



Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018

2018 dccc 2

DEDDF ANGHENION DYSGU YCHWANEGOL A'R TRIBIWNLYS ADDYSG (CYMRU) 2018

RHAN 1

TROSOLWG

- 1 Trosolwg o'r Ddeddf hon

RHAN 2

ANGHENION DYSGU YCHWANEGOL

PENNOD 1

TERMAU ALLWEDDOL, Y COD A CHYFRANOGIAD

Termau allweddol

- 2 Anghenion dysgu ychwanegol
- 3 Darpariaeth ddysgu ychwanegol

Cod ymarfer

- 4 Cod anghenion dysgu ychwanegol
- 5 Y weithdrefn ar gyfer gwneud y cod

Cyfranogiad, confensiynau'r Cenhedloedd Unedig a mynediad at wybodaeth

- 6 Dyletswydd i gynnwys a chefnogi plant, eu rhieni a phobl ifanc
- 7 Dyletswydd i roi sylw i Gonfensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn

Newidiadau i ddeddfwriaeth: Mae newidiadau yn dal heb eu gwneud i Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018. Mae unrhyw newidiadau sydd wedi cael eu gwneud yn barod gan y tim yn ymddangos yn y cynnwys a chyfeirir atynt gydag anodiadau. (See end of Document for details) View outstanding changes

- 8 Dyletswydd i roi sylw i Gonfensiwn y Cenedloedd Unedig ar Hawliau Pobl ag Anableddau
- 9 Cyngor a gwybodaeth

PENNOD 2

CYNLLUNIAU DATBLYGU UNIGOL

Llunio a chynnal cynlluniau datblygu unigol

- 10 Cynlluniau datblygu unigol
- 11 Dyletswydd i benderfynu: ysgolion a gynhelir a sefydliadau addysg bellach
- 12 Dyletswyddau i lunio a chynnal cynlluniau: ysgolion a gynhelir a sefydliadau addysg bellach
- 13 Dyletswydd i benderfynu: awdurdodau lleol
- 14 Dyletswyddau i lunio a chynnal cynlluniau: awdurdodau lleol

Darpariaeth ddysgu ychwanegol ar gyfer plant sy'n derbyn gofal

- 15 Termau allweddol
- 16 Diwygiadau i Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014
- 17 Dyletswydd i atgyfeirio mater i awdurdod lleol sy'n gofalu am blentyn
- 18 Dyletswydd i benderfynu a oes gan blentyn sy'n derbyn gofal anghenion dysgu ychwanegol
- 19 Dyletswyddau i lunio a chynnal cynlluniau ar gyfer plant sy'n derbyn gofal

Darpariaeth ddysgu ychwanegol a chyrrff y GIG

- 20 Darpariaeth ddysgu ychwanegol: Byrddau Iechyd Lleol ac ymddiriedolaethau'r GIG
- 21 Cynlluniau datblygu unigol: Byrddau Iechyd Lleol ac ymddiriedolaethau'r GIG

Gwybodaeth am gynlluniau

- 22 Darparu gwybodaeth am gynlluniau datblygu unigol

Adolygu cynlluniau

- 23 Adolygu a diwygio cynlluniau datblygu unigol
- 24 Adolygu a diwygio cynlluniau datblygu unigol ar gyfer plant sy'n derbyn gofal
- 25 Perthynas cynlluniau datblygu unigol â dogfennau tebyg eraill

Ailystyriaeth gan awdurdodau lleol o benderfyniadau a chynlluniau cyrrff llywodraethu

- 26 Ailystyriaeth gan awdurdodau lleol o benderfyniadau o dan adran 11(1)
- 27 Ailystyriaeth gan awdurdodau lleol o gynlluniau a gynhelir o dan adran 12
- 28 Dyletswydd awdurdodau lleol i benderfynu pa un ai i gymryd drosodd gynlluniau cyrrff llywodraethu ai peidio
- 29 Amgylchiadau pan nad yw'r dyletswyddau yn adrannau 26(2), 27(2) a 28(3) yn gymwys

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- 30 Cofrestru neu ymrestru mewn mwy nag un sefydliad

Peidio â chynnal cynlluniau

- 31 Peidio â chynnal cynlluniau datblygu unigol
32 Ailystyriaeth gan awdurdodau lleol o benderfyniadau cyrff llywodraethu o dan adran 31
33 Cyfyngiad ar beidio â chynnal cynlluniau er mwyn caniatáu ailystyriaeth neu apêl
34 Cynllun datblygu unigol ar ôl pen-blwydd person ifanc yn 25 oed

Trosglwyddo cynlluniau

- 35 Trosglwyddo dyletswyddau i gynnal cynlluniau
36 Cais i drosglwyddo cynllun i gorff llywodraethu sefydliad addysg bellach
37 Rheoliadau ynghylch trosglwyddo cynlluniau datblygu unigol

Pwerau i gyfarwyddo cyrff llywodraethu ysgolion a gynhelir

- 38 Pŵer awdurdod lleol i gyfarwyddo cyrff llywodraethu ysgolion a gynhelir

Darpariaeth ddysgu ychwanegol ar gyfer personau sy'n cael eu cadw'n gaeth

- 39 Ystyr "person sy'n cael ei gadw'n gaeth" a thermau allweddol eraill
40 Dyletswydd i lunio cynlluniau datblygu unigol ar gyfer personau sy'n cael eu cadw'n gaeth
41 Amgylchiadau pan nad yw'r ddyletswydd yn adran 40(2) yn gymwys
42 Dyletswydd i gadw cynlluniau datblygu unigol ar gyfer personau sy'n cael eu cadw'n gaeth
43 Rhyddhau person sy'n cael ei gadw'n gaeth
44 Darpariaethau penodol Rhan 2 nad ydynt i fod yn gymwys i blant a phersonau ifanc sy'n cael eu cadw'n gaeth
45 Cadw'n gaeth o dan Ran 3 o Ddeddf Iechyd Meddwl 1983

Yr angen am gynlluniau

- 46 Rheoliadau ynghylch penderfynu a oes angen cynllun datblygu unigol

PENNOD 3

SWYDDOGAETHAU ATODOL

Swyddogaethau sy'n ymwneud â sicrhau darpariaeth ddysgu ychwanegol

- 47 Dyletswydd i gymryd pob cam rhesymol i sicrhau darpariaeth ddysgu ychwanegol
48 Dyletswydd i dderbyn plant i ysgolion a gynhelir a enwir
49 Dim pŵer i godi tâl am ddarpariaeth a sicrheir o dan y Rhan hon
50 Dyletswyddau Gweinidogion Cymru i sicrhau addysg a hyfforddiant ôl-16

Darpariaeth ddysgu ychwanegol mewn mathau penodol o ysgol neu sefydliad arall

- 51 Dyletswydd i ffafrio addysg i blant mewn ysgolion prif ffrwd a gynhelir

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- 52 Plant ag anghenion dysgu ychwanegol mewn ysgolion prif ffrwd a gynhelir
- 53 Darpariaeth ddysgu ychwanegol mewn mannau ac eithrio mewn ysgolion
- 54 Diwygiadau i ofynion cofrestru ar gyfer ysgolion annibynnol yng Nghymru
- 55 Amodau sy'n gymwys i sicrhau darpariaeth ddysgu ychwanegol mewn ysgolion annibynnol
- 56 Rhestr o sefydliadau ôl-16 arbennig annibynnol
- 57 Diddymu cymeradwyo ysgolion arbennig nas cynhelir yng Nghymru
- 58 Diddymu cymeradwyo ysgolion annibynnol yng Nghymru
- 59 Darpariaeth ddysgu ychwanegol y tu allan i Gymru a Lloegr

Swyddogion cydlynu anghenion dysgu ychwanegol

- 60 Cydlynnydd anghenion dysgu ychwanegol
- 61 Swyddog arweiniol clinigol addysg dynodedig
- 62 Swyddog arweiniol anghenion dysgu ychwanegol blynyddoedd cynnar

Swyddogaethau amrywiol

- 63 Dyletswydd i gadw darpariaeth ddysgu ychwanegol o dan adolygiad
- 64 Dyletswydd cyrff iechyd i hysbysu rhieni etc.
- 65 Dyletswyddau i ddarparu gwybodaeth a help arall
- 66 Hawl awdurdod lleol i gael mynediad i fangreodded ysgolion a sefydliadau eraill
- 67 Darparu nwyddau neu wasanaethau mewn perthynas â darpariaeth ddysgu ychwanegol

PENNOD 4

OSGOI A DATRYS ANGHYTUNDEBAU

Trefniadau awdurdodau lleol

- 68 Trefniadau ar gyfer osgoi a datrys anghytundebau
- 69 Gwasanaethau eirioli annibynnol

Apelau a cheisiadau i'r Tribiwnlys

- 70 Hawliau o ran apelau a cheisiadau
- 71 Penderfyniadau ar apelau a cheisiadau o dan adran 70
- 72 Hawliau o ran apelio: personau sy'n cael eu cadw'n gaeth
- 73 Penderfyniadau ar apelau o dan adran 72
- 74 Rheoliadau ynghylch apelau a cheisiadau
- 75 Rheoliadau ynghylch y weithdrefn
- 76 Cyrff GIG: tystiolaeth ac argymhellion y Tribiwnlys
- 77 Cydymffurfedd â gorchmynion
- 78 Pŵer i rannu dogfennau a gwybodaeth arall â Gweinidogion Cymru
- 79 Trosedd
- 80 Lwfansau am fod yn bresennol yn Nhribiwnlys Addysg Cymru
- 81 Apelau o Dribiwnlys Addysg Cymru i'r Uwch Dribiwnlys

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PENNOD 5

CYFFREDINOL

Gwybodaeth

82 Rheoliadau ynghylch datgelu a defnyddio gwybodaeth

Galluedd

83 Rhieni a phobl ifanc nad oes ganddynt alluedd

84 Galluedd plant

85 Cyfeillion achos ar gyfer plant nad oes ganddynt alluedd

Cyrsiau addysg uwch a ddarperir gan sefydliadau addysg bellach

86 Myfyrwyr mewn sefydliadau addysg bellach sy'n dilyn cyrsiau addysg uwch

Disgyblion a myfyrwyr mewn sefydliadau yng Nghymru sy'n preswyllo yn Lloegr

87 Cymhwyso darpariaethau ailystyried i ddisgyblion a myfyrwyr sy'n preswyllo yn Lloegr

Rhoi hysbysiad etc.

88 Rhoi hysbysiad etc. o dan y Rhan hon

Adolygu darpariaeth ddysgu ychwanegol yn Gymraeg

89 Adolygu darpariaeth ddysgu ychwanegol yn Gymraeg

90 Pŵer i ddiwygio dyletswyddau i sicrhau darpariaeth ddysgu ychwanegol yn Gymraeg

RHAN 3

TRIBIWNLYS ADDYSG CYMRU

91 Cyfansoddiad Tribiwnlys Addysg Cymru

92 Y Llywydd ac aelodau'r paneli

93 Dirprwy Lywydd y Tribiwnlys

94 Tâl a threuliau

RHAN 4

AMRYWIOL A CHYFFREDINOL

Amrywiol

95 Ystyr "yn ardal" awdurdod lleol

Cyffredinol

96 Mân ddiwygiadau a diwygiadau canlyniadol a diddymiaidau

97 Pŵer i wneud darpariaeth ganlyniadol a throsiannol etc.

98 Rheoliadau

99 Dehongli cyffredinol

100 Dod i rym

101 Enw byr a chynnwys y Ddeddf yn y rhestr o Ddeddfau Addysg

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ATODLEN 1 — MÂN DDIWYGIADAU A DIWYGIADAU CANLYNIADOL A DIDDYMIADAU

- 1 Deddf Gwasanaethau Cymdeithasol Awdurdodau Lleol 1970 (p. 42)
- 2 Deddf Plant 1989 (p. 41)
- 3 Deddf Tribiwnlysoedd ac Ymchwiliadau 1992 (p. 53)
- 4 Deddf Addysg 1996 (p. 56)
- 5 Yn adran 333(5) o Ddeddf Addysg 1996—
- 6 O ganlyniad i'r diwygiadau a wneir gan baragraffau 4 a...
- 7 Deddf Safonau a Fframwaith Ysgolion 1998 (p. 31)
- 8 Deddf Dysgu a Sgiliau 2000 (p. 21)
- 9 Deddf Addysg 2002 (p. 32)
- 10 Deddf Diwygio Cyfansoddiadol 2005 (p. 4)
- 11 Deddf y Gwasanaeth Iechyd Gwladol 2006 (p. 41)
- 12 Deddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 (p. 42)
- 13 Deddf Tribiwnlysoedd, Llysoedd a Gorfodaeth 2007 (p. 15)
- 14 Mesur Teithio gan Ddysgwyr (Cymru) 2008 (mccc 2)
- 15 Deddf Addysg a Sgiliau 2008 (p. 25)
- 16 Mesur Dysgu a Sgiliau (Cymru) 2009 (mccc 2)
- 17 Deddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009 (p. 22)
- 18 Mesur Addysg (Cymru) 2009 (mccc 7)
- 19 Deddf Cydraddoldeb 2010 (p. 15)
- 20 Mesur y Gymraeg (Cymru) 2011 (mccc 1)
- 21 Deddf Cymorth Cyfreithiol, Dedfrydu a Chosbi Troseddwyr 2012 (p. 10)
- 22 Deddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013 (dccc 1)
- 23 Deddf Plant a Theuluoedd 2014 (p. 6)
- 24 Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (dccc 4)

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 2 amendment to earlier affecting provisions S.I. 2021/1243, arts. 4-23 by [S.I. 2023/932 art. 2](#)
- s. 2 amendment to earlier affecting provisions S.I. 2021/1244, arts. 4-21 by [S.I. 2023/932 art. 3](#)
- s. 2 amendment to earlier affecting provisions S.I. 2022/891, arts. 4-25 by [S.I. 2023/932 art. 4](#)
- s. 2 amendment to earlier affecting provisions S.I. 2022/896, arts. 4-22 by [S.I. 2023/932 art. 5](#)
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- s. 2 coming into force by [S.I. 2022/893 art. 2\(a\)](#)
- s. 3 amendment to earlier affecting provisions S.I. 2021/1243, arts. 4-23 by [S.I. 2023/932 art. 2](#)
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- s. 4 coming into force by [S.I. 2022/893 art. 2\(a\)](#)
- s. 4(3)(i) substituted by [2022 c. 31 Sch. 1 para. 35\(a\)](#)
- s. 4(3)(j) substituted by [2022 c. 31 Sch. 4 para. 231\(a\)](#)
- s. 4(9) words omitted by [2018 c. 12 Sch. 19 para. 226\(2\)\(a\)](#)
- s. 4(9A) inserted by [2018 c. 12 Sch. 19 para. 226\(2\)\(b\)](#)
- s. 6 amendment to earlier affecting provisions S.I. 2021/1243, arts. 4-23 by [S.I. 2023/932 art. 2](#)
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- s. 17 coming into force by [S.I. 2022/893 art. 2\(c\)](#)
- s. 18 amendment to earlier affecting provisions S.I. 2021/1243, arts. 4-23 by [S.I. 2023/932 art. 2](#)
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- s. 19 amendment to earlier affecting provisions S.I. 2022/896, arts. 4-22 by [S.I. 2023/932 art. 5](#)
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- s. 24 amendment to earlier affecting provisions S.I. 2022/896, arts. 4-22 by [S.I. 2023/932 art. 5](#)

- s. 24 amendment to earlier affecting provisions S.I. 2022/897, arts. 4-21 by [S.I. 2023/932 art. 6](#)
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- s. 28 amendment to earlier affecting provisions S.I. 2022/891, arts. 4-25 by [S.I. 2023/932 art. 4](#)
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- s. 30 amendment to earlier affecting provisions S.I. 2021/1243, arts. 4-23 by [S.I. 2023/932 art. 2](#)
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- s. 59 amendment to earlier affecting provisions S.I. 2021/1243, arts. 4-23 by [S.I. 2023/932 art. 2](#)
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- s. 64(2)(c) substituted by [2022 c. 31 Sch. 4 para. 232\(a\)](#)
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- s. 65(4)(j) substituted by [2022 c. 31 Sch. 1 para. 36\(a\)](#)
- s. 65(4)(k) substituted by [2022 c. 31 Sch. 4 para. 233\(a\)](#)
- s. 66 amendment to earlier affecting provisions S.I. 2021/1243, arts. 4-23 by [S.I. 2023/932 art. 2](#)
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- s. 99(1) words inserted by [2022 c. 31 Sch. 4 para. 234\(a\)\(ii\)](#)
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- Sch. 1 para. 4(8)(9) coming into force by [S.I. 2022/893 art. 2\(o\)\(v\)](#)
- Sch. 1 para. 4(10) coming into force by [S.I. 2022/893 art. 2\(o\)\(vi\)](#)
- Sch. 1 para. 4(13)-(18) coming into force by [S.I. 2022/893 art. 2\(o\)\(vii\)](#)
- Sch. 1 para. 4(19)(b) coming into force by [S.I. 2022/893 art. 2\(o\)\(viii\)](#)
- Sch. 1 para. 4(20)(21) coming into force by [S.I. 2022/893 art. 2\(o\)\(ix\)](#)
- Sch. 1 para. 4(23)-(29) coming into force by [S.I. 2022/893 art. 2\(o\)\(x\)](#)
- Sch. 1 para. 7 coming into force by [S.I. 2022/893 art. 2\(o\)\(xii\)](#)
- Sch. 1 para. 8 coming into force by [S.I. 2022/893 art. 2\(o\)\(xiii\)](#)
- Sch. 1 para. 11(a) coming into force by [S.I. 2022/893 art. 2\(o\)\(xiv\)](#)
- Sch. 1 para. 12(a) coming into force by [S.I. 2022/893 art. 2\(o\)\(xv\)](#)
- Sch. 1 para. 14(1) coming into force by [S.I. 2022/893 art. 2\(o\)\(xvi\)](#)
- Sch. 1 para. 14(2)(3) coming into force by [S.I. 2022/893 art. 2\(o\)\(xvii\)](#)
- Sch. 1 para. 19(1) coming into force by [S.I. 2022/893 art. 2\(o\)\(xviii\)](#)
- Sch. 1 para. 19(5)(e)(ii) coming into force by [S.I. 2022/893 art. 2\(o\)\(xix\)](#)
- Sch. 1 para. 21(1) coming into force by [S.I. 2022/893 art. 2\(o\)\(xx\)](#)
- Sch. 1 para. 21(2)(a)(i)para. 21(2)(b)(ii) coming into force by [S.I. 2022/893 art. 2\(o\)\(xxi\)](#)
- Sch. 1 para. 22 coming into force by [S.I. 2022/893 art. 2\(o\)\(xxii\)](#)
- Sch. 1 para. 23(1) coming into force by [S.I. 2022/893 art. 2\(o\)\(xxiii\)](#)
- Sch. 1 para. 23(4) coming into force by [S.I. 2022/893 art. 2\(o\)\(xxiv\)](#)
- Sch. 1 para. 24(1) coming into force by [S.I. 2022/893 art. 2\(o\)\(xxv\)](#)
- Sch. 1 para. 24(3)para. 24(6)(a) coming into force by [S.I. 2022/893 art. 2\(o\)\(xxvi\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2021/373 by [S.I. 2021/735 art. 2](#)
- specified provision(s) amendment to earlier commencing S.I. 2021/373 by [S.I. 2021/938 art. 2](#)
- specified provision(s) amendment to earlier commencing S.I. 2021/381 by [S.I. 2021/516 art. 2](#)
- specified provision(s) amendment to earlier commencing S.I. 2021/381 by [S.I. 2021/516 art. 3](#)
- specified provision(s) amendment to earlier commencing S.I. 2021/381 by [S.I. 2021/735 art. 3](#)
- specified provision(s) amendment to earlier commencing S.I. 2021/383 by [S.I. 2021/735 art. 4](#)
- specified provision(s) coming into force by [S.I. 2021/381 art. 23](#) (This commencement not applied to legislation.gov.uk. S.I. 2021/381 revoked (12.8.2021) by S.I. 2021/938, art. 3)
- specified provision(s) coming into force by [S.I. 2021/383 art. 23](#) (This commencement not applied to legislation.gov.uk. S.I. 2021/383 revoked (12.8.2021) by S.I. 2021/938, art. 4)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(3)(ca)(cb) inserted by [2022 asc 1 Sch. 4 para. 39\(2\)](#)
- s. 5(1)(da) inserted by [2022 asc 1 Sch. 4 para. 39\(3\)](#)
- s. 65(4)(da)(db) inserted by [2022 asc 1 Sch. 4 para. 39\(5\)](#)
- Sch. 1 para. 4(32)(a)(i)para. 4(32)(a)(ii)(b) amendment to earlier affecting provisions S.I. 2021/1243, arts. 4-23 by [S.I. 2023/932 art. 2](#)
- Sch. 1 para. 4(32)(a)(i)para. 4(32)(a)(ii)(b) amendment to earlier affecting provisions S.I. 2021/1244, arts. 4-21 by [S.I. 2023/932 art. 3](#)
- Sch. 1 para. 4(32)(a)(i)para. 4(32)(a)(ii)(b) amendment to earlier affecting provisions S.I. 2022/891, arts. 4-25 by [S.I. 2023/932 art. 4](#)
- Sch. 1 para. 4(32)(a)(i)para. 4(32)(a)(ii)(b) amendment to earlier affecting provisions S.I. 2022/896, arts. 4-22 by [S.I. 2023/932 art. 5](#)
- Sch. 1 para. 4(32)(a)(i)para. 4(32)(a)(ii)(b) amendment to earlier affecting provisions S.I. 2022/897, arts. 4-21 by [S.I. 2023/932 art. 6](#)
- Sch. 1 para. 4(32)(a)(i)para. 4(32)(a)(ii)(b) coming into force by [S.I. 2022/893 art. 2\(o\)\(xi\)](#)