CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2000 Rhif 3027 (Cy. 195)

ADDYSG, CYMRU

Rheoliadau Llywodraethu Ysgolion (Cylch Gwaith) (Cymru) 2000

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn gymwys i gyrff llywodraethu a phenaethiaid ysgolion a gynhelir yng Nghymru. Maent yn gosod nifer o egwyddorion sydd i weithredu fel cylch gwaith ar gyfer cyrff llywodraethu. Maent yn ymwneud hefyd â rolau a chyfrifoldebau priodol cyrff llywodraethu a phenaethiaid.

Maent yn gosod dyletswydd ar y corff llywodraethu a'r pennaeth i hybu cyfleoedd cyfartal a pherthynas dda rhwng personau o wahanol grwpiau hiliol a gwahanol rywiau (rheoliad 4).

O dan y Rheoliadau mae'r corff llywodraethu i gyflawni eu swyddogaethau gyda golwg ar gyflawni rôl strategol yn fras yn yr ysgol. Fel rhan o'r rôl hon, maent i sefydlu fframwaith strategol ar gyfer yr ysgol gan bennu nodau ac amcanion i'r ysgol a pholisïau a thargedau ar gyfer cyrraedd y nodau a'r amcanion hynny (rheoliad 5).

Y pennaeth sy'n gyfrifol o dan y Rheoliadau am drefniadaeth, goruchwyliaeth a rheolaeth yr ysgol o ddydd i ddydd, am gynghori'r corff llywodraethu ynglyn â'r fframwaith strategol ac am weithredu'r polisïau a fabwysiedir gan y corff llywodraethu (rheoliad 6).

Wrth ddiprwyo swyddogaethau i'r pennaeth, mae'n ofynnol i'r corff llywodraethu roi sylw i'w rôl sy'n rôl strategol yn fras ac i gyfrifoldebau'r pennaeth fel y'u hamlinellwyd uchod. Rhaid i'r pennaeth, wrth gyflawni'r cyfrifoldebau dirprwyol hynny,

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2000 No. 3027 (W. 195)

EDUCATION, WALES

The School Government (Terms of Reference)(Wales) Regulations 2000

EXPLANATORY NOTE

(This note does not form part of the Regulations.)

These Regulations apply to the governing bodies and head teachers of maintained schools in Wales. They lay down a number of principles which are to serve as terms of reference for governing bodies. They also deal with the respective roles and responsibilities of governing bodies and head teachers.

They impose a duty on the governing body and the head teacher to promote equal opportunities and good relations between persons of different racial groups and different genders (regulation 4).

Under the Regulations the governing body are to carry out their functions with a view to fulfilling a broadly strategic role in the school. As part of this role, they are to establish a strategic framework for the school by setting aims and objectives for the school and policies and targets for achieving those aims and objectives (regulation 5).

The head teacher has responsibility under the Regulations for the day to day organisation, management and control of the school, for advising the governing body on the strategic framework and for implementing the policies adopted by the governing body (regulation 6).

In delegating functions to the head teacher the governing body are required to have regard to their broadly strategic role in the school and to the responsibilities of the head teacher as outlined above. The head teacher must, in carrying out such delegated

gydymffurfio ag unrhyw gyfarwyddyd rhesymol gan y corff llywodraethu (rheoliadau 7 ac 8).

Mae'r Rheoliadau yn rhoi swyddogaethau penodol i'r corff llywodraethu a'r pennaeth mewn perthynas â pharatoi polisi ar gyfer cwricwlwm yr ysgol (rheoliad 9).

responsibilities, comply with any reasonable direction of the governing body (regulations 7 and 8).

The Regulations confer particular functions on the governing body and head teacher in respect of the preparation of a policy for the school curriculum (regulation 9).

OFFERYNNAU STATUDOL

2000 Rhif 3027 (Cy. 195)

ADDYSG, CYMRU

Rheoliadau Llywodraethu Ysgolion (Cylch Gwaith) (Cymru) 2000

Wedi'u gwneud — *9 Tachwedd 2000*

Yn dod i rym — *1 Ionawr 2001*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 38(3) a 138(7) ac (8) o Ddeddf Safonau a Fframwaith Ysgolion 1998**(a)** ac a freiniwyd bellach yng Nghynulliad Cenedlaethol Cymru**(b)**.

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Llywodraethu Ysgolion (Cylch Gwaith) (Cymru) 2000 a deuant i rym ar 1 Ionawr 2001.

(2) Mae'r Rheoliadau hyn yn gymwys i Gymru yn unig.

Dehongli

2.-(1) Yn y Rheoliadau hyn -

ystyr "blwyddyn ysgol" ("*school year*") yw'r cyfnod sy'n dechrau adeg y tymor ysgol cyntaf sy'n dechrau ar ôl Gorffennaf ac sy'n dod i ben ar ddechrau'r tymor cyntaf o'r fath sy'n dechrau ar ôl y Gorffennaf canlynol.

(2) Yn y Rheoliadau hyn, onid yw'r cyd-destun yn mynnu'n wahanol, mae cyfeiriadau -

(a) at gorff llywodraethu yn gyfeiriadau at gorff llywodraethu ysgol gymunedol, ysgol sefydledig, neu ysgol wirfoddol neu ysgol arbennig gymunedol neu ysgol arbennig sefydledig; a

(b) at bennaeth yn gyfeiriadau at bennaeth ysgol gymunedol, ysgol sefydledig, neu ysgol wirfoddol neu ysgol arbennig gymunedol neu ysgol arbennig sefydledig.

(a) 1998 p.31; ar gyfer ystyr "regulations" gweler adran 142(1).

(b) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

STATUTORY INSTRUMENTS

2000 No. 3027 (W. 195)

EDUCATION, WALES

The School Government (Terms of Reference)(Wales) Regulations 2000

Made — *9th November 2000*

Coming into force — *1st January 2001*

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred on the Secretary of State by sections 38(3) and 138(7) and (8) of the School Standards and Framework Act 1998**(a)** and now vested in the National Assembly for Wales**(b)**.

Citation, commencement and application

1.-(1) These Regulations may be cited as the School Government (Terms of Reference) (Wales) Regulations 2000 and shall come into force on 1st January 2001.

(2) These Regulations apply only in relation to Wales.

Interpretation

2.-(1) In these Regulations -

"school year" ("*blwyddyn ysgol*") means the period beginning with the first school term to begin after July and ending with the beginning of the first such term to begin after the following July.

(2) In these Regulations, unless the context otherwise requires, references to -

(a) a governing body are references to the governing body of a community, foundation, or voluntary school or a community or foundation special school; and

(b) a head teacher are references to the head teacher of a community, foundation, or voluntary school, or a community or foundation special school.

(a) 1998 c.31; for the meaning of "regulations" see section 142(1).

(b) 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).

Cylch gwaith

3.-(1) Yn y rheoliad hwn bydd y term "corff llywodraethu" yn cynnwys corff llywodraethu dros dro ysgol newydd.

(2) Wrth arfer eu swyddogaethau, yr egwyddorion a nodir isod yn y rheoliad hwn fydd cylch gwaith y corff llywodraethu.

(3) Rhaid i'r corff llywodraethu weithredu gydag uniondeb, gwrthrychedd a gonestrwydd ac er lles yr ysgol.

(4) Rhaid i'r corff llywodraethu fod yn agored ynglŷn â'r penderfyniadau a'r camau y byddant yn eu cymryd ac yn benodol rhaid iddynt fod yn barod i esbonio eu penderfyniadau a'u camau i bersonau sydd â diddordeb.

(5) Rhaid peidio â dehongli dim ym mharagraff (4) i'w gwneud yn ofynnol i'r corff llywodraethu ddatgelu deunydd ynghylch -

(a) athro neu athrawes a enwir neu berson arall a gyflogir neu a gymerir ymlaen, neu y bwriedir ei gyflogi neu ei gymryd ymlaen, yn yr ysgol; neu

(b) disgybl a enwir yn yr ysgol, neu ddarpar ddisgybl sy'n aros i gael ei dderbyn i'r ysgol; neu

(c) unrhyw fater, o achos ei natur, y mae'r corff llywodraethu neu un o bwyllgorau'r corff llywodraethu wedi'i fodloni y dylai aros yn gyfrinachol.

Terms of reference

3.-(1) In this regulation the term "governing body" shall include the temporary governing body of a new school.

(2) In exercising their functions, the governing body shall have as terms of reference the principles set out below in this regulation.

(3) The governing body shall act with integrity, objectivity and honesty and in the best interests of the school.

(4) The governing body shall be open about the decisions and actions they take and in particular shall be prepared to explain their decisions and actions to interested persons.

(5) Nothing in paragraph (4) shall be construed so as to require the governing body to disclose material relating to -

(a) a named teacher or other person employed or engaged, or proposed to be employed or engaged, at the school; or

(b) a named pupil at, or candidate for admission to, the school; or

(c) any matter which by reason of its nature, the governing body or a committee of the governing body are satisfied should remain confidential.

Dyletswydd i hybu cyfleoedd cyfartal a pherthynas dda

4.-(1) Yn y rheoliad hwn bydd y term "corff llywodraethu" yn cynnwys corff llywodraethu dros dro ysgol newydd.

(2) Dyletswydd y corff llywodraethu a'r pennaeth fydd arfer eu priod swyddogaethau gan roi sylw priodol i'r angen -

(a) i ddileu gwahaniaethu'n anghyfreithlon ar sail hil neu ryw; a

(b) i hybu cyfleoedd cyfartal a pherthynas dda -

(i) rhwng personau o wahanol grwpiau hiliol, a

(ii) rhwng gwrywod a benywod.

(3) Ni fydd dim ym mharagraff (2) yn atal y corff llywodraethu na'r pennaeth rhag cymryd y mesurau priodol i gadw cymeriad crefyddol yr ysgol.

(4) Mae'r rheoliad hwn heb ragfarn i unrhyw ddarpariaeth ddeddfwriaethol sy'n ei gwneud yn ofynnol neu sy'n caniatáu i'r corff llywodraethu neu'r pennaeth weithredu mewn ffordd a fyddai, ar wahân i'r

Duty to promote equal opportunities and good relations

4.-(1) In this regulation the term "governing body" shall include the temporary governing body of a new school.

(2) It shall be the duty of the governing body and head teacher to exercise their respective functions with due regard to the need -

(a) to eliminate unlawful discrimination on grounds of race or sex; and

(b) to promote equal opportunities and good relations -

(i) between persons of different racial groups, and

(ii) between males and females.

(3) Nothing in paragraph (2) shall prevent the governing body or head teacher from taking proper measures to preserve the religious character of the school.

(4) This regulation is without prejudice to any legislative provision requiring or permitting the governing body or head teacher to act in a way which, apart from that provision, would constitute unlawful

ddarpariaeth honno, yn gyfystyr â gwahaniaethu'n anghyfreithlon.

Rôl y corff llywodraethu

5.-(1) Rhaid i'r corff llywodraethu arfer eu swyddogaethau gyda golwg ar gyflawni rôl strategol yn fras yng ngwaith rheoli'r ysgol.

(2) Rhaid i'r corff llywodraethu sefydlu fframwaith strategol i'r ysgol -

(a) drwy bennu nodau ac amcanion i'r ysgol;

(b) drwy bennu polisïau i'r ysgol ar gyfer cyrraedd y nodau a'r amcanion;

(c) drwy osod targedau ar gyfer cyrraedd y nodau a'r amcanion.

(3) Rhaid i'r corff llywodraethu fonitro a gwerthuso cynnydd yn yr ysgol o ran cyrraedd y nodau a'r amcanion a bennwyd a rhaid iddynt adolygu'n rheolaidd y fframwaith strategol ar gyfer yr ysgol yng ngoleuni'r cynnydd hwnnw.

(4) Wrth arfer y swyddogaethau ym mharagraffau (2) a (3) uchod, rhaid i'r corff llywodraethu -

(a) ystyried unrhyw gyngor a roddir gan y pennaeth o dan reoliad 6(2) isod, a

(b) (yn ddarostyngedig i unrhyw ddarpariaeth statudol arall) gydymffurfio ag unrhyw weithred ymddiriedolaeth sy'n berthnasol i'r ysgol.

(5) Rhaid i'r corff llywodraethu weithredu fel "cyfaill beirniadol" i'r pennaeth, hynny yw, rhaid iddynt gefnogi'r pennaeth wrth iddo gyflawni swyddogaethau'r swydd a rhoi beirniadaeth adeiladol i'r pennaeth pan fydd angen.

Rôl y pennaeth

6.-(1) Bydd y pennaeth yn gyfrifol am drefniadaeth a rheolaeth fewnol yr ysgol, ac am weithredu'r fframwaith strategol a sefydlwyd gan y corff llywodraethu.

(2) Rhaid i'r pennaeth gynghori'r corff llywodraethu ar sefydlu ac adolygu'r fframwaith strategol ac yn benodol rhaid iddo lunio:

(a) nodau ac amcanion ar gyfer yr ysgol;

(b) polisïau i'r ysgol ar gyfer cyrraedd y nodau a'r amcanion a bennwyd gan y corff llywodraethu; ac

(c) targedau ar gyfer cyrraedd y nodau a'r amcanion hynny,

y gall y corff llywodraethu eu mabwysiadu (gydag addasiadau neu hebddynt) neu eu gwrthod.

(3) Rhaid i'r pennaeth gyflwyno adroddiad o leiaf unwaith bob blwyddyn ysgol i'r corff llywodraethu ar y cynnydd a wnaed at gyrraedd y nodau a'r amcanion

discrimination.

The role of the governing body

5.-(1) The governing body shall exercise their functions with a view to fulfilling a broadly strategic role in the running of the school.

(2) The governing body shall establish a strategic framework for the school by -

(a) setting aims and objectives for the school;

(b) setting policies for the school for achieving the aims and objectives;

(c) setting targets for achieving the aims and objectives.

(3) The governing body shall monitor and evaluate progress in the school towards achievement of the aims and objectives set and shall regularly review the strategic framework for the school in the light of that progress.

(4) In exercising the functions in paragraphs (2) and (3) above, the governing body shall -

(a) consider any advice given by the head teacher under regulation 6(2) below, and

(b) (subject to any other statutory provision) comply with any trust deed relating to the school.

(5) The governing body shall act as "critical friend" to the head teacher, that is to say, they shall support the head teacher in the performance of the functions of the post and give the head teacher constructive criticism where necessary.

The role of the head teacher

6.-(1) The head teacher shall be responsible for the internal organisation, management and control of the school, and the implementation of the strategic framework established by the governing body.

(2) The head teacher shall advise the governing body on the establishment and review of the strategic framework, and in particular shall formulate;

(a) aims and objectives for the school;

(b) policies for the school for achieving the aims and objectives set by the governing body; and

(c) targets for the achievement of those aims and objectives,

which may be adopted (with or without modifications) or rejected by the governing body.

(3) The head teacher shall report at least once every school year to the governing body on the progress made towards achieving the aims and

a bennwyd ac yn arbennig at fodloni'r targedau penodol a osodwyd.

Dirprwyo swyddogaethau'r corff llywodraethu

7. Wrth benderfynu a ddylid arfer unrhyw bwer i ddirprwyo eu swyddogaethau a sut y dylid gwneud hynny, gan gynnwys y pŵer cyffredinol yn Rheoliad 41 o Reoliadau Addysg (Llywodraethu Ysgolion) (Cymru) 1999**(a)** rhaid i'r corff llywodraethu roi sylw i'r canlynol -

(a) y gofyniad yn rheoliad 5 uchod y dylent arfer eu swyddogaethau gyda golwg ar gyflawni rôl strategol yn fras yng ngwaith rheoli'r ysgol; a

(b) cyfrifoldeb y pennaeth am drefniadaeth a rheolaeth fewnol yr ysgol.

8. Rhaid i'r pennaeth gydymffurfio ag unrhyw gyfarwyddyd rhesymol gan y corff llywodraethu wrth gyflawni unrhyw swyddogaethau a ddirprwyir iddo ef neu iddi hi gan y corff llywodraethu.

Y polisi cwricwlwm ysgol

9.-(1) Rhaid i'r pennaeth lunio polisi ar gyfer cwricwlwm seciwlar yr ysgol ("y polisi cwricwlwm") i'w fabwysiadu gan y corff llywodraethu (gydag addasiadau neu hebddynt).

(2) Rhaid i'r pennaeth adolygu'r polisi cwricwlwm bob blwyddyn ysgol a llunio newidiadau i'r polisi cwricwlwm i'r corff llywodraethu eu mabwysiadu (gydag addasiadau neu hebddynt).

(3) Rhaid i'r pennaeth weithredu'r polisi cwricwlwm fel y'i mabwysiadwyd gan y corff llywodraethu.

(4) Rhaid i'r corff llywodraethu -

(a) ystyried y polisi cwricwlwm ac, os gwelant yn dda, ei fabwysiadu (gydag addasiadau neu hebddynt), neu ei ddychwelyd i'r pennaeth ar gyfer ei ail-lunio;

(b) monitro, gwerthuso ac adolygu gweithredu'r polisi cwricwlwm; ac

(c) ystyried unrhyw newidiadau i'r polisi cwricwlwm a gynigir gan y pennaeth a'u mabwysiadu, fel y gwelant orau (gydag addasiadau neu hebddynt).

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

9 Tachwedd 2000

John Marek

Dirpwy Lywydd y Cynulliad Cenedlaethol

(a) O.S. 1999/2242 (Cy.2).

(b) 1998 p.38.

objectives set and in particular towards meeting specific targets set.

Delegation of the governing body's functions

7. In deciding whether or how to exercise any power to delegate their functions, including the general power in Regulation 41 of the Education (School Government) (Wales) Regulations 1999**(a)** the governing body shall have regard to -

(a) the requirement in regulation 5 above that they should exercise their functions with a view to fulfilling a broadly strategic role in the running of the school; and

(b) the responsibility of the head teacher for the internal organisation, management and control of the school.

8. The head teacher shall comply with any reasonable direction of the governing body in performing any functions delegated to him or her by the governing body.

The school curriculum policy

9-(1) The head teacher shall formulate a policy for the secular curriculum of the school ("the curriculum policy") for adoption by the governing body (with or without modifications).

(2) The head teacher shall review the curriculum policy every school year and shall formulate changes to the curriculum policy for adoption by the governing body (with or without modifications).

(3) The head teacher shall implement the curriculum policy as adopted by the governing body.

(4) The governing body shall -

(a) consider and, if they see fit, adopt the curriculum policy (with or without modifications), or remit it to the head teacher for reformulation;

(b) monitor, evaluate and review the implementation of the curriculum policy; and

(c) consider and, if they see fit, adopt any changes to the curriculum policy proposed by the head teacher (with or without modifications).

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

9th November 2000

The Deputy Presiding Officer of the National Assembly

(a) S.I. 1999/2242 (W.2)

(b) 1998 c.38.

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Rheoliadau Llywodraethu Ysgolion (Cylch Gwaith) (Cymru) 2000

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