



**Cynulliad Cenedlaethol Cymru**

**The National Assembly for Wales**

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OFFERYNNAU STATUDOL

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STATUTORY INSTRUMENTS

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**2000 Rhif 1271 (Cy.97)**

**2000 No. 1271 (W.97)**

**LLYWODRAETH LEOL,  
CYMRU**

**LOCAL GOVERNMENT,  
WALES**

**Gorchymyn Llywodraeth Leol  
(Gwerth Gorau) (Adolygiadau a  
Chynlluniau Perfformiad) (Cymru)  
2000**

**The Local Government (Best  
Value) (Reviews and Performance  
Plans) (Wales) Order 2000**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

*(This note does not form part of the Order.)*

Mae Rhan 1 o Ddeddf Llywodraeth Leol 1999 yn gosod dyletswyddau ar awdurdodau lleol ac awdurdodau eraill i gynnal adolygiadau gwerth gorau o'u swyddogaethau ac i baratoi cynllun perfformiad gwerth gorau ar gyfer pob blwyddyn ariannol.

Part I of the Local Government Act 1999 imposes duties on local and other authorities to conduct best value reviews of their functions and to prepare a best value performance plan for each financial year.

Bwriedir pennu drwy orchymyn a wneir gan Gynulliad Cenedlaethol Cymru y cyfnod y mae'n rhaid i awdurdod yng Nghymru (ac eithrio un a bennir yn adran 1(1)(d) ac (e) o'r Ddeddf) adolygu pob un o'i swyddogaethau ynddo, y materion y mae'n rhaid i'r awdurdod hwnnw eu cynnwys yn yr adolygiad a'r materion y mae rhaid i'r awdurdod hwnnw eu cynnwys mewn cynllun perfformiad gwerth gorau ar gyfer blwyddyn ariannol. Gall Cynulliad Cenedlaethol Cymru hefyd bennu drwy orchymyn cyn pa ddyddiad y mae rhaid i awdurdod gyhoeddi ei gynllun perfformiad ar gyfer blwyddyn ariannol a'r dyddiad erbyn pryd y mae rhaid anfon copïau o adroddiad archwilydd ynglŷn â'r cynllun hwnnw at yr awdurdod, y Comisiwn Archwilio ac, os oes gofyn, at Gynulliad Cenedlaethol Cymru.

The period within which an authority in Wales (except one specified in section 1(1)(d) and (e) of the Act) is to review all its functions, the matters which such an authority must include in such a review and the matters which such an authority must include in a best value performance plan for a financial year are to be specified by order made by the National Assembly for Wales. The National Assembly for Wales may also specify by order the date before which an authority must publish its performance plan for a financial year and the date by which copies of an auditor's report relating to that plan shall be sent to the authority, the Audit Commission and, if required, the National Assembly for Wales.

Mae'r Gorchymyn hwn yn pennu'r cyfnod adolygu gwerth gorau, y materion y mae'n rhaid eu cynnwys mewn adolygiad o'r fath, y materion y mae'n rhaid eu cynnwys mewn cynllun perfformiad gwerth gorau, cyn pa ddyddiad y mae rhaid cyhoeddi cynllun awdurdod ar gyfer blwyddyn ariannol a'r dyddiad erbyn pryd y dylai copïau o adroddiad archwilydd gael eu hanfon.

This Order specifies the best value review period, the matters which are to be included in such a review, the matters which are to be included in a best value performance plan, the date before which an authority's plan for a financial year must be published and the date by which copies of an auditor's report are to be sent.

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(Gwerth Gorau) (Adolygiadau a  
Chynlluniau Perfformiad) (Cymru)  
2000**

**The Local Government (Best  
Value) (Reviews and Performance  
Plans) (Wales) Order 2000**

*Wedi'i wneud* 22 Mawrth 2000  
*Yn dod i rym* 1 Ebrill 2000

*Made* 22nd March 2000  
*Coming into force* 1st April 2000

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Gorchymyn canlynol drwy arfer y pwerau a roddwyd iddo gan adrannau 5(2) a (4), 6(2) a (3), 7(6) a 29(1) o Ddeddf Llywodraeth Leol 1999(a):

The National Assembly for Wales makes the following Order in exercise of the powers conferred on it by sections 5(2) and (4), 6(2) and (3), 7(6) and 29(1) of the Local Government Act 1999(a):

**Enwi, cychwyn, dehongli a chymhwyso**

**Citation, commencement, interpretation and application**

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Llywodraeth Leol (Gwerth Gorau) (Adolygiadau a Chynlluniau Perfformiad) (Cymru) 2000 a daw i rym ar 1 Ebrill 2000.

1.—(1) This Order may be cited as the Local Government (Best Value) (Reviews and Performance Plans) (Wales) Order 2000 and shall come into force on 1st April 2000.

(2) Yn y Gorchymyn hwn—

(2) In this Order—

ystyr “dangosydd perfformiad” (“*performance indicator*”) yw ffactor y mae'n rhaid cyfeirio ato i fesur perfformiad awdurdod gwerth gorau wrth iddo arfer swyddogaeth fel y'i pennir o bryd i'w gilydd naill ai gan orchymyn a wneir o dan adran 4(1)(a) neu gan awdurdod gwerth gorau yn unol â chanllawiau a roddir o dan adran 5(6)(a) o'r Ddeddf;

“the Act” (“*y Ddeddf*”) means the Local Government Act 1999;

“performance indicator” (“*dangosydd perfformiad*”) means the factor by reference to which a best value authority's performance in exercising a function as specified from time to time either by an order made under section 4(1)(a) or by a best value authority in accordance with guidance issued under section 5(6)(a) of the Act is to be measured;

ystyr “y Ddeddf” (“*the Act*”) yw Deddf Llywodraeth Leol 1999;

“performance standard” (“*safon berfformiad*”) means the minimum acceptable level of service provision which must be met by a best value authority in the exercise of a function, measured by reference to a performance indicator for that function, as specified from time to time by an order made under section 4(1)(b) of the Act to be measured;

ystyr “safon berfformiad” (“*performance standard*”) yw'r lefel isaf o wasanaeth a ddarperir sy'n dderbyniol ac y mae rhaid i awdurdod gwerth gorau ei chyrraedd wrth arfer swyddogaeth, a hynny'n cael ei fesur drwy gyfeirio at ddangosydd perfformiad ar gyfer y swyddogaeth honno, fel y'i pennir o bryd i'w gilydd gan orchymyn a wneir o dan adran 4(1)(b) o'r Ddeddf;

ystyr “targed perfformiad” (“*performance target*”) yw'r lefel o berfformiad wrth arfer swyddogaeth y disgwylir i awdurdod gwerth gorau ei chyrraedd, dros gyfnod o flwyddyn o leiaf, a hynny'n cael ei

“performance target” (“*targed perfformiad*”) means the level of performance in the exercise of a function that a best value authority is expected to achieve, over a minimum period of a year,

(a) 1999 p.27.

(a) 1999 c.27.

fesur drwy gyfeirio at ddangosydd perfformiad mewn perthynas â'r swyddogaeth honno, fel y'i pennir o bryd i'w gilydd gan orchymyn a wneir o dan adrannau 5(6)(b) a (7) o'r Ddeddf.

(3) Mae'r Gorchymyn hwn yn gymwys i awdurdodau gwerth gorau yng Nghymru ac eithrio'r rhai a bennir yn adran 1(1)(d) ac (e) o'r Ddeddf.

### **Cyfnod yr adolygiadau gwerth gorau**

2. Rhaid i awdurdodau gwerth gorau gynnal adolygiad gwerth gorau o'u holl swyddogaethau erbyn 31 Mawrth 2005 a rhaid iddynt gynnal adolygiad gwerth gorau pellach o'u holl swyddogaethau erbyn diwedd pob cyfnod dilynol o bum mlynedd.

### **Cynnwys adolygiadau gwerth gorau**

3. Wrth gynnal adolygiad gwerth gorau, rhaid i awdurdod gwerth gorau:—

- (a) ystyried a ddylai fod yn arfer y swyddogaeth;
- (b) ystyried ar ba lefel ac ym mha ffordd y dylai fod yn arfer y swyddogaeth;
- (c) ystyried ei amcanion mewn perthynas ag arfer y swyddogaeth;
- (ch) asesu ei berfformiad wrth arfer y swyddogaeth drwy gyfeirio at unrhyw ddangosydd perfformiad a bennir ar gyfer y swyddogaeth;
- (d) asesu cystadleurwydd ei berfformiad wrth arfer y swyddogaeth drwy gyfeirio at y ffordd y mae awdurdodau gwerth gorau eraill a busnesau masnachol a busnesau eraill, a chyrrff yn y sector gwirfoddol, yn arfer yr un swyddogaeth, neu swyddogaethau tebyg;
- (dd) ymgynghori ag awdurdodau gwerth gorau eraill, busnesau masnachol a busnesau eraill, a chyrrff yn y sector gwirfoddol, ynghylch arfer y swyddogaeth;
- (e) asesu ei lwyddiant o ran cyrraedd unrhyw safon berfformiad sy'n gymwys i'r swyddogaeth;
- (f) asesu ei gynnydd tuag at gyrraedd unrhyw safon berfformiad berthnasol sydd wedi'i phennu ond nad yw'n gymwys eto;
- (ff) asesu ei gynnydd tuag at gyrraedd unrhyw darged perfformiad perthnasol.

### **Cynnwys cynlluniau perfformiad gwerth gorau**

4. Rhaid i awdurdodau gwerth gorau gynnwys y materion canlynol yn eu cynlluniau perfformiad gwerth gorau—

- (a) crynodeb o amcanion yr awdurdod mewn perthynas ag arfer ei swyddogaethau;

measured by reference to a performance indicator in relation to that function, as specified from time to time by guidance issued under sections 5(6)(b) and (7) of the Act.

(3) This Order applies to best value authorities in Wales with the exception of those specified in section 1(1)(d) and (e) of the Act.

### **Period of best value reviews**

2. Best value authorities must conduct a best value review of all their functions by 31st March 2005 and must conduct a further best value review of all their functions by the end of each subsequent period of five years.

### **Content of best value reviews**

3. In conducting a best value review, a best value authority must:—

- (a) consider whether it should be exercising the function;
- (b) consider the level at which and the way in which it should be exercising the function;
- (c) consider its objectives in relation to the exercise of the function;
- (d) assess its performance in exercising the function by reference to any performance indicator specified for the function;
- (e) assess the competitiveness of its performance in exercising the function by reference to the way in which the same function, or similar functions, are exercised by other best value authorities and by commercial and other businesses and by organisations in the voluntary sector;
- (f) consult other best value authorities, commercial and other businesses and organisations in the voluntary sector, about the exercise of the function;
- (g) assess its success in meeting any performance standard which applies in relation to the function;
- (h) assess its progress towards meeting any relevant performance standard which has been specified but which does not yet apply;
- (i) assess its progress towards meeting any relevant performance target.

### **Content of best value performance plans**

4. Best value authorities must include the following matters in their best value performance plans—

- (a) a summary of the authority's objectives in relation to the exercise of its functions;
- (b) a summary of any assessment made by the

- (b) crynodeb o unrhyw asesiad a wnaed gan yr awdurdod i ddarganfod ar ba lefel ac ym mha ffordd y mae'n arfer ei swyddogaethau;
- (c) datganiad sy'n pennu'r cyfnod y mae'n ofynnol i'r awdurdod adolygu ei swyddogaethau ynddo o dan adran 5(2) o'r Ddeddf ac erthyglau 2 a 3 o'r Gorchymyn hwn;
- (ch) datganiad sy'n dangos yr amserlen y mae'r awdurdod yn bwriadu ei dilyn wrth gynnal adolygiad gwerth gorau;
- (d) datganiad sy'n pennu unrhyw ddangosyddion, safonau a thargedau perfformiad a bennwyd neu a osodwyd ynglŷn â swyddogaethau'r awdurdod;
- (dd) crynodeb o asesiad yr awdurdod o'i berfformiad yn y flwyddyn ariannol flaenorol o ran dangosyddion perfformiad;
- (e) cymhariaeth o berfformiad hwnnw â pherfformiad yr awdurdod yn y blynyddoedd ariannol blaenorol;
- (f) cymhariaeth o berfformiad yr awdurdod fel y'i crynhowyd yn unol â pharagraff (dd) uchod, â pherfformiad awdurdodau gwerth gorau eraill yn y blynyddoedd ariannol blaenorol;
- (ff) crynodeb o'i asesiad o'i lwyddiant o ran cyrraedd unrhyw safon berfformiad a oedd yn gymwys ar unrhyw adeg yn y flwyddyn ariannol flaenorol;
- (g) crynodeb o'i asesiad o'i gynnydd tuag at gyrraedd unrhyw safon berfformiad a bennwyd ond nad yw'n gymwys eto;
- (ng) crynodeb o'i asesiad o'i gynnydd tuag at gyrraedd unrhyw darged perfformiad;
- (h) crynodeb o unrhyw gynllun gweithredu sydd i'w gyflawni yn y flwyddyn ariannol y mae'r cynllun yn ymwneud â hi at ddibenion cyrraedd targed perfformiad;
- (i) crynodeb o'r rhesymau dros bennu unrhyw darged perfformiad, a phenderfynu ar unrhyw gynllun gweithredu, mewn perthynas â swyddogaeth a adolygwyd o dan adran 5 o'r Ddeddf ac erthyglau 2 a 3 o'r Gorchymyn hwn, yn y flwyddyn ariannol flaenorol.

- authority of the level at which and the way in which it exercises its functions;
- (c) a statement specifying the period within which the authority is required to review its functions under section 5(2) of the Act and articles 2 and 3 of this Order;
- (d) a statement indicating the timetable the authority proposes to follow in conducting a best value review;
- (e) a statement specifying any performance indicators, standards and targets specified or set in relation to the authority's functions;
- (f) a summary of the authority's assessment of its performance in the previous financial year with regard to performance indicators;
- (g) a comparison of that performance with the authority's performance in previous financial years;
- (h) a comparison of the authority's performance as summarised in accordance with paragraph (f) above, with the performance of other best value authorities in previous financial years;
- (i) a summary of its assessment of its success in meeting any performance standard which applied at any time in the previous financial year;
- (j) a summary of its assessment of its progress towards meeting any performance standard which has been specified but which does not yet apply;
- (k) a summary of its assessment of its progress towards meeting any performance target;
- (l) a summary of any plan of action to be taken in the financial year to which the plan relates for the purposes of meeting a performance target;
- (m) a summary of the basis on which any performance target was set, and any plan of action was determined, in relation to a function reviewed under section 5 of the Act and articles 2 and 3 of this Order, in the previous financial year.

#### **Y dyddiad ar gyfer cyhoeddi'r cynlluniau perfformiad gwerth gorau**

5. Rhaid i awdurdodau gwerth gorau gyhoeddi eu cynlluniau perfformiad ar gyfer blwyddyn ariannol erbyn 30 Mehefin o'r flwyddyn y mae'r cynlluniau yn berthnasol iddi.

#### **Date for publication of best value performance plans**

5. Best value authorities must publish their performance plans for a financial year by 30th June of the year to which the plans relate.

**Y dyddiad ar gyfer anfon copïau o adroddiadau archwilwyr**

6. Rhaid i gopïau o adroddiadau'r archwilwyr ynglŷn â chynlluniau gwerth gorau gael eu hanfon yn unol ag adran 7(5) o'r Ddeddf erbyn 31 Hydref o'r flwyddyn y mae'r cynlluniau yn berthnasol iddynt.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(a).

22 Mawrth 2000

*D. Elis Thomas*

Llywydd y Cynulliad Cenedlaethol

**Date for sending copies of auditors' reports**

6. Copies of auditors' reports relating to best value performance plans shall be sent in accordance with section 7(5) of the Act by 31st October of the year to which the plans relate.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(a).

22nd March 2000

The Presiding Officer of the National Assembly

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