



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2002 Rhif 1394 (Cy.137)

2002 No. 1394 (W.137)

ADDYSG, CYMRU

EDUCATION, WALES

**Rheoliadau Gwerthuso Athrawon
Ysgol (Cymru) 2002**

**The School Teacher Appraisal
(Wales) Regulations 2002**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations.)

Mae'r Rheoliadau hyn yn diddymu ac yn disodli Rheoliadau Addysg (Gwerthuso Athrawon Ysgol) (Cymru) 1999 (O.S. 1999/2888 (Cy.25)).

These Regulations revoke and replace the Education (School Teacher Appraisal) (Wales) Regulations 1999 (S.I. 1999/2888(W.25)).

Mae'r Rheoliadau yn darparu ar gyfer gwerthuso perfformiad athrawon ysgol (gan gynnwys athrawon anghymwysedig) mewn ysgolion cymunedol, ysgolion gwirfoddol, ysgolion sefydledig, ysgolion arbennig cymunedol, neu ysgolion arbennig sefydledig, heblaw am athrawon a gyflogir o dan gontract cyfnod penodol o lai na blwyddyn.

The Regulations provide for the appraisal of the performance of school teachers (including unqualified teachers) at community, voluntary, foundation, community special, or foundation special schools, other than teachers employed under a fixed term contract for less than one year.

Mae Rhan I o'r Rheoliadau yn cynnwys darpariaethau rhagarweiniol, gan gynnwys dyletswydd y corff llywodraethu a'r pennaeth i sicrhau bod perfformiad pob athro neu athrawes ysgol yn yr ysgol yn cael ei werthuso'n rheolaidd (rheoliad 4) a'r ddyletswydd sydd ar benaethiaid i gyflwyno adroddiad blynyddol ysgrifenedig ar effeithiolrwydd gweithdrefnau gwerthuso i'r corff llywodraethu (rheoliad 5).

Part I of the Regulations contains introductory provisions, including the duty of the governing body and head teacher to secure that the performance of all school teachers at the school is appraised regularly (regulation 4) and the duty on head teachers to make an annual written report on the effectiveness of appraisal procedures to the governing body (regulation 5).

Mae Rhan II o'r Rheoliadau yn ymdrin â gwerthuso penaethiaid.

Part II of the Regulations deals with the appraisal of head teachers.

Mae rheoliad 7 yn darparu bod y corff llywodraethu yn penodi dau neu dri llywodraethwr yn werthuswyr ar gyfer pennaeth. Caiff cynghorydd allanol ei benodi hefyd.

Regulation 7 provides for the governing body to appoint two or three governors as appraisers for a head teacher. An external adviser will also be appointed.

Mae rheoliadau 8 a 9 yn darparu ynglŷn â'r cylch gwerthuso. Fel rheol mae'r cylch gwerthuso yn para am flwyddyn, er gall y corff llywodraethu benderfynu ar hyd gwahanol ar gyfer cylch gwerthuso cyntaf pennaeth. Ar ôl symud i swydd newydd fel pennaeth neu ar ôl dod yn bennaeth, mae'r cylch gwerthuso yn aildechrau.

Regulations 8 and 9 make provision in relation to the appraisal cycle. The appraisal cycle normally lasts for one year, although the governing body can decide on a different length for a head teacher's first appraisal cycle. On moving to a new post as head teacher or on becoming a head teacher, the appraisal cycle begins again.

Mae rheoliad 10 yn gosod dyletswydd ar y corff llywodraethu i sicrhau bod cylch gwerthuso cyntaf pennaeth yn dechrau erbyn 31 Ionawr 2003. Mae rheoliad 11 yn ei gwneud yn ofynnol i'r corff llywodraethu benderfynu ar y gweithdrefnau ar gyfer gwerthuso.

Mae rheoliad 12 yn darparu ar gyfer cynnal cyfarfod rhwng y gwerthuswyr, y cynghorydd allanol a'r pennaeth lle maent yn cynllunio'r gwerthusiad ac yn cytuno ar amcanion neu'n eu pennu. Mae rheoliad 13 yn darparu y gall yr amcanion hyn gael eu hadolygu. Mae rheoliad 14 yn ei gwneud yn ofynnol i'r gweithdrefnau ar gyfer monitro perfformiad gael eu pennu neu eu cytuno ac mae'n darparu ar gyfer y ffordd y dylai'r gwerthuswyr gael gwybodaeth.

Mae rheoliad 15 yn darparu bod rhaid cynnal adolygiad gwerthuso tuag at ddiwedd y cylch. Gall y pennaeth gyflwyno asesiad o'i berfformiad i gael ei ystyried yn yr adolygiad. Ar ôl yr adolygiad rhaid i'r gwerthuswyr baratoi datganiad ysgrifenedig.

Mae rheoliad 16 yn rhoi hawl i'r pennaeth apelio yn erbyn gwerthusiad ac yn nodi'r gweithdrefnau ar gyfer apêl.

Mae rheoliadau 17 ac 18 yn darparu ar gyfer datgelu datganiadau gwerthuso, eu cadw a'u defnyddio. Rhaid i gopïau gael eu rhoi i bobl benodol a gellir eu rhoi i bobl eraill. Rhaid cadw datganiadau am dair blynedd.

Mae rheoliad 19 yn cynnwys darpariaeth drosiannol.

Mae Rhan III o'r Rheoliadau yn ymdrin â gwerthuso athrawon ysgol heblaw penaethiaid.

Mae rheoliad 21 yn darparu bod y pennaeth yn penodi gwerthuswr ar gyfer pob athro neu athrawes ysgol mewn ysgol. Caiff y pennaeth neu un o athrawon eraill yr ysgol fod yn werthuswr.

Mae rheoliadau 22 a 23 yn gwneud darpariaeth ynglŷn â'r cylch gwerthuso. Fel rheol mae'r cylch gwerthuso yn para am flwyddyn, er y gall y pennaeth benderfynu ar hyd gwahanol ar gyfer y cylch gwerthuso cyntaf. Ar ôl symud i swydd newydd mewn ysgol arall mae'r cylch gwerthuso'n dechrau eto, ond ar ôl symud i swydd newydd yn yr un ysgol, mater i'r pennaeth yw penderfynu a yw'r cylch yn dechrau eto neu beidio.

Mae rheoliad 24 yn gosod dyletswydd ar y corff llywodraethu i sicrhau bod gwerthusiad cyntaf athro neu athrawes ysgol yn dechrau erbyn 30 Ebrill 2003.

Mae rheoliad 25 yn ei gwneud yn ofynnol i'r corff llywodraethu benderfynu ar y gweithdrefnau ar gyfer gwerthuso.

Mae rheoliad 26 yn darparu ar gyfer cynnal cyfarfod rhwng y gwerthuswr a'r athro neu'r athrawes ysgol lle maent yn cynllunio'r gwerthusiad ac yn cytuno ar amcanion neu'n eu pennu. Mae rheoliad 27 yn darparu y gall yr amcanion hyn gael eu hadolygu. Mae rheoliad

Regulation 10 imposes a duty on the governing body to ensure that a head teacher's first appraisal cycle begins by 31st January 2003. Regulation 11 requires the governing body to decide on the procedures for appraisal.

Regulation 12 provides for a meeting to be held between the appraisers, the external adviser and the head teacher at which they plan the appraisal and objectives are agreed or set. Regulation 13 provides that these objectives may be revised. Regulation 14 requires the procedures for monitoring performance to be set or agreed and provides for the obtaining of information by the appraisers.

Regulation 15 provides that an appraisal review must be held towards the end of the cycle. The head teacher can submit an assessment of his or her performance to be considered at the review. After the review the appraisers must prepare a written statement.

Regulation 16 gives the head teacher the right to appeal against an appraisal and sets out the procedures for appeal.

Regulations 17 and 18 provide for the disclosure, retention and use of appraisal statements. Copies must be given to certain people and may be given to others. Statements must be kept for three years.

Regulation 19 contains a transitional provision.

Part III of the Regulations deals with the appraisal of school teachers other than head teachers.

Regulation 21 provides for the head teacher to appoint an appraiser for each school teacher at a school. The appraiser can be the head teacher or another school teacher.

Regulations 22 and 23 make provision in relation to the appraisal cycle. The appraisal cycle normally lasts for one year, although the head teacher can decide on a different length for the first appraisal cycle may last up to 18 months but no less than nine months. On moving to a new post in another school, the appraisal cycle begins again, but on moving to a new post in the same school, it is for the head teacher to decide whether or not the cycle begins again.

Regulation 24 imposes a duty on the governing body to ensure that a school teacher's first appraisal begins by 30th April 2003.

Regulation 25 requires the governing body to decide on the procedures for appraisal.

Regulation 26 provides for a meeting to be held between the appraiser and the school teacher at which they plan the appraisal and objectives are agreed or set. Regulation 27 provides that these objectives may be revised. Regulation 28 requires the procedures for

28 yn ei gwneud yn ofynnol i'r gweithdrefnau ar gyfer monitro perfformiad gael eu pennu neu eu cytuno. Rhaid i'r gwerthuswr arsylwi unwaith o leiaf ar yr athro neu'r athrawes yn addysgu. Mae'n darparu hefyd ar gyfer y ffordd y dylai'r gwerthuswyr gael gwybodaeth.

Mae rheoliad 29 yn darparu bod rhaid cynnal adolygiad gwerthuso tuag at ddiwedd y cylch. Gall yr athro neu'r athrawes ysgol gyflwyno asesiad o'u perfformiad i gael ei ystyried yn yr adolygiad. Ar ôl yr adolygiad rhaid i'r gwerthuswr baratoi datganiad ysgrifenedig.

Mae rheoliad 30 yn rhoi hawl i'r athro neu'r athrawes ysgol apelio yn erbyn gwerthusiad ac yn nodi'r gweithdrefnau ar gyfer apêl.

Mae rheoliadau 31 a 32 yn darparu ar gyfer datgelu datganiadau gwerthuso, eu cadw a'u defnyddio. Rhaid i gopïau gael eu rhoi i bobl benodol a gellir eu rhoi i bobl eraill. Rhaid cadw datganiadau am dair blynedd.

Mae rheoliad 33 yn cynnwys darpariaeth drosiannol.

monitoring performance to be set or agreed. The appraiser must observe the school teacher teaching on at least one occasion. It also provides for the obtaining of information by the appraisers.

Regulation 29 provides that an appraisal review must be held towards the end of the cycle. The school teacher can submit an assessment of his or her performance to be considered at the review. After the review the appraiser must prepare a written statement.

Regulation 30 gives the school teacher the right to appeal against an appraisal and sets out the procedures for appeal.

Regulations 31 and 32 provide for the disclosure, retention and use of appraisal statements. Copies must be given to certain people and may be given to others. Statements must be kept for three years.

Regulation 33 contains a transitional provision.

2002 Rhif 1394 (Cy.137)

ADDYSG, CYMRU

**Rheoliadau Gwerthuso Athrawon
Ysgol (Cymru) 2002**

Wedi'u gwneud 21 Mai 2002

Yn dod i rym 30 Medi 2002

TREFN Y RHEOLIADAU

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2002 No. 1394 (W.137)

EDUCATION, WALES

**The School Teacher Appraisal
(Wales) Regulations 2002**

Made 21st May 2002

Coming into Force 30th September 2002

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Drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 49 a 63(3) o Ddeddf Addysg (Rhif 2) 1986(a), ac sydd wedi'u breinio bellach yng Nghynulliad Cenedlaethol Cymru(b) ac ar ôl ymgynghori yn unol ag adran 49(4) o'r Ddeddf ag unrhyw gymdeithasau awdurdodau lleol, a chynrychiolwyr athrawon, yr oedd yn ymddangos bod ganddynt ddi-ddordeb yn y mater ac unrhyw bersonau eraill yr oedd yn ymddangos y byddai'n ddymunol ymgynghori â hwy, mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol :

RHAN I - RHAGYMDRODD

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Gwerthuso Athrawon Ysgol (Cymru) 2002 a deuant i rym ar 30 Medi 2002.

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

(a) 1986 p.61. Diwygiwyd adran 49 gan baragraffau 36 a 101 o Atodlen 12 i Ddeddf Diwygio Addysg 1988 (p.40), gan baragraff 23 o Atodlen 8 i Ddeddf Addysg Bellach ac Uwch 1992 (p.13) a chan baragraff 14 o Atodlen 30 i Ddeddf Safonau a Fframwaith Ysgolion 1998 (p.31). Diwygiwyd adran 63(3) gan baragraff 107 o Atodlen 19 i Ddeddf Addysg 1993 (p.35). Ar gyfer materion sydd i'w rhagnodi, gweler adran 67(3) o Ddeddf 1986 (a ddiwygiwyd gan baragraff 66 o Atodlen 37 i Ddeddf Addysg 1996 (p.56), ac adran 579(1) o'r Ddeddf honno).

(b) *Gweler* Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672)

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In exercise of the powers conferred on the Secretary of State by sections 49 and 63(3) of the Education (No 2) Act 1986(a), and now vested in the National Assembly for Wales(b) and after consulting in accordance with section 49(4) of the Act such associations of local authorities, and representatives of teachers, as appeared to be concerned and other persons with whom consultation appeared to be desirable, the National Assembly for Wales makes the following Regulations:

PART I - INTRODUCTION

Citation, commencement and application

1.-(1) These Regulations may be cited as the School Teacher Appraisal (Wales) Regulations 2002 and shall come into force on 30th September 2002.

(2) These Regulations apply in relation to Wales.

(a) 1986 c.61. Section 49 is amended by paragraphs 36 and 101 of Schedule 12 to the Education Reform Act 1988 (c.40), by paragraph 23 of Schedule 8 to the Further and Higher Education Act 1992 (c.13) and by paragraph 14 of Schedule 30 to the School Standards and Framework Act 1998 (c.31). Section 63(3) was amended by paragraph 107 of Schedule 19 to the Education Act 1993 (c.35). For matters to be prescribed see section 67(3) of the 1986 Act (amended by paragraph 66 of Schedule 37 to the Education Act 1996 (c.56), and section 579(1) of that Act).

(b) *See* the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

Diddymu

2. Mae Rheoliadau Addysg (Gwerthuso Athrawon Ysgol) (Cymru) 1999(a) yn cael eu diddymu.

Dehongli

3.-(1) Ac eithrio lle mae'r cyd-destun yn mynnu fel arall, yn y Rheoliadau hyn -

ystyr "athro neu athrawes ysgol" ("*school teacher*") yw athro neu athrawes a gyflogir mewn dim mwy na dwy ysgol, gan awdurdod addysg lleol neu gan gorff llywodraethu ysgol sefydledig, ysgol wirfoddol a gynorthwyr neu ysgol arbennig sefydledig, ond nid yw'n cynnwys athro neu athrawes a gyflogir o dan gontract cyfnod penodol os yw'r cyfnod yn llai na blwyddyn;

ystyr "corff llywodraethu" ("*governing body*") mewn perthynas ag ysgol yw corff llywodraethu'r ysgol, ac ystyr "llywodraethwr" ("*governor*") yw aelod o'r corff llywodraethu hwnnw;

ystyr "cynghorydd allanol" ("*external adviser*") yw person y mae ei enw yn ymddangos ar restr o gynghorwyr sy'n ymwneud â gwerthuso athrawon sy'n cael ei chadw gan awdurdod addysg lleol;

ystyr "datganiad amcanion" ("*statement of objectives*") yw'r datganiad ysgrifenedig o amcanion a gofnodir o dan reoliad 12(3) neu reoliad 26(3) yn ôl fel y digwydd;

mae i "datganiad gwerthuso" ("*appraisal statement*") yr ystyr a roddir iddo gan reoliad 16(10) neu, yn ôl fel y digwydd, gan reoliad 30(11);

ystyr "diwrnod ysgol" ("*school day*") yw diwrnod pan fydd yr ysgol yn cyfarfod;

mae "pennaeth" ("*head teacher*") yn cynnwys pennaeth gweithredol;

ystyr "ysgol" ("*school*") yw ysgol gymunedol, ysgol wirfoddol, ysgol sefydledig, ysgol arbennig gymunedol neu ysgol arbennig sefydledig; ac

ystyr "ysgol sydd â chymeriad crefyddol" ("*school which has a religious character*") yw ysgol wirfoddol neu ysgol sefydledig sydd wedi'i dynodi fel ysgol â chymeriad o'r fath o dan adran 69(3) o Ddeddf Safonau a Fframwaith Ysgolion 1998(b).

(2) Mae unrhyw gyfeiriad yn y Rheoliadau hyn -

(a) at reoliad â rhif yn gyfeiriad at y rheoliad sy'n dwyn y rhif hwnnw yn y Rheoliadau hyn; a

(b) at baragraff â rhif yn gyfeiriad at y paragraff sy'n dwyn y rhif hwnnw yn y rheoliad y mae'r cyfeiriad yn ymddangos ynddo.

(a) O.S. 1999/2888 (Cy.25).

(b) 1998 p.31.

Revocation

2. The Education (School Teacher Appraisal) (Wales) Regulations 1999(a) are revoked.

Interpretation

3.-(1) Except where the context otherwise requires, in these Regulations-

"appraisal statement" ("*datganiad gwerthuso*") has the meaning given to it by, as the case may be, regulation 16(10) or regulation 30(11);

"external adviser" ("*cynghorydd allanol*") means a person whose name appears on a list of advisers in relation to the appraisal of teachers maintained by a local education authority;

"governing body" ("*corff llywodraethu*") in relation to a school means the governing body of the school, and a "governor" ("*llywodraethwr*") means a member of that governing body;

"head teacher" ("*penmaeth*") includes an acting head teacher;

"school" ("*ysgol*") means a community, voluntary, foundation, community special or foundation special school;

"school day" ("*diwrnod ysgol*") means a day on which the school meets;

"school teacher" ("*athro neu athrawes ysgol*") means a teacher employed at no more than two schools, by a local education authority or by the governing body of a foundation, voluntary aided or foundation special school, but does not include a teacher employed under a fixed term contract of employment the term of which is less than one year;

"school which has a religious character" ("*ysgol sydd â chymeriad crefyddol*") means a foundation or voluntary school designated as a school having such character under section 69(3) of the School Standards and Framework Act 1998(b); and

"statement of objectives" ("*datganiad amcanion*") means the written statement of objectives recorded under regulation 12 (3) or regulation 26(3) as the case may be.

(2) Any reference in these Regulations to -

(a) a numbered regulation is a reference to the regulation bearing that number in these Regulations; and

(b) a numbered paragraph is a reference to the paragraph bearing that number in the regulation in which the reference appears.

(a) S.I. 1999/2888 (W.25).

(b) 1998 c.31.

Y ddyletswydd i werthuso

4.-(1) Mae'n ddyletswydd ar gorff llywodraethu a phennaeth ysgol i arfer eu swyddogaethau o dan y Rheoliadau hyn gyda golwg ar sicrhau bod perfformiad athrawon ysgol a phenaethiaid wrth gyflawni eu dyletswyddau yn yr ysgol yn cael ei werthuso'n rheolaidd yn unol â'r Rheoliadau hyn.

(2) Yn achos athro neu athrawes ysgol neu bennaeth a gyflogir mewn dwy ysgol, rhaid i'w perfformiad yn y ddwy ysgol gael ei werthuso ac felly mae "ysgol" ym mharagraff (1) i gael ei ddarllen fel cyfeiriad at y ddwy ysgol.

Adroddiad y pennaeth

5. O leiaf unwaith yn ystod pob blwyddyn ysgol rhaid i'r pennaeth gyflwyno adroddiad ysgrifenedig i'r corff llywodraethu ynglŷn â'r ffordd y mae gwerthuso'n gweithredu yn yr ysgol o dan y Rheoliadau hyn, effeithiolrwydd gweithdrefnau gwerthuso'r ysgol, ac anghenion hyfforddi a datblygu yr athrawon ysgol a'r pennaeth.

RHAN II - GWERTHUSO PENAEITHIAID

Cymhwyso Rhan II

6. Mae rheoliadau 7 i 19 yn gymwys ar gyfer gwerthuso penaethiaid yn unig.

Penodi gwerthuswyr a chynghorydd allanol

7.-(1) Rhaid i gorff llywodraethu ysgol benodi yn werthuswyr pennaeth dau neu dri o lywodraethwyr, y mae'n rhaid i o leiaf un ohonynt fod yn llywodraethwr sefydledig yr ysgol os yw'n ysgol sydd â chymeriad crefyddol neu'n ysgol wirfoddol a gynorthwyr heb gymeriad crefyddol.

(2) Caiff y corff llywodraethu benodi gwerthuswr newydd yn lle unrhyw werthuswr presennol ar unrhyw adeg.

(3) Ni ellir penodi unrhyw lywodraethwr sy'n athro neu'n athrawes neu'n aelod arall o'r staff yn yr ysgol yn werthuswr i'r pennaeth.

(4) Rhaid i gorff llywodraethu ysgol hefyd benodi cynghorydd allanol mewn perthynas â gwerthuso pennaeth.

(5) Caiff y corff llywodraethu benodi cynghorydd allanol newydd yn lle unrhyw gynghorydd allanol presennol ar unrhyw adeg.

Y cylch gwerthuso

8.-(1) Yn ddarostyngedig i'r darpariaethau canlynol yn y rheoliad hwn, ac i reoliad 9, rhaid i'r corff llywodraethu benderfynu amseriad y cylch gwerthuso ar gyfer pennaeth yr ysgol.

Duty to appraise

4.-(1) It is the duty of the governing body and head teacher of a school to exercise their functions under these Regulations with a view to securing that the performance of school teachers and head teachers in discharging their duties at the school is regularly appraised in accordance with these Regulations.

(2) In the case of a school teacher or head teacher employed at two schools, his or her performance at both schools must be appraised and accordingly "school" in paragraph (1) is to be read as referring to both schools.

Head teacher's report

5. At least once during each school year the head teacher must make a written report to the governing body about the operation of appraisal at the school under these Regulations, the effectiveness of the school's appraisal procedures, and the training and development needs of the school teachers and the head teacher.

PART II - APPRAISAL OF HEADTEACHERS

Application of Part II

6. Regulations 7 to 19 apply to the appraisal of head teachers only.

Appointment of appraisers and external adviser

7.-(1) The governing body of a school must appoint as appraisers of a head teacher two or three governors, at least one of whom must be a foundation governor of the school if it is a school which has a religious character or a voluntary aided school which does not have a religious character.

(2) The governing body may appoint a new appraiser in place of any existing appraiser at any time.

(3) No governor who is a teacher or other member of staff at the school may be appointed as an appraiser of the head teacher.

(4) The governing body of a school must also appoint an external adviser in relation to the appraisal of a headteacher.

(5) The governing body may appoint a new external adviser in place of an existing external adviser at any time.

The appraisal cycle

8.-(1) Subject to the following provisions of this regulation, and to regulation 9, the governing body must determine the timing of the appraisal cycle for the head teacher of the school.

(2) Ac eithrio fel y darperir ar ei gyfer ym mharagraff (3) a rheoliad 9(3) blwyddyn fydd hyd cylch gwerthuso.

(3) Yn achos cylch gwerthuso cyntaf pennaeth o dan y Rheoliadau hyn sydd yn ei swydd ar y dyddiad y daw'r Rheoliadau hyn i rym, caiff y corff llywodraethu benderfynu y bydd hyd y cylch gwerthuso hwnnw'n gyfnod heblaw blwyddyn ar yr amod nad yw'n dod i ben yn gynharach na 30 Tachwedd 2003 nac yn hwyrach na 31 Mydref 2004

(4) Pan fyddant wedi dechrau, bydd y cylchoedd gwerthuso ar gyfer pob pennaeth yn barhaus.

(5) Ni fydd penodiad gwerthuswr neu gynghorydd allanol newydd yn peri bod cylch gwerthuso pennaeth yn dechrau eto.

Cylch gwerthuso newydd

9.-(1) Os bydd pennaeth yn symud i swydd pennaeth mewn ysgol arall, bydd y cylch gwerthuso yn dechrau eto.

(2) Pan ddaw athro neu athrawes ysgol (nad yw'n bennaeth) yn bennaeth (yn yr un ysgol neu mewn un arall) fel bod rheoliadau 7 i 19 yn gymwys i'w gwerthusiad, bydd yr amseriad ar gyfer eu cylch gwerthuso yn cael ei benderfynu o'r newydd cyn gynted ag y bo'n ymarferol gan y corff llywodraethu o dan reoliad 8(1).

(3) Pan fydd cylch gwerthuso pennaeth yn dechrau eto o dan baragraff (1), neu'n cael ei benderfynu o'r newydd o dan baragraff (2), caiff y corff llywodraethu benderfynu y bydd hyd cylch gwerthuso cyntaf y pennaeth yn ei swydd newydd yn gyfnod o lai na blwyddyn.

Cylch gwerthuso cyntaf

10. Rhaid i'r corff llywodraethu gymryd pob cam rhesymol i sicrhau nad yw cylch gwerthuso cyntaf pennaeth yr ysgol sydd yn ei swydd ar y dyddiad y daw'r Rheoliadau hyn i rym yn dechrau'n hwyrach na 31 Ionawr 2002.

Gweithdrefnau gwerthuso

11. Yn ddarostyngedig i reoliadau 12 i 16, rhaid i gorff llywodraethu ysgol benderfynu'r gweithdrefnau ar gyfer gwerthuso'r pennaeth yn yr ysgol.

Cynllunio gwerthusiad a phennu amcanion

12.-(1) Cyn y cylch gwerthuso neu ar ddechrau'r cylch gwerthuso, rhaid i'r holl werthuswyr, y cynghorydd allanol a'r pennaeth gyfarfod er mwyn cynllunio'r gwerthusiad a pharatoi ar ei gyfer a cheisio cytuno ar amcanion y mae'n rhaid iddynt gynnwys amcanion ynghylch -

(2) Except as provided for in paragraph (3) and regulation 9(3) the length of an appraisal cycle shall be one year.

(3) In the case of the first appraisal cycle under these Regulations of a head teacher in post on the date on which these Regulations come into force, the governing body may determine that the length of that appraisal cycle is a period other than one year provided that it ends no earlier than 30th November 2003 and no later than 31st October 2004.

(4) Once begun, appraisal cycles for every head teacher shall be continuous.

(5) The appointment of a new appraiser or external adviser shall not cause a head teacher's appraisal cycle to begin again.

New appraisal cycle

9.-(1) If a head teacher moves to a post as head teacher in another school, the appraisal cycle shall begin again.

(2) Where a school teacher (who is not a head teacher) becomes a head teacher (in the same or in another school) so that regulations 7 to 19 apply to his or her appraisal, the timing of the appraisal cycle for him or her shall as soon as practicable be determined afresh by the governing body under regulation 8(1).

(3) Where the appraisal cycle of a head teacher begins again under paragraph (1), or is determined afresh under paragraph (2), the governing body may determine that the length of the head teacher's first appraisal cycle in his or her new post shall be a period of less than one year.

First appraisal cycle

10. The governing body must take all reasonable steps to secure that the first appraisal cycle for a head teacher of the school in post on the date on which these Regulations come into force begins no later than 31st January 2003.

Appraisal procedures

11. Subject to regulations 12 to 16, the governing body of a school must determine the procedures for the appraisal of the head teacher at the school.

Planning of appraisal and setting of objectives

12.-(1) Before or at the start of the appraisal cycle, all the appraisers, the external adviser and the head teacher must meet to plan and prepare for the appraisal and to seek to agree objectives which must include objectives relating to-

- (a) arwain yr ysgol a'i rheoli; a
- (b) cynnydd y disgyblion.

(2) Os na chytunir ar amcanion o dan baragraff (1), rhaid i'r gwerthuswyr nodi'n ysgrifenedig yr amcanion hynny y maent yn credu eu bod yn briodol, a chaiff y pennaeth ychwanegu sylwadau ysgrifenedig.

(3) Rhaid i'r amcanion y cytunir arnynt o dan baragraff (1), neu os nad oes amcanion wedi'u cytuno, yr amcanion sydd wedi'u nodi'n ysgrifenedig o dan baragraff (2), a sylwadau ysgrifenedig y pennaeth, gael eu cofnodi mewn datganiad amcanion ysgrifenedig.

Adolygu amcanion

13.-(1) Caiff amcanion pennaeth eu hadolygu ar unrhyw adeg yn ystod y cylch gwerthuso os yw'r pennaeth a'r holl werthuswyr yn cytuno.

(2) Os yw amcanion pennaeth yn cael eu hadolygu o dan baragraff (1) -

- (a) rhaid diwygio'r datganiad amcanion i ddangos yr adolygiadau y cytunwyd arnynt;
- (b) caiff cyfeiriadau yn y Rheoliadau hyn at amcanion pennaeth eu darllen fel cyfeiriadau at yr amcanion fel y'u hadolygwyd; ac
- (c) caiff cyfeiriadau yn y Rheoliadau hyn at ddatganiad amcanion y pennaeth eu darllen fel cyfeiriadau at y datganiad amcanion fel y'i diwygiwyd.

Monitro cynnydd

14.-(1) Mae'n rhaid i'r holl werthuswyr a'r pennaeth mewn cyfarfod a gynhelir o dan reoliad 12(1) geisio cytuno ar y gweithdrefnau ar gyfer monitro perfformiad y pennaeth yn erbyn yr amcanion y cytunir arnynt o dan reoliad 12(1) neu os nad oes amcanion wedi'u cytuno, yr amcanion sydd wedi'u nodi'n ysgrifenedig o dan reoliad 12(2).

(2) Os na chytunir ar weithdrefnau o dan baragraff (1), rhaid i'r gwerthuswyr nodi'n ysgrifenedig y gweithdrefnau hynny ar gyfer monitro perfformiad y pennaeth y maent yn credu eu bod yn briodol.

(3) Yn ddarostyngedig i baragraff (4) ni chaiff gwerthuswr gael gwybodaeth, p'un ai yn ysgrifenedig neu ar lafar, sy'n berthnasol i berfformiad y pennaeth oddi wrth unrhyw berson arall oni bai bod y pennaeth yn cytuno neu bod yr wybodaeth wedi'i chael yn unol â'r gweithdrefnau y cytunir arnynt o dan baragraff (1) neu os nad oes gweithdrefnau wedi'u cytuno y gweithdrefnau sydd wedi'u nodi'n ysgrifenedig o dan baragraff (2).

(4) Nid yw paragraff (3) yn gymwys i unrhyw wybodaeth y mae gan werthuswr hawl i'w chael o dan unrhyw ddarpariaeth arall yn y Rheoliadau hyn.

- (a) school leadership and management; and
- (b) pupil progress.

(2) If objectives are not agreed under paragraph (1), the appraisers must set out in writing such objectives as they consider appropriate, and the head teacher may add comments in writing.

(3) The objectives agreed under paragraph (1), or where objectives have not been agreed the objectives set out in writing under paragraph (2), and the head teacher's written comments, must be recorded in a written statement of objectives.

Revising objectives

13.-(1) A headteacher's objectives may be revised at any time during the appraisal cycle where the head teacher and all the appraisers agree.

(2) Where a headteacher's objectives are revised under paragraph (1) -

- (a) the statement of objectives must be amended to show the agreed revision;
- (b) references in these Regulations to the headteacher's objectives shall be read as references to the revised objectives; and
- (c) references in these Regulations to the headteacher's statement of objectives shall be read as references to the amended statement of objectives.

Monitoring progress

14.-(1) All the appraisers and the head teacher must seek to agree at a meeting held under regulation 12(1) on the procedures for monitoring the head teacher's performance against the objectives agreed under regulation 12(1) or where objectives have not been agreed the objectives set out in writing under regulation 12(2).

(2) If procedures are not agreed under paragraph (1), the appraisers must set out in writing such procedures for monitoring the head teacher's performance as they consider appropriate.

(3) Subject to paragraph (4), an appraiser may not obtain from any other person information, whether written or oral, relevant to the head teacher's performance unless the head teacher consents or the information is obtained in accordance with the procedures agreed under paragraph (1) or where procedures have not been agreed the procedures set out in writing under paragraph (2).

(4) Paragraph (3) does not apply to any information which an appraiser is entitled to receive under any other provision of these Regulations.

Yr adolygiad gwerthuso a'r datganiad gwerthuso

15.-(1) Ar ddiwedd y cylch gwerthuso neu yn agos i ddiwedd y cylch gwerthuso rhaid i'r holl werthuswyr, y cynghorydd allanol a'r pennaeth gynnal adolygiad gwerthuso, gyda'r bwriad -

- (a) o adolygu perfformiad y pennaeth a nodi ei gyraeddiadau ac unrhyw agweddau lle byddai cynnydd pellach yn ddymunol;
- (b) o asesu i ba raddau y mae'r pennaeth wedi bodloni'r amcanion a gofnodwyd yn y datganiad amcanion; ac
- (c) o nodi unrhyw anghenion o ran hyfforddi a datblygu a ffyrdd o ddiwallu'r anghenion hynny.

(2) Rhaid i'r dyddiad y mae adolygiad gwerthuso i gael ei gynnal gael ei benderfynu gan y gwerthuswyr, ond rhaid rhoi o leiaf 10 diwrnod ysgol o rybudd (ysgrifenedig) i'r pennaeth am y dyddiad hwnnw.

(3) O leiaf pum diwrnod ysgol cyn yr adolygiad gwerthuso, caiff y pennaeth gyflwyno i'r gwerthuswyr -

- (a) asesiad y pennaeth ei hun o'i berfformiad yn erbyn yr amcanion a gofnodwyd yn y datganiad amcanion;
- (b) manylion unrhyw hyfforddiant y mae'r pennaeth yn credu y byddai'n ddymunol ei gael o ystyried yr asesiad hwnnw; ac
- (c) manylion unrhyw ffactorau y mae'r pennaeth yn credu eu bod wedi effeithio ar ei berfformiad yn erbyn yr amcanion a gofnodwyd;

a rhaid i unrhyw asesiad o'r fath a gwybodaeth arall a gyflwynir i'r gwerthuswyr o dan y paragraff hwn gael eu hystyried yn yr adolygiad gwerthuso.

(4) Cyn pen 10 diwrnod ysgol ar ôl pob adolygiad gwerthuso rhaid i'r holl werthuswyr baratoi datganiad ysgrifenedig yn cofnodi'r prif bwyntiau a wnaed gan y gwerthuswyr a'r pennaeth yn yr adolygiad a'r casgliadau y daethpwyd iddynt, a rhaid cofnodi mewn atodiad i'r datganiad (sef atodiad a fydd yn rhan o'r datganiad) yr anghenion hyfforddi a datblygu a ffyrdd o ddiwallu'r anghenion hynny a nodwyd yn yr adolygiad.

(5) Gall adolygiad gwerthuso o dan baragraff (1) gael ei gyfuno â chyfarfod o dan reoliad 12 mewn perthynas â'r cylch gwerthuso canlynol.

(6) Rhaid i'r gwerthuswyr roi copi o'r datganiad a baratoir o dan baragraff (4) i'r pennaeth cyn pen 10 diwrnod ysgol ar ôl yr adolygiad gwerthuso.

(7) Caiff y pennaeth, cyn pen 10 diwrnod ysgol ar ôl cael copi o'r datganiad hwnnw, ychwanegu ei sylwadau ysgrifenedig ato, a bydd y sylwadau hynny yn rhan o'r datganiad a baratoir o dan y paragraff hwnnw.

The appraisal review and the appraisal statement

15.-(1) At or near the end of the appraisal cycle all the appraisers, the external adviser and the head teacher must hold an appraisal review, with the object of -

- (a) reviewing the head teacher's performance and identifying his or her achievements and any aspects in which further progress would be desirable;
- (b) assessing the extent to which the head teacher has met the objectives recorded in the statement of objectives; and
- (c) identifying any training and developmental needs and ways of meeting such needs.

(2) The date on which an appraisal review is to be held must be determined by the appraisers, but at least 10 school days notice (in writing) must be given to the head teacher of that date.

(3) The head teacher may, at least five school days before the appraisal review, submit to the appraisers -

- (a) the head teacher's own assessment of his or her performance against the objectives recorded in the statement of objectives;
- (b) particulars of any training which the head teacher considers it would be desirable to receive having regard to that assessment; and
- (c) particulars of any factors which the head teacher considers affected his or her performance against the recorded objectives;

and any such assessment and other information submitted to the appraisers under this paragraph must be considered at the appraisal review.

(4) Within 10 school days after each appraisal review all the appraisers must prepare a written statement recording the main points made by the appraisers and the head teacher at the review and the conclusions reached, and there shall be recorded in an annex to the statement (which shall form part of the statement) the training and developmental needs and ways of meeting such needs identified at the review.

(5) An appraisal review under paragraph (1) may be combined with a meeting under regulation 12 in relation to the following appraisal cycle.

(6) The appraisers must give the head teacher a copy of the statement, prepared under paragraph (4) within 10 school days after the appraisal review.

(7) The head teacher may, within 10 school days of receiving a copy of that statement, add to it his or her comments in writing, and such comments shall form part of the statement prepared under that paragraph.

Apelau

16.-(1) Mae gan bennaeth hawl i apelio yn erbyn ei werthusiad ef neu ei gwerthusiad hi o dan y Rheoliadau hyn cyn pen 10 diwrnod ysgol ar ôl cael copi o ddatganiad gwerthuso o dan reoliad 15(6).

(2) Caiff apêl ei gwneud yn ysgrifenedig i'r corff llywodraethu.

(3) Cadeirydd y corff llywodraethu fydd y swyddog apêl mewn perthynas ag apêl o'r fath, ond os yw cadeirydd y corff llywodraethu wedi cymryd rhan yn y gwerthusiad sy'n destun yr apêl, rhaid i'r corff llywodraethu benodi un neu ddau lywodraethwr nad ydynt wedi cymryd rhan yn y gwerthusiad hwnnw yn swyddogion apêl mewn perthynas ag apêl o'r fath.

(4) Rhaid peidio â phenodi unrhyw lywodraethwr sy'n athro neu'n athrawes neu'n aelod arall o staff yr ysgol yn swyddog apêl ar gyfer pennaeth yr ysgol honno.

(5) Rhaid i gynghorydd allanol na chyngorodd mewn perthynas â'r gwerthusiad roi cymorth i'r swyddog neu'r swyddogion apêl.

(6) Rhaid i'r swyddog neu'r swyddogion apêl gynnal a chwblhau adolygiad o'r gwerthusiad cyn pen 10 diwrnod ysgol ar ôl cael y datganiad gwerthuso o dan reoliad 17(3), ac wrth wneud hynny rhaid iddynt gymryd unrhyw sylwadau a gyflwynwyd gan y pennaeth i ystyriaeth.

(7) Caiff y swyddog neu'r swyddogion apêl -

- (a) gorchymyn bod y datganiad gwerthuso yn sefyll gyda sylwadau'r swyddog neu'r swyddogion apêl neu hebddynt; neu
- (b) diwygio'r datganiad gwerthuso gyda chytundeb yr holl werthuswyr; neu
- (c) gorchymyn bod y datganiad gwerthuso yn cael ei ddileu a gorchymyn gwerthusiad newydd.

(8) Pan fydd gwerthusiad newydd yn cael ei orchymyn o dan baragraff (7)(c) rhaid i'r holl werthuswyr a'r cynghorydd allanol gael eu disodli gan werthuswyr newydd a chynghorydd allanol newydd a benodir yn unol â rheoliad 7 a rhaid i'r swyddog neu'r swyddogion apêl benderfynu pa weithdrefnau gwerthuso y mae'n rhaid eu hailadrodd.

(9) Rhaid cwblhau pob gweithdrefn werthuso y benderfynir ei hailadrodd o dan baragraff (8) cyn pen 15 diwrnod ysgol ar ôl dyddiad gorchymyn y swyddog neu'r swyddogion apêl o dan baragraff (7)(c).

(10) Ni chaiff swyddogion apêl -

- (a) benderfynu bod amcanion newydd i gael eu cytuno neu eu pennu yn unol â rheoliad 12; na
- (b) benderfynu bod yr amcanion y cytunwyd arnynt neu a bennwyd o dan reoliad 12 i gael eu hadolygu.

Appeals

16.-(1) A head teacher is entitled to appeal against his or her appraisal under these Regulations within 10 school days of receiving a copy of an appraisal statement under regulation 15(6).

(2) An appeal shall be made in writing to the governing body.

(3) The appeals officer in relation to such an appeal shall be the chairman of the governing body, but where the chairman of the governing body has participated in the appraisal which is the subject of the appeal, the governing body shall appoint one or two governors who have not participated in that appraisal as appeals officers in relation to such an appeal.

(4) No governor who is a teacher or other staff member at the school shall be appointed as an appeals officer for the head teacher at such school.

(5) An external adviser who did not advise in relation to the appraisal must assist the appeals officer or officers.

(6) The appeals officer or officers must within 10 school days of receiving the appraisal statement under regulation 17(3) conduct and conclude a review of the appraisal, and in so doing must take account of any representations made by the head teacher.

(7) The appeals officer or officers may -

- (a) order the appraisal statement to stand with or without observations of the appeals officer or officers; or
- (b) with the agreement of all the appraisers amend the appraisal statement; or
- (c) order that the appraisal statement be expunged and order a new appraisal.

(8) Where a new appraisal is ordered under paragraph (7)(c) all the appraisers and the external adviser must be replaced by new appraisers and a new external adviser appointed in accordance with regulation 7 and the appeals officer or officers must determine which appraisal procedures must be repeated.

(9) All appraisal procedures determined to be repeated under paragraph (8) must be completed within 15 school days from the date of the order of the appeals officer or officers under paragraph (7) (c).

(10) Appeals officers may not -

- (a) determine that new objectives be agreed or set in accordance with regulation 12; or
- (b) determine that the objectives agreed or set under regulation 12 be revised.

(11) Mae'r cyfeiriadau yn y rheoliad hwn a rheoliadau 17 a 18 at ddatganiad gwerthuso yn gyfeiriadau at ddatganiad a baratoir o dan reoliad 15(4), gan gynnwys, yn achos rheoliadau 17 a 18, unrhyw sylwadau a ychwanegir gan swyddog neu swyddogion apêl o dan baragraff (7)(a).

Darparu datganiadau gwerthuso a'u cadw

17.-(1) Rhaid i'r gwerthuswyr roi copi o'r datganiad gwerthuso -

- (a) i'r pennaeth;
- (b) i gadeirydd y corff llywodraethu;
- (c) i unrhyw lywodraethwyr sy'n gyfrifol am gynghori ynghylch dyrchafu athrawon ysgol neu ynghylch arfer unrhyw ddisgresiwn mewn perthynas â thâl neu am wneud penderfyniadau mewn perthynas â hynny, os gwnânt gais; ac
- (ch) yn achos pennaeth ysgol nad oes ganddi gyllideb ddirprwyedig (o fewn ystyr Pennod IV o Ran II o Ddeddf Safonau a Fframwaith Ysgolion 1998) i unrhyw swyddog neu gynghorydd a ddynodir yn benodol gan y Prif Swyddog Addysg i fod yn gyfrifol am gynghori ynghylch arfer unrhyw ddisgresiwn mewn perthynas â thâl neu am wneud penderfyniadau mewn perthynas â hynny, os gwnaiff gais.

(2) Os gwneir cais rhaid i gadeirydd y corff llywodraethu roi crynodeb o'r datganiad gwerthuso i'r Prif Swyddog Addysg neu unrhyw swyddog neu gynghorydd a ddynodir yn benodol gan y Prif Swyddog Addysg i fod yn gyfrifol am gynghori am berfformiad penaethiaid yn unol â pharagraff 23 o Atodlen 16 a pharagraff 22 o Atodlen 17 i Ddeddf Safonau a Fframwaith Ysgolion 1998, neu am wneud penderfyniadau mewn perthynas â hynny.

(3) Rhaid i gadeirydd y corff llywodraethu roi copi o'r datganiad gwerthuso a'r datganiad amcanion i unrhyw swyddog apêl ac i unrhyw gynghorydd allanol sy'n rhoi cyngor i'r swyddog apêl cyn pen pum diwrnod ysgol ar ôl i'r corff llywodraethu gael hysbysiad apêl o dan reoliad 16(2).

(4) Pan fydd gwerthuswr neu gynghorydd allanol newydd yn cael ei benodi heblaw ar ddechrau cylch gwerthuso, rhaid i gadeirydd y corff llywodraethu roi copi o unrhyw ddatganiad amcanion cyfredol i'r person hwnnw.

(5) Rhaid i gadeirydd y corff llywodraethu roi copi o'r atodiad i'r datganiad gwerthuso y cyfeirir ato yn rheoliad 15(4) i'r person neu'r personau sy'n gyfrifol am gynllunio hyfforddiant a datblygiad y pennaeth yn yr ysgol.

(6) Rhaid i bennaeth gadw copi o'i ddatganiad gwerthuso am o leiaf dair blynedd ar ôl i'r datganiad gwerthuso nesaf gael ei gwblhau.

(11) References in this regulation and regulations 17 and 18 to an appraisal statement are references to a statement prepared under regulation 15(4), including, in the case of regulations 17 and 18, any observations added by an appeals officer or officers under paragraph (7)(a).

Provision and retention of appraisal statements

17.-(1) The appraisers must provide a copy of the appraisal statement to -

- (a) the head teacher;
- (b) the chairman of the governing body;
- (c) any governors responsible for advising about, or taking decisions in relation to, the promotion of school teachers or the use of any discretion in relation to pay, upon request; and
- (d) in the case of the head teacher of a school which does not have a delegated budget (within the meaning of Chapter IV of Part II of the School Standards and Framework Act 1998) any officer or adviser specifically designated by the Chief Education Officer to be responsible for advising about, or taking decisions in relation to, the use of any discretion in relation to pay, upon request.

(2) The chairman of the governing body must, upon request, provide a summary of the appraisal statement to the Chief Education Officer or any officer or adviser specifically designated by the Chief Education Officer to be responsible for advising about, or taking decisions in relation to, the performance of head teachers pursuant to paragraph 23 of Schedule 16 and paragraph 22 of Schedule 17 to the School Standards and Framework Act 1998.

(3) The chairman of the governing body must provide any appeals officer and any external adviser assisting the appeals officer with a copy of the appraisal statement and the statement of objectives within five school days of the governing body receiving notice of an appeal under regulation 16(2).

(4) Where a new appraiser or external adviser is appointed otherwise than at the beginning of an appraisal cycle, the chairman of the governing body must provide that person with a copy of any current statement of objectives.

(5) The chairman of the governing body must provide a copy of the annex to the appraisal statement referred to in regulation 15(4) to the person or persons responsible for planning the training and development of the head teacher in the school.

(6) A head teacher must keep a copy of his or her appraisal statement until at least three years after the next appraisal statement has been finalised.

(7) Rhaid i'r corff llywodraethu gadw copi o ddatganiad gwerthuso pennaeth am o leiaf dair blynedd ar ôl i'r datganiad gwerthuso nesaf gael ei gwblhau.

Gwybodaeth o ddatganiadau gwerthuso

18.-(1) Gall gwybodaeth berthnasol o ddatganiadau gwerthuso gael ei chymryd i ystyriaeth gan gyrrff llywodraethu ysgolion (gan gynnwys pwyllgorau cyrrff llywodraethu), Prif Swyddogion Addysg neu unrhyw swyddogion neu gynghorwyr a ddynodir yn benodol gan Brif Swyddog Addysg o dan reoliad 17(1)(ch) neu (2) wrth iddynt wneud penderfyniadau, ac wrth iddynt gynghori'r rhai sy'n gyfrifol am wneud penderfyniadau, ynghylch dyrchafu, diswyddo neu ddisgyblu penaethiaid neu ynghylch arfer unrhyw ddisgresiwn mewn perthynas â thâl.

(2) Rhaid i weithdrefnau gwerthuso beidio â bod yn rhan o unrhyw weithdrefnau disgyblu neu ddiswyddo.

Darpariaeth drosiannol

19. Mae rheoliadau 17 a 18 yn gymwys mewn perthynas â chofnodion gwerthuso a gafodd eu cynhyrchu a'u cadw o dan Reoliadau Addysg (Gwerthuso Athrawon Ysgol) (Cymru) 1999 fel y maent yn gymwys mewn perthynas â datganiadau gwerthuso.

RHAN III - GWERTHUSO ATHRAWON YSGOL HEBLAW PENAETHIAID

Cymhwyso Rhan III

20. Mae rheoliadau 21 i 33 yn gymwys ar gyfer gwerthuso athrawon ysgol heblaw penaethiaid.

Penodi gwerthuswyr ar gyfer athrawon ysgol

21.-(1) Yn ddarostyngedig i reoliad 30(8) rhaid i'r pennaeth benodi yn werthuswr ar gyfer pob athro neu athrawes ysgol yn yr ysgol, athro neu athrawes ysgol yn yr ysgol neu'r pennaeth.

(2) Caiff y pennaeth benodi gwerthuswr newydd yn lle gwerthuswr presennol ar unrhyw adeg.

Y cylch gwerthuso

22.-(1) Yn ddarostyngedig i'r darpariaethau canlynol yn y rheoliad hwn, ac i reoliad 23, rhaid i'r pennaeth benderfynu amseriad y cylch gwerthuso ar gyfer pob athro neu athrawes ysgol yn yr ysgol.

(2) Ac eithrio fel y darperir ar ei gyfer ym mharagraffau (3) a (4) a rheoliad 23(3) blwyddyn fydd hyd cylch gwerthuso.

(7) The governing body must keep a copy of the head teacher's appraisal statement until at least three years after the next appraisal statement has been finalised.

Information from appraisal statements

18.-(1) Relevant information from appraisal statements may be taken into account by school governing bodies (including committees of governing bodies), Chief Education Officers or any officers or advisers specifically designated by a Chief Education Officer under regulation 17(1)(d) or (2) in taking decisions, and in advising those responsible for taking decisions, about the promotion, dismissal or discipline of head teachers or the use of any discretion in relation to pay.

(2) Appraisal procedures must not form part of any disciplinary or dismissal procedures.

Transitional provision

19. Regulations 17 and 18 apply in relation to appraisal records produced and maintained under the Education (School Teacher Appraisal) (Wales) Regulations 1999 as they apply in relation to appraisal statements.

PART III - APPRAISAL OF SCHOOL TEACHERS OTHER THAN HEAD TEACHERS

Application of Part III

20. Regulations 21 to 33 apply to the appraisal of school teachers other than head teachers.

Appointment of appraisers for school teachers

21.-(1) Subject to regulation 30(8) the head teacher must appoint as appraiser for every school teacher at the school, a school teacher at the school or the head teacher.

(2) The head teacher may appoint a new appraiser in place of an existing appraiser at any time.

The appraisal cycle

22.-(1) Subject to the following provisions of this regulation, and to regulation 23, the head teacher must determine the timing of the appraisal cycle for every school teacher at the school.

(2) Except as provided for in paragraphs (3) and (4) and regulation 23(3) the length of an appraisal cycle shall be one year.

(3) Yn achos cylch gwerthuso cyntaf athro neu athrawes ysgol o dan y Rheoliadau hyn sydd yn ei swydd ar y dyddiad y daw'r Rheoliadau hyn i rym, caiff y pennaeth benderfynu y bydd hyd y cylch gwerthuso hwnnw'n gyfnod heblaw blwyddyn ar yr amod nad yw'n dod i ben yn gynharach na 30 Tachwedd 2003 nac yn hwyrach na 31 Hydref 2004.

(4) Yn achos cylch gwerthuso cyntaf athro neu athrawes ysgol o dan y Rheoliadau hyn nad yw'n ei swydd ar y dyddiad y daw'r Rheoliadau hyn i rym, caiff y pennaeth benderfynu y bydd hyd y cylch yn gyfnod a lai na blwyddyn.

(5) Pan fyddant wedi dechrau, bydd y cylchoedd gwerthuso ar gyfer pob athro neu athrawes ysgol yn barhaus.

(6) Ni fydd penodi gwerthuswr newydd yn peri bod cylch gwerthuso athro neu athrawes ysgol yn dechrau eto.

Cylch gwerthuso newydd

23.-(1) Os bydd athro neu athrawes ysgol yn symud i swydd athro neu athrawes ysgol mewn ysgol arall, bydd y cylch gwerthuso yn dechrau eto.

(2) Os bydd athro neu athrawes ysgol yn symud i swydd newydd fel athro neu athrawes ysgol yn yr un ysgol, caiff y pennaeth benderfynu y bydd y cylch gwerthuso yn dechrau eto.

(3) Pan fydd cylch gwerthuso athro neu athrawes ysgol yn dechrau eto o dan baragraff (1) neu (2), caiff y pennaeth benderfynu y bydd hyd cylch gwerthuso cyntaf yr athro neu'r athrawes ysgol yn ei swydd newydd yn gyfnod o lai na blwyddyn.

Cylch gwerthuso cyntaf

24. Rhaid i'r corff llywodraethu gymryd pob cam rhesymol i sicrhau nad yw cylch gwerthuso cyntaf pob athro neu athrawes ysgol yn yr ysgol sydd yn ei swydd ar y dyddiad y daw'r Rheoliadau hyn i rym yn dechrau'n hwyrach na 30 Ebrill 2003.

Gweithdrefnau gwerthuso

25. Yn ddarostyngedig i reoliadau 26 i 30, rhaid i gorff llywodraethu ysgol benderfynu'r gweithdrefnau ar gyfer gwerthuso'r athrawon ysgol yn yr ysgol.

Cynllunio gwerthusiad a phennu amcanion

26.-(1) Cyn y cylch gwerthuso neu ar ddechrau'r cylch gwerthuso, rhaid i'r gwerthuswr a'r athro neu'r athrawes ysgol gyfarfod er mwyn cynllunio'r gwerthusiad a pharatoi ar ei gyfer a cheisio cytuno ar amcanion y mae'n rhaid iddynt gynnwys amcanion ynghylch -

- (a) datblygu a gwella arferion proffesiynol yr athro neu'r athrawes ysgol; a

(3) In the case of the first appraisal cycle under these Regulations of a school teacher in post on the date on which these Regulations come into force, the head teacher may determine that the length of the appraisal cycle shall be a period other than one year provided that it ends no earlier than 30th November 2003 and no later than 31st October 2004.

(4) In the case of the first appraisal cycle under these Regulations of a school teacher not in post on the date which these Regulations come into force, the head teacher may determine that the length of the cycle shall be a period of less than one year.

(5) Once begun, appraisal cycles for every school teacher shall be continuous.

(6) The appointment of a new appraiser shall not cause a school teacher's appraisal cycle to begin again.

New appraisal cycle

23.-(1) If a school teacher moves to a post as a school teacher in another school, the appraisal cycle shall begin again.

(2) If a school teacher moves to a new post as a school teacher in the same school, the head teacher may determine that the appraisal cycle shall begin again.

(3) Where a school teacher's appraisal cycle begins again under paragraph (1) or (2), the head teacher may determine that the length of the school teacher's first appraisal cycle in his or her new post shall be a period of less than one year.

First appraisal cycle

24. The governing body must take all reasonable steps to secure that the first appraisal cycle for every school teacher at the school in post on the date on which these Regulations come into force begins no later than 30th April 2003.

Appraisal procedures

25. Subject to regulations 26 to 30, the governing body of a school must determine the procedures for the appraisal of the school teachers at the school.

Planning of appraisal and setting of objectives

26.-(1) Before or at the start of the appraisal cycle, the appraiser and the school teacher must meet to plan and prepare for the appraisal and to seek to agree objectives which must include objectives relating to -

- (a) developing and improving the school teacher's professional practice; and

(b) cynnydd y disgyblion.

(2) Os na chytunir ar amcanion o dan baragraff (1), rhaid i'r gwerthuswr nodi'n ysgrifenedig yr amcanion hynny y mae'n credu eu bod yn briodol, a chaiff yr athro neu'r athrawes ysgol ychwanegu sylwadau ysgrifenedig.

(3) Rhaid i'r amcanion y cytunir arnynt o dan baragraff (1), neu os nad oes amcanion wedi'u cytuno, yr amcanion sydd wedi'u nodi'n ysgrifenedig o dan baragraff (2), a sylwadau ysgrifenedig yr athro neu'r athrawes ysgol, gael eu cofnodi mewn datganiad amcanion ysgrifenedig.

Adolygu amcanion

27.-(1) Caiff amcanion athro neu athrawes ysgol eu hadolygu ar unrhyw adeg yn ystod y cylch gwerthuso os yw'r athro neu athrawes ysgol a'r gwerthuswr yn cytuno.

(2) Os yw amcanion athro neu athrawes ysgol yn cael eu hadolygu o dan baragraff (1) -

- (a) rhaid diwygio'r datganiad amcanion i ddangos yr adolygiadau y cytunwyd arnynt;
- (b) caiff cyfeiriadau yn y Rheoliadau hyn at amcanion athro neu athrawes ysgol eu darllen fel cyfeiriadau at yr amcanion fel y'u hadolygwyd; ac
- (c) caiff cyfeiriadau yn y Rheoliadau hyn at ddatganiad amcanion yr athro neu'r athrawes ysgol eu darllen fel cyfeiriadau at y datganiad amcanion fel y'i diwygiwyd.

Monitro cynnydd

28.-(1) Mae'n rhaid i'r gwerthuswr a'r athro neu'r athrawes ysgol mewn cyfarfod a gynhelir o dan reoliad 26(1) geisio cytuno ar y gweithdrefnau ar gyfer monitro perfformiad yr athro neu'r athrawes ysgol yn erbyn yr amcanion y cytunir arnynt o dan reoliad 26(1) neu os nad oes amcanion wedi'u cytuno, yr amcanion sydd wedi'u nodi'n ysgrifenedig o dan reoliad 26(2).

(2) Os na chytunir ar weithdrefnau o dan baragraff (1), rhaid i'r gwerthuswr nodi'n ysgrifenedig y gweithdrefnau hynny ar gyfer monitro perfformiad yr athro neu'r athrawes ysgol y mae'r gwerthuswr yn credu eu bod yn briodol.

(3) Mae'n rhaid i'r gweithdrefnau y cytunir arnynt o dan baragraff (1) neu os nad oes gweithdrefnau wedi'u cytuno y gweithdrefnau sydd wedi'u nodi'n ysgrifenedig o dan baragraff (2) gynnwys gofyniad bod yn rhaid i'r gwerthuswr wrth werthuso athro neu athrawes ysgol arsylwi unwaith o leiaf yn ystod y cylch gwerthuso ar yr athro neu'r athrawes ysgol wrth iddynt addysgu.

(4) Yn ddarostyngedig i baragraff (5) ni chaiff gwerthuswr gael gwybodaeth, p'un ai yn ysgrifenedig

(b) pupil progress.

(2) If objectives are not agreed under paragraph (1), the appraiser must set out in writing such objectives as he or she considers appropriate, and the school teacher may add comments in writing.

(3) The objectives agreed under paragraph (1), or where objectives have not been agreed the objectives set out in writing under paragraph (2), and the school teacher's written comments, must be recorded in a written statement of objectives.

Revising objectives

27.-(1) A school teacher's objectives may be revised at any time during the appraisal cycle where the school teacher and the appraiser agree.

(2) Where a school teacher's objectives are revised under paragraph (1) -

- (a) the statement of objectives must be amended to show the agreed revision;
- (b) references in these Regulations to the school teacher's objectives shall be read as references to the revised objectives; and
- (c) references in these Regulations to the school teacher's statement of objectives shall be read as references to the amended statement of objectives.

Monitoring progress

28.-(1) The appraiser and the school teacher must seek to agree at a meeting held under regulation 26(1) on the procedures for monitoring the school teacher's performance against the objectives agreed under regulation 26(1) or where objectives have not been agreed the objectives set out in writing under regulation 26(2).

(2) If procedures are not agreed under paragraph (1), the appraiser must set out in writing such procedures for monitoring the school teacher's performance as the appraiser considers appropriate.

(3) The procedures agreed under paragraph (1) or where procedures have not been agreed the procedures set out in writing under paragraph (2) must include a requirement for the appraiser in appraising a school teacher to observe the school teacher teaching on at least one occasion during the appraisal cycle.

(4) Subject to paragraph (5), an appraiser may not obtain from any other person information, whether

neu ar lafar, sy'n berthnasol i berfformiad yr athro neu'r athrawes ysgol oddi wrth unrhyw berson arall oni bai bod yr athro neu'r athrawes ysgol yn cytuno neu bod yr wybodaeth wedi'i chael yn unol â'r gweithdrefnau y cytunir arnynt o dan baragraff (1) neu os nad oes gweithdrefnau wedi'u cytuno y gweithdrefnau sydd wedi'u nodi'n ysgrifenedig o dan baragraff (2).

(5) Nid yw paragraff (4) yn gymwys i unrhyw wybodaeth y mae gan werthuswr hawl i'w chael o dan unrhyw ddarpariaeth arall yn y Rheoliadau hyn.

Yr adolygiad gwerthuso a'r datganiad gwerthuso

29.-(1) Ar ddiwedd y cylch gwerthuso neu yn agos i ddiwedd y cylch gwerthuso rhaid i'r gwerthuswr a'r athro neu'r athrawes ysgol gynnal adolygiad gwerthuso, gyda'r bwriad -

- (a) o adolygu perfformiad yr athro neu'r athrawes ysgol a nodi eu cyraeddiadau ac unrhyw agweddau lle byddai cynnydd pellach yn ddymunol;
- (b) o asesu i ba raddau y mae'r athro neu'r athrawes ysgol wedi bodloni'r amcanion a gofnodwyd yn y datganiad amcanion; ac
- (c) o nodi unrhyw anghenion o ran hyfforddi a datblygu a ffyrdd o ddiwallu'r anghenion hynny.

(2) Rhaid i'r dyddiad y mae adolygiad gwerthuso i gael ei gynnal gael ei benderfynu gan y gwerthuswr, ond rhaid rhoi o leiaf 10 diwrnod ysgol o rybudd (ysgrifenedig) i'r athro neu'r athrawes ysgol am y dyddiad hwnnw.

(3) O leiaf bum diwrnod ysgol cyn yr adolygiad gwerthuso, caiff yr athro neu'r athrawes ysgol, gyflwyno i'r gwerthuswr -

- (a) asesiad yr athro neu'r athrawes ysgol eu hunain o'u perfformiad yn erbyn yr amcanion a gofnodwyd yn y datganiad amcanion;
- (b) manylion unrhyw hyfforddiant y mae'r athro neu'r athrawes ysgol yn credu y byddai'n ddymunol ei gael o ystyried yr asesiad hwnnw; ac
- (c) manylion unrhyw ffactorau y mae'r athro neu'r athrawes ysgol yn credu eu bod wedi effeithio ar eu perfformiad yn erbyn yr amcanion a gofnodwyd;

a rhaid i unrhyw asesiad o'r fath a gwybodaeth arall a gyflwynir i'r gwerthuswr o dan y paragraff hwn gael eu hystyried yn yr adolygiad gwerthuso.

(4) Cyn pen 10 diwrnod ysgol ar ôl pob adolygiad gwerthuso rhaid i'r gwerthuswr baratoi datganiad ysgrifenedig yn cofnodi'r prif bwyntiau a wnaed gan y gwerthuswr a'r athro neu'r athrawes ysgol yn yr adolygiad a'r casgliadau y daethpwyd iddynt, a rhaid cofnodi mewn atodiad i'r datganiad (sef atodiad a fydd yn rhan o'r datganiad) yr anghenion hyfforddi a

written or oral, relevant to the school teacher's performance unless the school teacher consents or the information is obtained in accordance with the procedures agreed under paragraph (1) or where procedures have not been agreed the procedures set out in writing under paragraph (2).

(5) Paragraph (4) does not apply to any information which an appraiser is entitled to receive under any other provision of these Regulations.

The appraisal review and the appraisal statement

29.-(1) At or near the end of the appraisal cycle the appraiser and the school teacher must hold an appraisal review, with the object of -

- (a) reviewing the school teacher's performance and identifying his or her achievements and any aspects in which further progress would be desirable;
- (b) assessing the extent to which the school teacher has met the objectives recorded in the statement of objectives; and
- (c) identifying any training and developmental needs and ways of meeting such needs.

(2) The date on which an appraisal review is to be held shall be determined by the appraiser, but at least 10 school days notice (in writing) must be given to the school teacher of that date.

(3) The school teacher may, at least five school days before the appraisal review, submit to the appraiser -

- (a) the school teacher's own assessment of his or her performance against the objectives recorded in the statement of objectives;
- (b) particulars of any training which the school teacher considers it would be desirable to receive having regard to that assessment; and
- (c) particulars of any factors which the school teacher considers affected his or her performance against the recorded objectives;

and any such assessment and other information submitted to the appraiser under this paragraph must be considered at the appraisal review.

(4) Within 10 school days after each appraisal review, the appraiser must prepare a written statement recording the main points made by the appraiser and the school teacher at the review and the conclusions reached, and there must be recorded in an annex to the statement (which shall form part of the statement) the training and developmental needs and ways of meeting

datblygu a ffyrdd o ddiwallu'r anghenion hynny a nodwyd yn yr adolygiad.

(5) Gall adolygiad gwerthuso o dan baragraff (1) gael ei gyfuno â chyfarfod o dan reoliad 26 mewn perthynas â'r cylch gwerthuso canlynol.

(6) Rhaid i'r gwerthuswr roi copi o'r datganiad a baratoir o dan baragraff (4) i'r athro neu'r athrawes ysgol cyn pen 10 diwrnod ysgol ar ôl yr adolygiad gwerthuso.

(7) Caiff yr athro neu'r athrawes ysgol, cyn pen 10 diwrnod ysgol ar ôl cael copi o'r datganiad hwnnw, ychwanegu eu sylwadau ysgrifenedig ato, a rhaid i'r sylwadau hynny fod yn rhan o'r datganiad a baratoir o dan y paragraff hwnnw.

Apelau

30.-(1) Mae gan athro neu athrawes ysgol hawl i apelio yn erbyn eu gwerthusiad o dan y Rheoliadau hyn cyn pen 10 diwrnod ysgol ar ôl cael copi o'r datganiad gwerthuso o dan reoliad 29(6).

(2) Caiff apêl ei gwneud yn ysgrifenedig i'r corff llywodraethu.

(3) Y pennaeth sy'n gorfod bod yn swyddog apêl mewn perthynas ag apêl o'r fath, ond os y pennaeth yw'r gwerthuswr, cadeirydd y corff llywodraethu sy'n gorfod bod yn swyddog apêl.

(4) Os cadeirydd y corff llywodraethu yw'r swyddog apêl, rhaid i gynghorydd allanol roi cymorth iddo neu iddi.

(5) Rhaid i'r swyddog apêl gynnal a chwblhau adolygiad o'r gwerthusiad cyn pen 10 diwrnod ysgol ar ôl cael y datganiad gwerthuso o dan reoliad 31(2)(b), a rhaid iddo gymryd unrhyw sylwadau a gyflwynwyd gan yr athro neu'r athrawes ysgol i ystyriaeth.

(6) Caiff y swyddog apêl -

- (a) gorchymyn bod y datganiad gwerthuso yn sefyll gyda sylwadau'r swyddog apêl neu hebddynt; neu
- (b) diwygio'r datganiad gwerthuso gyda chytundeb y gwerthuswr; neu
- (c) gorchymyn bod y datganiad gwerthuso yn cael ei ddileu a gorchymyn gwerthusiad newydd.

(7) Pan fydd gwerthusiad newydd yn cael ei orchymyn o dan baragraff (6)(c), rhaid i werthuswr newydd gael ei benodi yn unol â rheoliad 21 a rhaid i'r swyddog apêl benderfynu pa weithdrefnau gwerthuso y mae'n rhaid eu hailadrodd.

(8) Os yw'n ymddangos i swyddog apêl nad oes gwerthuswr newydd priodol y gellir ei benodi ar gyfer yr athro neu athrawes ysgol o dan reoliad 21, rhaid i'r swyddog apêl benodi aelod o gorff llywodraethu'r ysgol yn werthuswr newydd ar gyfer yr athro neu athrawes ysgol.

such needs identified at the review.

(5) An appraisal review under paragraph (1) may be combined with a meeting under regulation 26 in relation to the following appraisal cycle.

(6) The appraiser must give the school teacher a copy of the statement prepared under paragraph (4) within 10 school days after the appraisal review.

(7) The school teacher may, within 10 school days of receiving a copy of that statement add to it his or her comments in writing, and such comments shall form part of the statement prepared under that paragraph.

Appeals

30.-(1) A school teacher is entitled to appeal against his or her appraisal under these Regulations within 10 school days of receiving a copy of the appraisal statement under regulation 29(6).

(2) An appeal shall be made in writing to the governing body.

(3) The appeals officer in relation to such an appeal must be the head teacher, except where the appraiser is the head teacher, when the appeals officer must be the chairman of the governing body.

(4) Where the appeals officer is the chairman of the governing body, an external adviser must assist him or her.

(5) The appeals officer must within 10 school days of receiving the appraisal statement under regulation 31(2)(b) conduct and conclude a review of the appraisal and must take account of any representations made by the school teacher.

(6) The appeals officer may -

- (a) order the appraisal statement to stand with or without observations of the appeals officer; or
- (b) with the agreement of the appraiser amend the appraisal statement; or
- (c) order that the appraisal statement be expunged and order a new appraisal.

(7) Where a new appraisal is ordered under paragraph (6)(c), a new appraiser must be appointed in accordance with regulation 21 and the appeals officer must determine which appraisal procedures must be repeated.

(8) Where it appears to the appeals officer that there is no suitable new appraiser who can be appointed for the school teacher under regulation 21, the appeals officer must appoint as a new appraiser for the school teacher a member of the school's governing body.

(9) Ni ellir penodi unrhyw lywodraethwr sy'n athro neu'n athrawes neu'n aelod arall o'r staff yn yr ysgol yn werthuswr i athro neu athrawes ysgol o dan baragraff (8).

(10) Rhaid cwblhau pob gweithdrefn werthuso y penderfynir ei hailadrodd o dan baragraff (7) cyn pen 15 diwrnod ysgol ar ôl dyddiad gorchymyn y swyddog apêl o dan baragraff (6)(c).

(11) Ni chaiff y swyddog apêl -

- (a) penderfynu bod amcanion newydd i gael eu cytuno neu eu pennu yn unol â rheoliad 26; na
- (b) penderfynu bod yr amcanion y cytunwyd arnynt neu a bennwyd o dan reoliad 26 i gael eu hadolygu.

(12) Mae'r cyfeiriadau yn y rheoliad hwn ac yn rheoliadau 31 a 32 at ddatganiad gwerthuso yn gyfeiriadau at ddatganiad a baratoir o dan reoliad 29(4), gan gynnwys, yn achos rheoliadau 31 a 32, unrhyw sylwadau a ychwanegir gan swyddog apêl o dan baragraff (6)(a).

Darparu datganiadau gwerthuso a'u cadw

31.-(1) Rhaid i'r gwerthuswr roi copi o'r datganiad gwerthuso i'r pennaeth.

(2) Rhaid i'r pennaeth drefnu bod y datganiad gwerthuso ar gael os gwneir cais -

- (a) i'r gwerthuswr;
- (b) i unrhyw swyddog apêl ac unrhyw gynghorydd allanol sy'n rhoi cymorth i'r swyddog apêl cyn pen pum diwrnod ysgol ar ôl i'r corff llywodraethu gael hysbysiad apêl o dan reoliad 30(2), y mae'n rhaid rhoi iddo gopi o'r datganiad amcanion hefyd;
- (c) i unrhyw lywodraethwyr sy'n gyfrifol am gynghori ynghylch dyrchafu athrawon ysgol neu ynghylch arfer unrhyw ddisgresiwn mewn perthynas â thâl, neu am wneud penderfyniadau mewn perthynas â hynny; ac
- (ch) yn achos athro neu athrawes ysgol sy'n cael eu cyflogi mewn ysgol nad oes ganddi gyllideb ddirprwyedig (o fewn ystyr Pennod IV o Ran II o Ddeddf Safonau a Fframwaith Ysgolion 1998) i'r Prif Swyddog Addysg neu unrhyw swyddog neu gynghorydd a ddynodir yn benodol gan y Prif Swyddog Addysg i fod yn gyfrifol am gynghori ynghylch dyrchafu athrawon ysgol neu ynghylch arfer unrhyw ddisgresiwn mewn perthynas â thâl, neu am wneud penderfyniadau mewn perthynas â hynny.

(3) Rhaid i'r pennaeth roi copi o'r atodiad i'r datganiad gwerthuso y cyfeirir ato yn rheoliad 29(4) i'r person neu'r personau sy'n gyfrifol am gynllunio hyfforddiant a datblygiad yr athrawon ysgol yn yr ysgol.

(9) No governor who is a teacher or other member of staff at the school may be appointed as an appraiser of a school teacher under paragraph (8).

(10) All appraisal procedures determined to be repeated under paragraph (7) must be completed within 15 school days from the date of the review officer's order under paragraph (6) (c).

(11) The appeals officer may not -

- (a) determine that new objectives be agreed or set in accordance with regulation 26; or
- (b) determine that the objectives agreed or set under regulation 26 be revised.

(12) References in this regulation and in regulations 31 and 32 to an appraisal statement are references to a statement prepared under regulation 29(4), including, in the case of regulations 31 and 32, any observations added by an appeals officer under paragraph (6)(a).

Provision and retention of appraisal statements

31.-(1) The appraiser must give the appraisal statement to the head teacher.

(2) The head teacher must make the appraisal statement available upon request to-

- (a) the appraiser;
- (b) any appeals officer and any external adviser assisting the appeals officer within five school days of the governing body receiving notice of an appeal under regulation 30(2), who must also be given a copy of the statement of objectives;
- (c) any governors responsible for advising about, or taking decisions in relation to, the promotion of school teachers or the use of any discretion in relation to pay; and
- (d) in the case of a school teacher employed at a school which does not have a delegated budget (within the meaning of Chapter IV of Part II of the School Standards and Framework Act 1998) the Chief Education Officer or any officer or adviser specifically designated by the Chief Education Officer to be responsible for advising about, or taking decisions in relation to, the promotion of school teachers or the use of any discretion in relation to pay.

(3) The head teacher must provide a copy of the annex to the appraisal statement referred to in regulation 29(4) to the person or persons responsible for planning the training and development of school teachers at the school.

(4) Rhaid i'r pennaeth drefnu bod datganiad amcanion cyfredol athro neu athrawes ysgol ar gael i werthuswr newydd a benodir heblaw ar ddechrau cylch gwerthuso.

(5) Rhaid i ddatganiad gwerthuso athro neu athrawes ysgol gael ei gadw gan y pennaeth am o leiaf dair blynedd ar ôl i'r datganiad gwerthuso nesaf gael ei gwblhau.

Gwybodaeth o ddatganiadau gwerthuso

32.-(1) Gall gwybodaeth berthnasol o ddatganiadau gwerthuso gael ei chymryd i ystyriaeth gan benaethiaid, cyrff llywodraethu ysgolion (gan gynnwys pwyllgorau cyrff llywodraethu), Prif Swyddogion Addysg neu unrhyw swyddogion neu gynghorwyr a ddynodir yn benodol gan Brif Swyddog Addysg o dan reoliad 31(2)(ch) wrth iddynt wneud penderfyniadau, ac wrth iddynt gynghori'r rhai sy'n gyfrifol am wneud penderfyniadau, ynghylch dyrchafu, diswyddo neu ddisgyblu athrawon ysgol neu ynghylch arfer unrhyw ddisgresiwn mewn perthynas â thâl.

(2) Rhaid i weithdrefnau gwerthuso beidio â bod yn rhan o unrhyw weithdrefnau disgyblu neu ddiswyddo.

Darpariaeth drosiannol

33. Mae rheoliadau 31 a 32 yn gymwys mewn perthynas â chofnodion gwerthuso a gafodd eu cynhyrchu a'u cadw o dan Reoliadau Addysg (Gwerthuso Athrawon Ysgol) (Cymru) 1999 fel y maent yn gymwys mewn perthynas â datganiadau gwerthuso.

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

21 Mai 2002

Llywydd y Cynulliad Cenedlaethol

(4) The head teacher must make a school teacher's current statement of objectives available to a new appraiser appointed otherwise than at the beginning of an appraisal cycle.

(5) A school teacher's appraisal statement must be kept by the head teacher until at least three years after the next appraisal statement has been finalised.

Information from appraisal statements

32.-(1) Relevant information from appraisal statements may be taken into account by head teachers, school governing bodies (including committees of governing bodies), Chief Education Officers or any officers or advisers specifically designated by a Chief Education Officer under regulation 31(2)(d) in taking decisions, and in advising those responsible for taking decisions, about the promotion, dismissal or discipline of school teachers or the use of any discretion in relation to pay.

(2) Appraisal procedures must not form part of any disciplinary or dismissal procedures.

Transitional provision

33. Regulations 31 and 32 apply in relation to appraisal records produced and maintained under the Education (School Teacher Appraisal) (Wales) Regulations 1999 as they apply in relation to appraisal statements.

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

21st May 2002

D.Elis-Thomas

The Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

OFFERYNNAU STATUDOL

2002 Rhif 1394 (Cy.137)

ADDYSG, CYMRU

Rheoliadau Gwerthuso Athrawon
Ysgol (Cymru) 2002

STATUTORY INSTRUMENTS

2002 No. 1394 (W.137)

EDUCATION, WALES

The School Teacher
Appraisal(Wales) Regulations 2002

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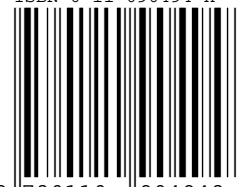
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