 123(3) of the Education Act 2002, to provide that the provisions set out in section 2 of the Document have effect on and after 1 September 2020 notwithstanding that the Order comes into force after that date (article 2).

The Order revokes the School Teachers' Pay and Conditions Order (Wales) 2019 and the School Teachers' Pay and Conditions (Wales) (Amendment) Order 2020 (article 3).

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with this Order. A copy can be obtained from the Pupil Wellbeing Branch, the Support for Learners Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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**ADDYSG, CYMRU**

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**Gorchymyn Cyflog ac Amodau  
Athrawon Ysgol (Cymru) 2020**

**The School Teachers' Pay and  
Conditions (Wales) Order 2020**

*Gwnaed* 13 Hydref 2020

*Made* 13 October 2020

*Gosodwyd gerbron Senedd  
Cymru* 15 Hydref 2020

*Laid before Senedd Cymru* 15 October 2020

*Yn dod i rym* 6 Tachwedd 2020

*Coming into force* 6 November 2020

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir i'r Ysgrifennydd Gwladol gan adrannau 122(1), 123 a 124 o Ddeddf Addysg 2002(1), ac a freiniwyd bellach ynddynt hwy(2), yn gwneud y Gorchymyn a ganlyn.

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by sections 122(1), 123 and 124 of the Education Act 2002(1), and now vested in them(2), make the following Order.

Mae Gweinidogion Cymru yn unol ag adran 126(3) o'r Ddeddf honno wedi ymgynghori â'r personau hynny a'r cyrff hynny y cyfeirir atynt yn yr adran honno yr oedd yn ymddangos i Weinidogion Cymru eu bod yn briodol.

The Welsh Ministers in accordance with section 126(3) of that Act have consulted such of the persons and bodies referred to in that section as appeared to the Welsh Ministers to be appropriate.

**Enwi, cychwyn, cymhwyso a dehongli**

**Title, commencement, application and interpretation**

**1.**—(1) Enw'r Gorchymyn hwn yw Gorchymyn Cyflog ac Amodau Athrawon Ysgol (Cymru) 2020 a daw i rym ar 6 Tachwedd 2020.

**1.**—(1) The title of this Order is the School Teachers' Pay and Conditions (Wales) Order 2020 and it comes into force on 6 November 2020.

(2) Mae'r Gorchymyn hwn yn gymwys i athrawon ysgol yng Nghymru.

(2) This Order applies to school teachers in Wales.

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(1) 2002 p. 32. Diwygiwyd adrannau 122 a 123 gan erthygl 5(1) o O.S. 2010/1158 a chan baragraff 11 o Ran 1 o Atodlen 2 iddo.  
(2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol i Weinidogion Cymru gan erthygl 39 o Orchymyn Gweinidogion Cymru (Trosglwyddo Swyddogaethau) 2018 (O.S. 2018/644).  
(3) Trosglwyddwyd y swyddogaeth hon o'r Ysgrifennydd Gwladol i Weinidogion Cymru gan erthygl 39 o Orchymyn Gweinidogion Cymru (Trosglwyddo Swyddogaethau) 2018 (O.S. 2018/644).

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(1) 2002 c. 32. Sections 122 and 123 were amended by article 5(1) of, and paragraph 11 of Part 1 of Schedule 2 to, S.I. 2010/1158.  
(2) The functions of the Secretary of State were transferred to the Welsh Ministers by article 39 of the Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644).  
(3) This function of the Secretary of State was transferred to the Welsh Ministers by article 39 of the Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644).

(3) Yn y Gorchymyn hwn—

mae i “athro neu athrawes ysgol” yr ystyr a roddir i “school teacher” gan adran 122(3) i (6) o Ddeddf Addysg 2002;

ystyr “y Ddogfen” (“*the Document*”) yw’r ddogfen o’r enw “Dogfen Cyflog ac Amodau Athrawon Ysgol (Cymru) 2020 a chanllawiau ar gyflog ac amodau athrawon ysgol” ac a gyhoeddir ar wefan llyw.cymru(1).

## Y Ddogfen

2. Mae’r darpariaethau a nodir yn adran 2 o’r Ddogfen yn cael effaith ar ac ar ôl 1 Medi 2020 at ddibenion penderfynu—

- (a) y tâl ar gyfer athrawon ysgol, a
- (b) amodau cyflogaeth eraill ar gyfer athrawon ysgol sy’n ymwneud â’u dyletswyddau proffesiynol a’u hamser gweithio.

## Dirymiadau

3. Mae Gorchymyn Cyflog ac Amodau Athrawon Ysgol (Cymru) 2019(2) a Gorchymyn Cyflog ac Amodau Athrawon Ysgol (Cymru) (Diwygio) 2020(3) wedi eu dirymu.

(3) In this Order—

“the Document” (“*y Ddogfen*”) means the document entitled “School Teachers’ Pay and Conditions (Wales) Document 2020 and guidance on school teachers’ pay and conditions” and published on the gov.wales website(1);

“school teacher” (“*athro neu athrawes ysgol*”) has the meaning given by section 122(3) to (6) of the Education Act 2002.

## The Document

2. The provisions set out in section 2 of the Document have effect on and after 1 September 2020 for the purposes of determining—

- (a) the remuneration of school teachers, and
- (b) other conditions of employment of school teachers which relate to their professional duties and working time.

## Revocations

3. The School Teachers’ Pay and Conditions (Wales) Order 2019(2) and the School Teachers’ Pay and Conditions (Wales) (Amendment) Order 2020(3) are revoked.

*Kirsty Williams*

Y Gweinidog Addysg, un o Weinidogion Cymru  
13 Hydref 2020

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Minister for Education, one of the Welsh Ministers  
13 October 2020

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(1) <https://llyw.cymru/addysgu-ac-arweinyddiaeth>.

(2) O.S. 2019/1363 (Cy. 236), a ddiwygiwyd gan O.S. 2020/292 (Cy. 66).

(3) O.S. 2020/292 (Cy. 66).

(1) <https://gov.wales/teaching-and-leadership>.

(2) S.I. 2019/1363 (W. 236), amended by S.I. 2020/292 (W. 66).

(3) S.I. 2020/292 (W. 66).

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