



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2022 Rhif 1058 (Cy. 223)

2022 No. 1058 (W. 223)

ADDYSG, CYMRU

EDUCATION, WALES

**Rheoliadau Addysg (Trefniadau
Sefydlu ar gyfer Athrawon Ysgol)
(Cymru) (Diwygio) 2022**

**The Education (Induction
Arrangements for School Teachers)
(Wales) (Amendment) Regulations
2022**

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Addysg (Trefniadau Sefydlu ar gyfer Athrawon Ysgol) (Cymru) 2015 (O.S. 2015/484 (Cy. 41)) ("y prif Reoliadau"), sy'n ei gwneud yn ofynnol i bersonau sy'n ennill statws athro cymwysedig neu athrawes gymwysedig gwblhau cyfnod sefydlu yn foddhaol at ddibenion eu cyflogaeth fel athro neu athrawes mewn ysgol berthnasol (yn ddarostyngedig i eithriadau).

Mae rheoliad 3 yn diwygio'r diffiniadau o "corff llywodraethu", "pennaeth" a "diwrnod gwaith" yn rheoliad 3(1) o'r prif Reoliadau, ac yn mewnosod diffiniad o "uned cyfeirio disgyblion".

Mae rheoliad 4 yn diwygio rheoliad 5 o'r prif Reoliadau i ddarparu mai'r corff priodol ar gyfer uned cyfeirio disgyblion yw'r awdurdod sy'n ei chynnal.

Mae rheoliad 5 yn mewnosod rheoliadau newydd 6A a 6B yn y prif Reoliadau. Mae rheoliad 6A yn cyflwyno terfyn amser ar gyfer cwblhau cyfnod sefydlu yn foddhaol gan berson. Mae rheoliad 6B yn rhagnodi'r amgylchiadau y caniateir i'r terfyn amser hwnnw gael ei estyn odanynt, neu y mae rhaid i'r terfyn amser hwnnw gael ei estyn odanynt, gan gorff priodol.

Mae rheoliad 6 yn diwygio rheoliad 7 o'r prif Reoliadau i'w gwneud yn bosibl ymgymryd â chyfnod sefydlu mewn uned cyfeirio disgyblion.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2015 (S.I. 2015/484 (W. 41)) ("the principal Regulations"), which require persons who gain qualified teacher status to satisfactorily complete an induction period for the purposes of their employment as a teacher at a relevant school (subject to exceptions).

Regulation 3 amends the definitions of "governing body", "head teacher" and "working day" in regulation 3(1) of the principal Regulations, and inserts a definition of "pupil referral unit".

Regulation 4 amends regulation 5 of the principal Regulations to provide that the appropriate body for a pupil referral unit is the authority maintaining it.

Regulation 5 inserts new regulations 6A and 6B into the principal Regulations. Regulation 6A introduces a time limit for the satisfactory completion of an induction period by a person. Regulation 6B prescribes the circumstances in which that time limit may or must be extended by an appropriate body.

Regulation 6 amends regulation 7 of the principal Regulations to enable an induction period to be served in a pupil referral unit.

Mae rheoliad 7 yn diwygio rheoliad 8 o'r prif Reoliadau, i ddarparu ar gyfer lleihau hyd cyfnod sefydlu gan gorff priodol o dan amgylchiadau penodol.

Mae rheoliad 8 yn cynyddu hyd y cyfnod a bennir yn rheoliad 13(4) o'r prif Reoliadau, y mae'n ofynnol i'r corff priodol anfon hysbysiad o'i benderfyniad ynddo ynghylch cwblhau'r cyfnod sefydlu, i 10 niwrnod gwaith.

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 Gangen Addysgeg, Gyrfa Gynnar ac Ymarferwyr Cymraeg, Yr Is-adran Addysgeg, Arweinyddiaeth a Dysgu Proffesiynol, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ neu inductioninfo@llyw.cymru.

Regulation 7 amends regulation 8 of the principal Regulations, to provide for the length of an induction period to be reduced by an appropriate body in certain circumstances.

Regulation 8 increases the length of the period specified within regulation 13(4) of the principal Regulations, within which the appropriate body is required to send notice of its decision about the completion of the induction period, to 10 working days.

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 as to the likely costs and benefits of complying with these Regulations has been undertaken and a copy can be obtained from the Pedagogy, Early Career and Welsh Practitioners branch, the Pedagogy, Leadership and Professional Learning Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ or inductioninfo@gov.wales.

2022 Rhif 1058 (Cy. 223)

2022 No. 1058 (W. 223)

ADDYSG, CYMRU

EDUCATION, WALES

Rheoliadau Addysg (Trefniadau
Sefydlu ar gyfer Athrawon Ysgol)
(Cymru) (Diwygio) 2022

The Education (Induction
Arrangements for School Teachers)
(Wales) (Amendment) Regulations
2022

Gwnaed 12 Hydref 2022
Gosodwyd gerbron *Senedd*
Cymru 17 Hydref 2022
Yn dod i rym 7 Tachwedd 2022

Made 12 October 2022
Laid before Senedd Cymru 17 October 2022
Coming into force 7 November 2022

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir iddynt gan adrannau 17 a 47(1) o Ddeddf Addysg (Cymru) 2014(1).

The Welsh Ministers make these Regulations in exercise of the powers conferred on them by sections 17 and 47(1) of the Education (Wales) Act 2014(1).

Enwi a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Trefniadau Sefydlu ar gyfer Athrawon Ysgol) (Cymru) (Diwygio) 2022 a deuant i rym ar 7 Tachwedd 2022.

Title and commencement

1. The title of these Regulations is the Education (Induction Arrangements for School Teachers) (Wales) (Amendment) Regulations 2022 and they come into force on 7 November 2022.

Diwygio Rheoliadau Addysg (Trefniadau Sefydlu ar gyfer Athrawon Ysgol) (Cymru) 2015

2. Mae Rheoliadau Addysg (Trefniadau Sefydlu ar gyfer Athrawon Ysgol) (Cymru) 2015 wedi eu diwygio yn unol â rheoliadau 3 i 8.

Amendment of the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2015

2. The Education (Induction Arrangements for School Teachers) (Wales) Regulations 2015 are amended in accordance with regulations 3 to 8.

Diwygio rheoliad 3 (dehongli)

3. Yn rheoliad 3(1)—

- (a) yn y diffiniad o “corff llywodraethu”, ar y diwedd mewnosoder “ac mewn perthynas ag ysgol berthnasol sy'n uned cyfeirio disgyblion, mae'n cynnwys pwyllgor rheoli'r uned cyfeirio disgyblion (os oes un)”;

Amendment of regulation 3 (interpretation)

3. In regulation 3(1)—

- (a) in the definition of “governing body”, at the end insert “and in relation to a relevant school which is a pupil referral unit, includes the management committee of the pupil referral unit (if there is one)”;

- (b) yn y diffiniad o “pennaeth”, ar y diwedd mewnosoder “a’r athro neu’r athrawes sydd â chyfrifoldeb am uned cyfeirio disgyblion”;
- (c) yn y diffiniad o “diwrnod gwaith”—
 - (i) ar ôl “dydd Sul” mewnosoder “, Dydd Nadolig, Dydd Gwener y Groglith”, a
 - (ii) ar ôl “wyl banc” mewnosoder “yng Nghymru a Lloegr”;
- (d) yn y lle priodol, mewnosoder—

“mae i “uned cyfeirio disgyblion” yr un ystyr ag sydd i “pupil referral unit” yn adran 19A(2) o Ddeddf Addysg 1996(1);”.

- (b) in the definition of “head teacher”, at the end insert “and the teacher in charge of a pupil referral unit”;
- (c) in the definition of “working day”—
 - (i) after “Sunday” insert “, Christmas Day, Good Friday”, and
 - (ii) after “bank holiday” insert “in Wales and England”;
- (d) at the appropriate place, insert—

““pupil referral unit” (“uned cyfeirio disgyblion”) has the same meaning as in section 19A(2) of the Education Act 1996(1);”.

Diwygio rheoliad 5 (corff priodol)

4. Yn rheoliad 5(1)—

- (a) yn is-baragraff (a)—
 - (i) hepgorer “neu” ar ôl “ysgol arbennig gymunedol neu sefydledig,”, a
 - (ii) ar ôl “(ym mhob achos o fewn ystyr y termau cyfatebol Saesneg yn Neddf 1998)” mewnosoder “, neu uned cyfeirio disgyblion”;
- (b) hepgorer is-baragraff (b).

Amendment of regulation 5 (appropriate body)

4. In regulation 5(1)—

- (a) in sub-paragraph (a)—
 - (i) omit “or” after “foundation special school,”, and
 - (ii) after “(in each case within the meaning of the 1998 Act)” insert “, or a pupil referral unit”;
- (b) omit sub-paragraph (b).

Rheoliadau newydd 6A a 6B

5. Ar ôl rheoliad 6 (gofyniad i ymgymryd â chyfnod sefydlu) mewnosoder—

“Terfyn amser ar gyfer cwblhau cyfnod sefydlu yn foddhaol

6A.—(1) Rhaid i gyfnod sefydlu gael ei gwblhau’n foddhaol o fewn 5 mlynedd sy’n dechrau gyda’r diweddaraf o blith y dyddiad pan ddyfernir statws athro neu athrawes gymwysedig, neu 7 Tachwedd 2022 (“y terfyn amser”).

(2) Ond pan fo’r corff priodol yn estyn y terfyn amser yn unol â rheoliad 6B, rhaid i’r cyfnod sefydlu gael ei gwblhau’n foddhaol o fewn y terfyn amser estynedig.

Estyn y terfyn amser ar gyfer cwblhau cyfnod sefydlu yn foddhaol

6B.—(1) Rhaid i’r corff priodol estyn y terfyn amser yn rheoliad 6A(1) ar gyfer person (pa un ai yw’r cyfnod a ganiateir, neu unrhyw gyfnod estynedig, wedi dod i ben ai peidio) pan—

New regulations 6A and 6B

5. After regulation 6 (requirement to serve an induction period) insert—

“Time limit for satisfactory completion of an induction period

6A.—(1) An induction period must be satisfactorily completed within 5 years beginning with the later of the date of award of qualified teacher status or 7 November 2022 (“the time limit”).

(2) But where the appropriate body extends the time limit in accordance with regulation 6B, the induction period must be satisfactorily completed within the extended time limit.

Extension of time limit for satisfactory completion of an induction period

6B.—(1) The appropriate body must extend the time limit in regulation 6A(1) for a person (whether or not it, or any period of extension, has already expired) where—

(1) 1996 p. 56. Mewnosodwyd adran 19A(2) gan baragraffau 1 a 4 o Atodlen 2 i Ddeddf Cwricwlwm ac Asesu (Cymru) 2021 (dsc 4).

(1) 1996 c. 56. Section 19A(2) was inserted by the Curriculum and Assessment (Wales) Act 2021 (asc 4), Schedule 2, paragraphs 1 and 4.

- (a) bo cyfnod sefydlu'r person hwnnw yn cael ei estyn yn unol â rheoliad 10, 13(2)(b), 16(2)(c) neu (3)(c), a
- (b) na fo digon o amser ar gael o fewn y terfyn amser i'r corff priodol wneud penderfyniad yn unol â rheoliad 13(2).

(2) Caiff y corff priodol estyn y terfyn amser yn rheoliad 6A(1) ar gyfer person (pa un ai yw'r cyfnod a ganiateir, neu unrhyw gyfnod o estyniad, wedi dod i ben ai peidio) pan fo wedi ei fodloni bod rhesymau da dros wneud hynny a phan fo'r person yn cydsynio i hynny.

(3) Ni chaiff estyniad, neu gyfanswm cyfnod yr estyniad pan fo mwy nag un, fod yn hwy na 2 flynedd sy'n dechrau gyda'r diwrnod sy'n dilyn y diwrnod y daeth y terfyn amser yn rheoliad 6A(1) i ben, onid yw'n angenrheidiol yn rhinwedd paragraff (1).

(4) Rhaid i'r corff priodol, o fewn 10 diwrnod gwaith sy'n dechrau gyda'r diwrnod yr estynnwyd y terfyn amser yn rheoliad 6A(1) o dan baragraff (1) neu (2), anfon hysbysiad ysgrifenedig o'r estyniad at—

- (a) y person o dan sylw,
- (b) pan fo'r person o dan sylw yn cael ei gyflogi mewn ysgol berthnasol neu goleg AB, y corff llywodraethu a'r pennaeth,
- (c) pan fo'r person o dan sylw yn cael ei gyflogi mewn ysgol annibynnol, y perchennog a'r pennaeth,
- (d) pan na fo'r person yn cael ei gyflogi gan y corff priodol, unrhyw gyflogwr arall (os nad oes hawl ganddo i gael hysbysiad o dan (b) neu (c)), ac
- (e) y Cyngor.

(5) Ceir rhoi hysbysiad o dan baragraff (4) drwy ffacs, y post electronig neu ddull cyffelyb arall sydd â chyfleuster i gynhyrchu dogfen sy'n cynnwys testun y cyfathrebiad, a rhaid ystyried bod hysbysiad a anfonir drwy ddull o'r fath wedi ei roi pan ddaw i law mewn ffurf ddarllenadwy."

Diwygio rheoliad 7 (sefydliadau y ceir ymgymryd â chyfnod sefydlu ynddynt)

6. Yn rheoliad 7, hepgorer paragraff (2)(b) a'r "neu" o'i flaen.

- (a) that person's induction period is extended in accordance with regulation 10, 13(2)(b), 16(2)(c) or (3)(c), and
- (b) there is insufficient time available within the time limit for the appropriate body to make a decision in accordance with regulation 13(2).

(2) The appropriate body may extend the time limit in regulation 6A(1) for a person (whether or not it, or any period of extension, has already expired) where it is satisfied that there are good reasons for doing so and the person consents.

(3) An extension, or the total period of extension where there is more than one must not exceed 2 years beginning with the day following the day on which the time limit in regulation 6A(1) expired, unless it is necessary by virtue of paragraph (1).

(4) The appropriate body must, within 10 working days beginning with the day on which the time limit in regulation 6A(1) was extended under paragraph (1) or (2), send written notice of the extension to—

- (a) the person concerned,
- (b) where the person concerned is employed at a relevant school or FE college, the governing body and the head teacher,
- (c) where the person concerned is employed at an independent school, the proprietor and the head teacher,
- (d) where the person is not employed by the appropriate body, any other employer (if not entitled to notice under (b) or (c)), and
- (e) the Council.

(5) Notice under paragraph (4) may be given by facsimile, electronic mail or other similar means which are capable of producing a document containing the text of the communication, and a notice sent by such a method is to be regarded as given when it is received in legible form."

Amendment of regulation 7 (institutions in which an induction period may be served)

6. In regulation 7, omit paragraph (2)(b) and the "or" before it.

Diwygio rheoliad 8 (hyd cyfnod sefydlu)

7. Yn rheoliad 8—

- (a) ym mharagraff (1) yn lle “(3) a (4)” rhodder “(3), (4) ac (8)”;
- (b) ym mharagraff (3)—
 - (i) ar ddiwedd is-baragraff (d) hepgorer “neu”,
 - (ii) ar ddiwedd is-baragraff (e) yn lle “.” rhodder “; neu”, a
 - (iii) ar ôl is-baragraff (e) mewnosoder—
“(f) pan fo paragraff (8) yn gymwys.”;
- (c) ym mharagraff (4)(b) yn lle “ym mhob achos arall” rhodder “pan fo paragraff (3)(a), (b), (c) neu (e) yn gymwys”;
- (d) ar y diwedd mewnosoder—
“(8) Caiff y corff priodol, gyda chydysniad y person o dan sylw, leihau hyd y cyfnod sefydlu y mae'n ofynnol i'r person ymgymryd ag ef i isafswm o un tymor ysgol neu 110 o sesiynau ysgol os yw'r corff priodol wedi ei fodloni bod y person wedi cyrraedd y safonau a grybwyllir yn adran 18 o Ddeddf 2014.”

Diwygio rheoliad 13 (cwblhau cyfnod sefydlu)

8. Yn rheoliad 13(4), yn lle “dri” rhodder “10”.

Amendment of regulation 8 (length of an induction period)

7. In regulation 8—

- (a) in paragraph (1) for “(3) and (4)” substitute “(3), (4) and (8)”;
- (b) in paragraph (3)—
 - (i) at the end of sub-paragraph (d) omit “or”,
 - (ii) at the end of sub-paragraph (e) for “.” substitute “; or”, and
 - (iii) after sub-paragraph (e) insert—
“(f) where paragraph (8) applies.”;
- (c) in paragraph (4)(b) for “in all other cases” substitute “where paragraph (3)(a), (b), (c) or (e) applies”;
- (d) at the end insert—
“(8) The appropriate body may, with the consent of the person concerned, reduce the length of the induction period which the person is required to serve to a minimum of one school term or 110 school sessions if the appropriate body is satisfied that the person has achieved the standards mentioned in section 18 of the 2014 Act.”

Amendment of regulation 13 (completion of an induction period)

8. In regulation 13(4), for “three” substitute “10”.

Jeremy Miles

Gweinidog y Gymraeg ac Addysg, un o Weinidogion
Cymru
12 Hydref 2022

©Hawlfraint y Goron 2022

Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Jeff James, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd Deddfau Senedd y Brenin.

Minister for Education and Welsh Language, one of
the Welsh Ministers
12 October 2022

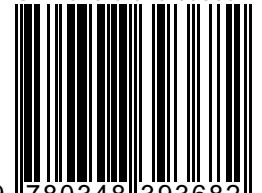
© Crown copyright 2022

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

£6.90

<http://www.legislation.gov.uk/id/wsi/2022/1058>

ISBN 978-0-348-39368-2



9 780348 393682