OFFERYNNAU STATUDOL CYMRU

2023 Rhif 37 (Cy. 4)

ADDYSG, CYMRU

Rheoliadau Addysg (Y Diwrnod Ysgol a'r Flwyddyn Ysgol) (Cymru) (Diwygio) 2023

NODYN ESBONIADOL

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

Mae Rheoliadau Addysg (Y Diwrnod Ysgol a'r Flwyddyn Ysgol) (Cymru) 2003 ("Rheoliadau 2003") yn gwneud darpariaeth ynghylch hyd y diwrnod ysgol, sydd fel arfer yn cael ei rannu yn ddwy sesiwn gydag egwyl yn y canol, ac i ysgolion gyfarfod am o leiaf 380 o sesiynau yn ystod unrhyw flwyddyn ysgol.

Mae'r Rheoliadau hyn yn diwygio'r diffiniad o "ysgol" yn rheoliad 3 o Reoliadau 2003, i adlewyrchu diwygiadau a wnaed i adran 342 o Ddeddf Addysg 1996(**1**) gan adran 57 o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018(**2**). Bydd Rheoliadau 2003 felly yn gymwys i ysgolion a gynhelir gan awdurdod lleol.

Maent yn diwygio rheoliad 4(8) o Reoliadau 2003 i leihau isafswm nifer y sesiynau ysgol y mae rhaid eu cynnal yn y flwyddyn ysgol 2022–2023 o 380 i 376. Mae hyn yn adlewyrchu'r gwyliau banc ychwanegol ar 19 Medi 2022 ar gyfer Angladd Gwladol Ei Mawrhydi y Frenhines Elizabeth II, ac ar 8 Mai 2023 i nodi achlysur Coroni Ei Fawrhydi y Brenin Charles III.

(**1**) 1996 p. 56.
(**2**) 2018 dccc 2.

WELSH STATUTORY INSTRUMENTS

2023 No. 37 (W. 4)

EDUCATION, WALES

The Education (School Day and School Year) (Wales) (Amendment) Regulations 2023

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Education (School Day and School Year) (Wales) Regulations 2003 ("the 2003 Regulations") make provision about the length of the school day, which is ordinarily divided into two sessions with a break in the middle, and for schools to meet for at least 380 sessions during any school year.

These Regulations amend the definition of "school" in regulation 3 of the 2003 Regulations, to reflect amendments made to section 342 of the Education Act 1996(**1**) by section 57 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018(**2**). The 2003 Regulations will therefore apply to schools maintained by a local authority.

They amend regulation 4(8) of the 2003 Regulations to reduce the minimum number of school sessions which must be held in the 2022–2023 school year from 380 to 376. This reflects the additional bank holidays on 19 September 2022 for the State Funeral of Her Majesty Queen Elizabeth II, and 8 May 2023 to mark the occasion of the Coronation of His Majesty King Charles III.

(**1**) 1996 c. 56.
(**2**) 2018 anaw 2.

Maent hefyd yn diwygio rheoliad 5 o Reoliadau 2003 i ddarparu i ddim mwy na dwy sesiwn ym mhob un o'r blynyddoedd ysgol 2022–2023, 2023–2024 a 2024–2025 gyfrif fel sesiynau pan gyfarfu'r ysgol, os yw'r sesiynau hynny wedi eu neilltuo (yn llwyr neu'n bennaf) i unrhyw un neu ragor o'r materion a ragnodir.

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 Deddfwriaeth a Llywodraethiant, Yr Is-Adran Effeithiolrwydd Ysgolion, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

They also amend regulation 5 of the 2003 Regulations to provide for no more than two sessions in each of the 2022–2023, 2023–2024 and 2024–2025 school years to count as sessions on which the school has met, if those sessions are devoted (wholly or mainly) to any of the matters prescribed.

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 Legislation and Governance Branch, Schools Effectiveness Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

OFFERYNNAU STATUDOL CYMRU

2023 Rhif 37 (Cy. 4)

ADDYSG, CYMRU

Rheoliadau Addysg (Y Diwrnod Ysgol a'r Flwyddyn Ysgol) (Cymru) (Diwygio) 2023

Gwnaed *16 Ionawr 2023*

Gosodwyd gerbron Senedd Cymru *18 Ionawr 2023*

Yn dod i rym *10 Chwefror 2023*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir i'r Ysgrifennydd Gwladol gan adrannau 551 a 569(4) a (5) o Ddeddf Addysg 1996(**1**), ac a freiniwyd bellach ynddynt hwy(**2**), yn gwneud y Rheoliadau a ganlyn:

Enwi a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Y Diwrnod Ysgol a'r Flwyddyn Ysgol) (Cymru) (Diwygio) 2023 a deuant i rym ar 10 Chwefror 2023.

Diwygio Rheoliadau Addysg (Y Diwrnod Ysgol a'r Flwyddyn Ysgol) (Cymru) 2003

2.—(1) Mae Rheoliadau Addysg (Y Diwrnod Ysgol a'r Flwyddyn Ysgol) (Cymru) 2003(**3**) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 3, yn y diffiniad o "ysgol" hepgorer ", neu ysgol arbennig nad yw awdurdod lleol yn ei chynnal".

(**1**) 1996 p. 56. Mewnosodwyd adran 551(1A) gan baragraff 39 o Atodlen 7 i Ddeddf Addysg 1997 (p. 44), a diwygiwyd adran 551(2) gan baragraff 166 o Atodlen 30 ac Atodlen 31 i Ddeddf Safonau a Fframwaith Ysgolion 1998 (p. 31). Am ystyr "regulations" gweler adran 579(1).

(**2**) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac yna i Weinidogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).

(**3**) O.S. 2003/3231 (Cy. 311), a ddiwygiwyd gan O.S. 2006/1262 (Cy. 119), O.S. 2008/1739 (Cy. 171), O.S. 2011/149 (Cy. 33), O.S. 2012/248 (Cy. 41), O.S. 2019/1131 (Cy. 196), O.S. 2020/848 (Cy. 187), O.S. 2021/1476 (Cy. 378) ac O.S. 2022/61 (Cy. 23).

WELSH STATUTORY INSTRUMENTS

2023 No. 37 (W. 4)

EDUCATION, WALES

The Education (School Day and School Year) (Wales) (Amendment) Regulations 2023

Made *16 January 2023*

Laid before Senedd Cymru *18 January 2023*

Coming into force *10 February 2023*

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by sections 551 and 569(4) and (5) of the Education Act 1996(**1**), and now vested in them(**2**), make the following Regulations:

Title and commencement

1. The title of these Regulations is the Education (School Day and School Year) (Wales) (Amendment) Regulations 2023 and they come into force on 10 February 2023.

Amendment of the Education (School Day and School Year) (Wales) Regulations 2003

2.—(1) The Education (School Day and School Year) (Wales) Regulations 2003(**3**) are amended as follows.

(2) In regulation 3, in the definition of "school" omit ", or a special school not maintained by a local authority".

(**1**) 1996 c. 56. Section 551(1A) was inserted by paragraph 39 of Schedule 7 to the Education Act 1997 (c. 44), and section 551(2) was amended by paragraph 166 of Schedule 30 and Schedule 31 to the School Standards and Framework Act 1998 (c. 31). For the meaning of "regulations" see section 579(1).

(**2**) The functions of the Secretary of State 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 paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(**3**) S.I. 2003/3231 (W. 311), amended by S.I. 2006/1262 (W. 119), S.I. 2008/1739 (W. 171), S.I. 2011/149 (W. 33), S.I. 2012/248 (W. 41), S.I. 2019/1131 (W. 196), S.I. 2020/848 (W. 187), S.I. 2021/1476 (W. 378) and S.I. 2022/61 (W. 23).

(3) Yn rheoliad 4, yn lle paragraff (8) rhodder—

"(8) Mae'r cyfeiriad ym mharagraff (2) at 380 o sesiynau i'w gymryd fel cyfeiriad at 376 o sesiynau mewn perthynas â'r flwyddyn ysgol 2022–2023."

(4) Yn lle rheoliad 5 rhodder—

"**5.**—(1) Mae'r paragraff hwn yn gymwys i unrhyw sesiwn ysgol sy'n dod o fewn y blynyddoedd ysgol 2022–2023, 2023–2024 a 2024–2025 sydd wedi ei neilltuo (yn llwyr neu'n bennaf) i ddarparu hyfforddiant (gan gynnwys hyfforddiant a fynychir gan staff sy'n addysgu a staff nad ydynt yn addysgu a hyfforddiant a gynhelir ar y cyd ag ysgolion eraill) neu i baratoi a chynllunio, mewn perthynas ag un neu ragor o'r canlynol—

(a) lleihau effaith tlodi ar gynnydd a chyrhaeddiad disgyblion yn yr ysgol;

(b) gweithredu Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018(**1**) ar gyfer disgyblion yn yr ysgol;

(c) y cwricwlwm sydd i'w ddarparu yn yr ysgol o dan Ran 2 o Ddeddf Cwricwlwm ac Asesu (Cymru) 2021(**2**).

(2) Mae paragraff (1) i gael effaith mewn perthynas â dim mwy na dwy sesiwn ysgol ym mhob blwyddyn ysgol.

(3) Pan fo paragraff (1) yn gymwys, mae'r sesiwn honno i'w hystyried at ddibenion rheoliad 4 fel sesiwn pan gyfarfu'r ysgol."

(3) In regulation 4, for paragraph (8) substitute—

"(8) The reference in paragraph (2) to 380 sessions is to be taken as a reference to 376 sessions in relation to the school year 2022–2023."

(4) For regulation 5 substitute—

"**5.**—(1) This paragraph applies to any school session falling within the school years 2022–2023, 2023–2024 and 2024–2025 which is devoted (wholly or mainly) to the provision of training (including training attended by both teaching and non-teaching staff and training conducted jointly with other schools) or preparation and planning, in relation to one or more of the following—

(a) reducing the impact of poverty on the progression and attainment of pupils at the school;

(b) the operation of the Additional Learning Needs and Education Tribunal (Wales) Act 2018(**1**) for pupils at the school;

(c) the curriculum to be provided at the school under Part 2 of the Curriculum and Assessment (Wales) Act 2021(**2**).

(2) Paragraph (1) is to have effect in relation to no more than two school sessions in each school year.

(3) Where paragraph (1) applies, that session is to be regarded for the purposes of regulation 4 as a session on which the school has met."

Jeremy Miles

Gweinidog y Gymraeg ac Addysg, un o Weinidogion Cymru
16 Ionawr 2023

Minister for Education and Welsh Language, one of the Welsh Ministers
16 January 2023

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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.

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(**1**) 2018 dccc 2.
(**2**) 2021 dsc 4.

(**1**) 2018 anaw 2.
(**2**) 2021 asc 4.

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