

**CYNULLIAD CENEDLAETHOL CYMRU****NATIONAL ASSEMBLY FOR WALES****OFFERYNNAU STATUDOL****STATUTORY INSTRUMENTS****2003 Rhif 3118 (Cy.296)****2003 No. 3118 (W.296)****ADDYSG, CYMRU****EDUCATION, WALES****Rheoliadau Cyllidebau AALI,  
Cyllidebau Ysgolion a Chyllidebau  
Ysgolion Unigol (Cymru) 2003****The LEA Budget, Schools Budget  
and Individual Schools Budget  
(Wales) Regulations 2003****NODYN ESBONIADOL****EXPLANATORY NOTE***(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)**(This note is not part of the Regulations)*

Cyn i'r darpariaethau newydd a gynhwysir yn Neddf Addysg 2002 ddod i rym yr oedd yn ofynnol i awdurdodau addysg lleol ddyrannu gwariant i ddwy gyllideb - (adran 46 o Ddeddf Safonau a Fframwaith Ysgolion 1998):

- cyllideb ysgolion lleol (LSB)
- cyllideb ysgolion unigol (ISB)

Mae rhan 2 o Reoliadau Cyllido Ysgolion a Gynhelir 1999 ac Atodlen 2 iddynt (Rheoliadau 1999) yn diffinio LSB ac ISB.

Mae adran 45A o Ddeddf 1998 fel y'i mewnosodwyd gan adran 41(1) o Ddeddf Addysg 2002 (sy'n disodli'r hen adran 46 a ddiddymir gan Ddeddf 2002) yn awr yn ei gwneud yn ofynnol i awdurdodau addysg lleol ddyrannu gwariant yn dair cyllideb:

- Cyllideb yr AALI
- Cyllideb ysgolion
- Cyllideb ysgolion unigol

Pennir categor au cyllideb newydd yr AALI, cyllideb ysgolion a chyllideb ysgolion unigolion yn y rheoliadau hyn ac maent yn disodli Rhan II o Atodlen 2 i Reoliadau 1999.

Mae'r rheoliadau hyn yn rhagnodi'r gwariant sy'n llunio cyllideb awdurdod addysg lleol a chyllideb ysgolion ar gyfer blynyddoedd ariannol sy'n dechrau ar neu ar 1 1 Ebrill 2004.

Before the new provisions contained in the Education Act 2002 came into force local education authorities were required to allocate expenditure to 2 budgets - (section 46 of the School Standards and Framework Act 1998):

- local schools budget (LSB)
- individual schools budget (ISB)

Part 2 of and Schedule 2 to the Financing of Maintained Schools Regulations 1999 (the 1999 Regulations) defines the LSB and the ISB.

Section 45A of the 1998 Act as inserted by section 41(1) of the Education Act 2002 (which replaces the old section 46 which is revoked by the 2002 Act) now requires local education authorities to allocate expenditure to 3 budgets:

- LEA budget
- Schools budget
- Individual schools budget

The make up of the new LEA, schools budget and individual schools budget categories is specified in these regulations and replaces Part II of and Schedule 2 to the 1999 Regulations.

These Regulations prescribe the expenditure which makes up a local education authority's LEA budget and schools budget for financial years beginning on and after 1st April 2004.

Disgrifir dosbarthiadau neu ddisgrifiadau o'r gwariant cynlluniedig sy'n llunio cyllideb yr AALl yn rheoliad 5 ac yn Atodlen 1. Disgrifir y gyllideb ysgolion yn rheoliad 4.

Mae Atodlen 2 yn pennu natur y gwariant cynlluniedig y caiff awdurdod addysg lleol ei ddidynnu o'i gyllideb ysgolion mewn blwyddyn ariannol er mwyn gweld ei gyllideb ysgolion unigol ar gyfer y flwyddyn ariannol honno. Cyllideb ysgolion unigol awdurdod yw'r swm a rennir rhwng yr ysgolion a gynhelir ganddo ar ffurf cyfrannau cyllideb ar gyfer pob ysgol.

Mae rheoliad 3 yn dirymu rhannau perthnasol Rheoliadau 1999.

The classes or descriptions of planned expenditure which comprise the LEA budget are described in regulation 5 and in Schedule 1. The schools budget is described in regulation 4.

Schedule 2 specifies the nature of the planned expenditure which a local education authority may deduct from their schools budget in a financial year in order to arrive at their individual schools budget for that financial year. An authority's individual schools budget is the amount which is divided between the schools which they maintain in the form of budget shares for each school.

Regulation 3 revokes the relevant parts of the 1999 Regulations.

## 2003 Rhif 3118 (Cy.296)

## 2003 No. 3118 (W.296)

## ADDYSG, CYMRU

## EDUCATION, WALES

Rheoliadau Cyllidebau AALl,  
Cyllidebau Ysgolion a Chyllidebau  
Ysgolion Unigol (Cymru) 2003The LEA Budget, Schools Budget  
and Individual Schools Budget  
(Wales) Regulations 2003*Wedi'u gwneud* 2 Rhagfyr 2003*Made* 2nd December 2003*Yn dod i rym* 4 Rhagfyr 2003*Coming into force* 4th December 2003

Drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 45A a 138(7) a (8) o Ddeddf Safonau a Fframwaith Ysgolion 1998(a) ac sydd bellach wedi'u breinio yng Nghynulliad Cenedlaethol Cymru(b), mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol:

In exercise of the powers conferred on the Secretary of State by sections 45A and 138(7) and (8) of the School Standards and Framework Act 1998(a) and now vested in the National Assembly for Wales(b), the National Assembly for Wales makes the following Regulations:

**Enwi, cychwyn a chymhwyso****Name, commencement and application**

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Cyllidebau AALl, Cyllidebau Ysgolion a Chyllidebau Ysgolion Unigol (Cymru) 2003 a deuant i rym ar 4 Rhagfyr 2003.

1.-(1) These Regulations are called the LEA Budget, Schools Budget and Individual Schools Budget (Wales) Regulations 2003 and come into force on 4th December 2003.

(2) Maent yn gymwys i'r blynyddoedd ariannol sy'n dechrau ar neu ar 1 31 Mawrth 2004 yn unig.

(2) They apply only to financial years beginning after 31st March 2004.

(3) Maent yn gymwys i Gymru yn unig.

(3) They apply only to Wales.

**Dehongli****Interpretation**

2.-(1) Yn y Rheoliadau hyn -

2.-(1) In these Regulations -

ystyr "y Cynulliad Cenedlaethol" ("*the National Assembly*") yw Cynulliad Cenedlaethol Cymru;

"the 1996 Act" ("*Deddf 1996*") means the Education Act 1996(c);

ystyr "Deddf 1996" ("*the 1996 Act*") yw Deddf Addysg 1996(c);

"the 1998 Act" ("*Deddf 1998*") means the School Standards and Framework Act 1998;

ystyr "Deddf 1998" ("*the 1998 Act*") yw Deddf Safonau a Fframwaith Ysgolion 1998;

"the 2000 Act" ("*Deddf 2000*") means the Learning and Skills Act 2000(d);

"the 2002 Act" ("*Deddf 2002*") means the

(a) 1998 p.31. I gael ystyr "prescribed" a "regulations" gweler adran 142(1). Mewnosodwyd adran 45A gan adran 41 o Ddeddf Addysg 2002 p.32.

(a) 1998 c.31. For the meaning of "prescribed" and "regulations" see section 142(1). Section 45A was inserted by section 41 of the Education Act 2002 c.32.

(b) Gweler Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac adran 211 o Ddeddf Addysg 2002 p.32.

(b) See The National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and section 211 of the Education Act 2002 c.32.

(c) 1996 p.56.

(c) 1996 c.56.

(d) 2000 c.21.

ystyr "Deddf 2000" ("*the 2000 Act*") yw Deddf Dysgu a Medrau 2000(a);

ystyr "Deddf 2002" ("*the 2002 Act*") yw Deddf Addysg 2002.

(2) Yn y Rheoliadau hyn ystyr "ysgol a gynhelir" ("maintained school") yw ysgol gymunedol, ysgol sefydledig neu ysgol wirfoddol neu ysgol gymunedol arbennig neu ysgol sefydledig arbennig.

(3) Yn y Rheoliadau mae cyfeiriad (sut bynnag y caiff ei eirio) at ysgol gymunedol, ysgol sefydledig neu ysgol wirfoddol neu ysgol gymunedol arbennig neu ysgol sefydledig arbennig yn cynnwys ysgol newydd a fydd yn ysgol o'r fath a chanddi gorff llywodraethu dros dro pan weithredir cynigion o dan unrhyw ddeddfiad.

(4) Yn y Rheoliadau hyn mae cyfeiriad at gorff llywodraethu yn cynnwys corff llywodraethu dros dro ar ysgol newydd sy'n dod o fewn paragraff (3).

(5) Yn y Rheoliadau hyn mae cyfeiriad at ysgol gynradd neu ysgol uwchradd yn golygu ysgol gynradd neu ysgol uwchradd a fydd yn ysgol gymunedol, ysgol sefydledig neu ysgol wirfoddol.

(6) Yn y Rheoliadau hyn nid yw cyfeiriad (sut bynnag y caiff ei eirio) at ysgolion a gynhelir gan awdurdod addysg lleol yn cynnwys ysgolion nad ydynt yn ysgolion a gynhelir fel y'u diffinnir ym mharagraff (2).

(7) Yn y Rheoliadau hyn, oni nodir fel arall, mae cyfeiriadau at wariant yn gyfeiriadau at y gwariant hwnnw yn net o'r canlynol -

- (a) pob grant penodedig cysylltiedig;
- (b) pob ffi, taliad ac incwm cysylltiedig; ac
- (c) cyllid sy'n dod o'r Cynulliad Cenedlaethol mewn perthynas thaliad unedol cynllun PFI.

(8) Yn y Rheoliadau hyn, mae cyfeiriad at grant penodedig yn gyfeiriad at unrhyw grant a delir i'r awdurdod o dan amodau sy'n gosod cyfyngiadau ar ddibenion penodol yr awdurdod y ceir defnyddio'r grant ar eu cyfer, ond nid yw'n cynnwys -

- (a) unrhyw grant a wneir gan Gyngor Cenedlaethol Cymru dros Addysg a Hyfforddiant(b) mewn perthynas chyllido chweched dosbarth; neu
- (b) unrhyw grant penodedig a ddefnyddir i gefnogi gwariant drwy'r gyllideb ysgolion unigol.

(9) Yn y Rheoliadau hyn, mae cyfeiriad at daliad unedol cynllun PFI yn gyfeiriad at daliad sy'n daladwy gan yr awdurdod addysg lleol o dan drafodiad cyllid preifat.

Education Act 2002; and

"the National Assembly" ("*y Cynulliad Cenedlaethol*") means the National Assembly for Wales.

(2) In these Regulations "maintained school" ("ysgol a gynhelir") means a community, foundation or voluntary school or a community or foundation special school.

(3) In these Regulations a reference (however framed) to a community, foundation or voluntary school or a community or foundation special school includes a new school which on implementation of proposals under any enactment will be such a school, and which has a temporary governing body.

(4) In these Regulations a reference to a governing body includes the temporary governing body of a new school falling within paragraph (3).

(5) In these Regulations a reference to a primary or secondary school means a primary or secondary school which is or will be a community, foundation or voluntary school.

(6) In these Regulations a reference (however framed) to schools maintained by a local education authority does not include schools which are not maintained schools as defined in paragraph (2).

(7) In these Regulations, unless otherwise stated, references to expenditure are references to that expenditure net of -

- (a) all related specific grants;
- (b) all related fees, charges and income; and
- (c) funding received from the National Assembly in respect of PFI scheme unitary payment.

(8) In these Regulations, a reference to specific grant is to any grant paid to the authority under conditions which impose restrictions on the particular purposes of the authority for which the grant may be used, but does not include -

- (a) any grant made by the National Council for Education and Training for Wales(a) in respect of sixth form funding; or
- (b) any specific grant which is used to support expenditure through the individual schools budget.

(9) In these Regulations, a reference to a PFI scheme unitary payment is a reference to a charge payable by the local education authority under a private finance transaction.

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(a) 2000 p.21.

(b) Sefydlwyd Cyngor Cenedlaethol Cymru dros Addysg a Hyfforddiant o dan adran 30 o Ddeddf 2000.

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(a) The National Council for Education and Training for Wales was established under section 30 of the 2000 Act.

(10) Yn y Rheoliadau hyn, mae cyfeiriad at drafodiad cyllid preifat yn gyfeiriad at drafodiad fel y diffinnir "transaction" gan reoliad 16 o Reoliadau Awdurdodau Lleol (Cyllid Cyfalaf) 1997(a).

(11) Yn y Rheoliadau hyn, mae cyfeiriad at fformiwla yn golygu fformiwla a benderfynwyd (ar l ymgynghori) gan yr awdurdod addysg lleol cyn dechrau blwyddyn ariannol erbyn pryd y penderfynir ar gyfrannau cyllideb ysgolion yn y flwyddyn ariannol honno gan roi sylw i'r ffactorau, y meini prawf a'r gofynion a ragnodwyd mewn rheoliadau a wnaed o dan adran 47 o Ddeddf 1998.

(12) Yn y Rheoliadau hyn, mae cyfeiriad at wariant cyfalaf yn golygu gwariant y mae awdurdod yn bwriadu ei gyfalafu yn eu cyfrifon yn unol ag arferion priodol sef yr arferion cyfrifyddu hynny -

- (a) y mae'n ofynnol i'r awdurdod eu dilyn yn rhinwedd unrhyw ddeddfiad; neu
- (b) y gwelir yn gyffredinol eu bod, i'r graddau y maent yn gyson ag unrhyw ddeddfiad o'r fath, boed drwy gyfeiriad at unrhyw god a gyhoeddwyd ac a gydnabyddir yn gyffredinol neu fel arall, yn arferion cyfrifyddu priodol sydd i'w dilyn wrth gadw cyfrifon awdurdodau lleol, naill ai yn gyffredinol neu o'r disgrifiad o dan sylw(b).

(13) Yn y Rheoliadau hyn mae cyfeiriadau at CERA yn gyfeiriadau at wariant cyfalaf y mae awdurdod yn disgwyl ei dynnu o gyfrif refeniw'r awdurdod fel y'i diffinnir yn adran 41(2) o Ddeddf Llywodraeth Leol a Thai 1989(c).

(14) Yn y Rheoliadau hyn, mae cyfeiriadau at wariant a eithrir yn gyfeiriadau at y dosbarthiadau neu'r disgrifiadau canlynol o wariant -

- (a) Gwariant cyfalaf heblaw CERA;
- (b) Gwariant at ddibenion adran 26 o Ddeddf Rheoleiddio Traffig Ffyrdd 1984(ch) (trefniadau ar gyfer hebrwng wrth groesfannau ysgol); ac
- (c) Gwariant a dynnir gan yr awdurdod addysg lleol o dan adran 51A o Ddeddf 1998(d) (gwariant a dynnir at ddibenion cymunedol).

(10) In these Regulations, a reference to a private finance transaction is a reference to a transaction as defined by regulation 16 of the Local Authorities (Capital Finance) Regulations 1997(a).

(11) In these Regulations, a reference to a formula means a formula determined (after consultation) by the local education authority before the beginning of a financial year by which they will determine schools' budget shares in that financial year having regard to factors, criteria and requirements prescribed in regulations made under section 47 of the 1998 Act.

(12) In these Regulations, a reference to capital expenditure means expenditure which an authority propose to capitalise in their accounts in accordance with proper practices being those accounting practices -

- (a) which the authority are required to follow by virtue of any enactment; or
- (b) which, so far as they are consistent with any such enactment, are generally regarded whether by reference to any generally recognised published code or otherwise, as proper accounting practices to be followed in the keeping of the accounts of local authorities, either generally or of the description concerned(b).

(13) In these Regulations references to CERA are references to capital expenditure which an authority expect to charge to a revenue account of the authority as defined in section 41(2) of the Local Government and Housing Act 1989(c).

(14) In these Regulations, references to excepted expenditure are references to the following classes or descriptions of expenditure -

- (a) Capital expenditure other than CERA;
- (b) Expenditure for the purposes of section 26 of the Road Traffic Regulation Act 1984(d) (arrangements for patrolling school crossings); and
- (c) Expenditure incurred by the local education authority under section 51A of the 1998 Act(e) (expenditure incurred for community purposes).

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(a) O.S. 1997/319 fel y'i diwygiwyd gan O.S. 1998/371 a 1999/1852.  
(b) Dyma'r arferion priodol y cyfeirir atynt yn adran 66(4) o Ddeddf Llywodraeth Leol a Thai 1989 (p.42) ac, ar ddyddiad gwneud y rheoliadau hyn, maent yn cynnwys y Cod Ymarfer ar Gyfrifyddia Awdurdodau Lleol ym Mhrydain Fawr 2002, fel y'i diweddarwyd (ISBN 0 85299 947 897 X).  
(c) 1989 p.42.  
(ch) 1984 p.27, fel y'i diwygiwyd gan Ddeddf Llywodraeth Leol 1985 (p.51), Atodlen 5, paragraff 4(10).  
(d) Mewnosodwyd gan adran 40 o Ddeddf 2002 a pharagraff 4 o Atodlen 3 iddi.

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(a) S.I. 1997/319, as amended by S.I. 1998/371 and 1999/1852.  
(b) These are the proper practices as referred to in section 66(4) of the Local Government and Housing Act 1989 (c.42) and, at the date that these Regulations are made, they include the Code of Practice on Local Authority Accounting in Great Britain 2002, as updated (ISBN 0 85299 947 X).  
(c) 1989 c.42.  
(d) 1984 c.27, amended by the Local Government Act 1985 (c.51), Schedule 5, paragraph 4(10).  
(e) Inserted by section 40 of, and paragraph 4 of Schedule 3 to, the 2002 Act.

## Dirymu

3.-(1) Dirymir Rheoliadau 2, 3 a 5 o Reoliadau Cyllido Ysgolion a Gynhelir 1999 ac Atodlen 2 iddynt(a) (i'r graddau y byddent wedi parhau mewn grym yn rhinwedd Deddf Dehongli 1978(b)) ar 1 Ebrill 2004.

(2) Ond bydd y rheoliadau hynny a'r Atodlen honno yn parhau i fod yn gymwys at ddibenion cyllido ysgolion a gynhelir mewn unrhyw flwyddyn sy'n dod i ben cyn 1 Ebrill 2004.

## Cyllideb ysgolion

4.-(1) Drwy hyn rhagnodir y dosbarthiadau neu'r disgrifiadau o wariant awdurdod addysg lleol a bennir ym mharagraff (2) at ddibenion adran 45A(2) o Ddeddf 1998 a phenderfynu ar gyllideb ysgolion awdurdod addysg lleol.

(2) Dyma'r dosbarthiadau neu'r disgrifiadau o wariant awdurdod addysg lleol -

- (a) gwariant ar ddarparu a chynnal a chadw ysgolion a gynhelir ac ysgolion meithrin a gynhelir ac ar addysg y disgyblion a gofrestrwyd yn yr ysgolion hynny;
- (b) gwariant ar addysg disgyblion mewn ysgolion annibynnol, ysgolion arbennig nas cynhelir(c), unedau cyfeirio disgyblion(ch) yn y cartref ac yn yr ysbyty, ac ar unrhyw drefniadau eraill ar gyfer darparu addysg gynradd ac uwchradd i ddisgyblion heblaw mewn ysgolion a gynhelir gan awdurdod addysg lleol; ac
- (c) pob gwariant arall a dynnir mewn cysylltiad swyddogaethau'r awdurdod mewn perthynas darparu addysg gynradd ac uwchradd, i'r graddau nad yw gwariant o'r fath yn dod o fewn paragraff (a) neu (b),

ond ddim ond i'r graddau nad yw gwariant o'r fath -

- (a) yn dod o fewn dosbarth neu ddisgrifiad o wariant a ragnodir gan reoliad 5 at ddibenion adran 45A(1) o Ddeddf 1998 a phenderfynu ar gyllideb AALI yr awdurdod addysg lleol, a
- (b) yn wariant a eithrir.

## Cyllideb yr AALI

5.-(1) Drwy hyn rhagnodir y dosbarthiadau neu'r disgrifiadau o wariant awdurdod addysg lleol a bennir yn Atodlen 1 at ddibenion adran 45A(1) o Ddeddf 1998 a phenderfynu ar gyllideb AALI awdurdod addysg lleol, ac eithrio i'r graddau y mae gwariant o'r fath yn wariant a eithrir neu'n dod o fewn paragraff (2).

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(a) O.S. 1999/101.

(b) 1978 p.30.

(c) Cymeradwyir a rheoleiddir ysgolion arbennig nas cynhelir gan reoliadau a wneir o dan adran 342 o Ddeddf 1996.

(ch) Sefydlir unedau cyfeirio disgyblion o dan adran 19 o Ddeddf 1996.

## Revocation

3.-(1) Regulations 2, 3 and 5 of, and Schedule 2 to, the Financing of Maintained Schools Regulations 1999(a) are (to the extent to which they would have remained in force by virtue of the Interpretation Act 1978(b)) revoked on 1st April 2004.

(2) But those regulations and that Schedule shall continue to apply for the purpose of the financing of maintained schools in any financial year ending before 1st April 2004.

## Schools budget

4.-(1) The classes or descriptions of local education authority expenditure specified in paragraph (2) are hereby prescribed for the purposes of section 45A(2) of the 1998 Act and the determination of a local education authority's schools budget.

(2) The classes or descriptions of local education authority expenditure are -

- (a) expenditure on the provision and maintenance of maintained schools and maintained nursery schools and on the education of pupils registered at those schools;
- (b) expenditure on the education of pupils at independent schools, non-maintained special schools(c), pupil referral units(d), at home and hospital, and on any other arrangements for the provision of primary and secondary education for pupils otherwise than at schools maintained by a local education authority; and
- (c) all other expenditure incurred in connection with the authority's functions in relation to the provision of primary and secondary education, in so far as such expenditure does not fall within paragraph (a) or (b),

but only in so far as such expenditure -

- (a) does not fall within a class or description of expenditure prescribed by regulation 5 for the purposes of section 45A(1) of the 1998 Act and the determination of a local education authority's LEA budget, and
- (b) is not excepted expenditure.

## LEA Budget

5.-(1) The classes or descriptions of local education authority expenditure specified in Schedule 1 are hereby prescribed for the purposes of section 45A(1) of the 1998 Act and the determination of a local education authority's LEA budget, except in so far as such expenditure is excepted expenditure or falls within paragraph (2).

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(a) S.I. 1999/101.

(b) 1978 c.30.

(c) Non-maintained special schools are approved and regulated by regulations made under section 342 of the 1996 Act.

(d) Pupil referral units are established under section 19 of the 1996 Act.

(2) Daw gwariant o fewn y paragraff hwn os yw'n wariant -

- (a) sydd yn rhinwedd cynllun yr awdurdod (o fewn ystyr adran 48(5) o Ddeddf 1998) neu unrhyw ddeddfiad, i'w dynnu o gyfran cyllideb ysgol; neu
- (b) sy'n dod o fewn is-baragraff (b) o baragraff 1 o Atodlen 2.

### **Cyllideb ysgolion unigol**

6. Caiff awdurdod addysg lleol ddiynnu o'i gyllideb ysgolion unrhyw un neu'r cyfan o'r dosbarthiadau neu'r disgrifiadau o wariant cynlluniedig a nodir yn Atodlen 2, yn llwyr neu'n rhannol, er mwyn gweld beth yw ei gyllideb ysgolion unigol ar gyfer y flwyddyn ariannol.

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

2 Rhagfyr 2003

Llywydd y Cynulliad Cenedlaethol

(2) Expenditure falls within this paragraph if it is expenditure which -

- (a) by virtue of the authority's scheme (within the meaning of section 48(5) of the 1998 Act) or any enactment, falls to be met from a school's budget share; or
- (b) falls within sub-paragraph (b) of paragraph 1 of Schedule 2.

### **Individual schools budget**

6. A local education authority may deduct from their schools budget any or all of the classes or descriptions of planned expenditure set out in Schedule 2, in whole or in part, in order to arrive at their individual schools budget for the financial year.

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

2nd December 2003

The Presiding Officer of the National Assembly

*D. Elis-Thomas*

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(a) 1998 p.38.

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(a) 1998 c.38.

rheoliad 5

regulation 5

**DOSBARTHIAU NEU DDISGRIFIADAU  
O WARIANT CYNLLUNIEDIG A  
RAGNODWYD AT DDIBENION CYLLIDEB  
AALI AWDURDOD ADDYSG LLEOL**

Mae gwariant o ddosbarth neu ddisgrifiad y cyfeirir ato yn yr Atodlen hon yn cynnwys gwariant ar gostau gweinyddol cysylltiedig a gorbenion.

**Darpariaeth o natur arbenigol**

1. Gwariant ar wasanaethau a roddir gan seicolegwyr addysgol.

2. Gwariant mewn cysylltiad swyddogaethau'r awdurdod o dan adrannau 321 i 331 o Ddeddf 1996 (swyddogaethau sy'n ymwneud ag adnabod ac asesu plant ag anghenion addysgol arbennig a llunio, cynnal ac adolygu datganiadau ar gyfer y plant hynny).

3. Gwariant ar fonitro'r ddarpariaeth i ddisgyblion mewn ysgolion (os cynhelir hwy gan yr awdurdod neu beidio) at ddibenion lledaenu arferion da mewn perthynas phlant ag anghenion addysgol arbennig a gwella ansawdd y ddarpariaeth addysgol ar eu cyfer.

4. Gwariant ar gydweithio chyrrff statudol a gwirfoddol i ddarparu cefnogaeth i blant ag anghenion addysgol arbennig.

5. Gwariant mewn cysylltiad 'r canlynol -

- (a) darparu gwasanaethau partneriaeth rhieni(a) neu arweiniad a gwybodaeth arall i rieni disgyblion ag anghenion addysgol arbennig sydd, mewn perthynas disgyblion mewn ysgol a gynhelir gan yr awdurdod, yn ychwanegol at yr wybodaeth a ddarperir fel arfer gan gyrrff llywodraethu ysgolion o'r fath; neu
- (b) trefniadau a wneir gan yr awdurdod er mwyn osgoi neu ddatrys anghytundebau rhieni plant ag anghenion addysgol arbennig.

6. Gwariant a dynnir wth baratoi ac adolygu cynllun sy'n nodi'r trefniadau a wneir, neu y bwriedir eu gwneud, gan yr awdurdod mewn cysylltiad ag addysg plant ag anawsterau ymddygiad o dan adran 527A o Ddeddf 1996(b).

(a) Gwasanaethau partneriaeth rhieni yw'r gwasanaethau y darperir ar eu cyfer o dan adran 332A o Ddeddf Addysg 1996 i roi cyngor a gwybodaeth i rieni plant ag anghenion addysgol arbennig.

(b) Mewnosodwyd adran 527A gan adran 9 o Ddeddf Addysg 1997 (p. 44) a diwygiwyd hi gan baragraff 144 o Atodlen 30 i Ddeddf 1998.

**CLASSES OR DESCRIPTIONS OF  
PLANNED EXPENDITURE PRESCRIBED  
FOR THE PURPOSES OF THE LEA  
BUDGET OF A LOCAL EDUCATION  
AUTHORITY**

Expenditure of a class or description referred to in this Schedule includes expenditure on associated administrative costs and overheads.

**Provision of a specialised nature**

1. Expenditure on services provided by educational psychologists.

2. Expenditure in connection with the authority's functions under sections 321 to 331 of the 1996 Act (which functions relate to the identification and assessment of children with special educational needs and the making, maintaining and reviewing of statements for such children).

3. Expenditure on monitoring the provision for pupils in schools (whether or not maintained by the authority) for the purposes of disseminating good practice in relation to, and improving the quality of educational provision for, children with special educational needs.

4. Expenditure on collaboration with other statutory and voluntary bodies to provide support for children with special educational needs.

5. Expenditure in connection with -

- (a) the provision of parent partnership services(a) or other guidance and information to the parents of pupils with special educational needs which, in relation to pupils at a school maintained by the authority, is in addition to the information usually provided by the governing bodies of such schools; or
- (b) arrangements made by the authority with a view to avoiding or resolving disagreements with the parents of children with special educational needs.

6. Expenditure incurred in preparing and reviewing a plan which sets out the arrangements made, or proposed to be made, by the authority in connection with the education of children with behavioural difficulties under section 527A of the 1996 Act(b).

(a) Parent partnership services are the services provided for under section 332A of the Education Act 1996 to give advice and information to parents of children with special educational needs.

(b) Section 527A was inserted by section 9 of the Education Act 1997 (c. 44) and amended by paragraph 144 of Schedule 30 to the 1998 Act.



7. Gwariant ar gyflawni swyddogaethau'r awdurdod o dan Ddeddf Plant 1989(a) ac o dan adran 175(b) o Ddeddf 2002 a swyddogaethau eraill sy'n ymwneud ag amddiffyn plant.

8. Gwariant a dynnir wrth ymglymu i drefniant neu a dynnir wedyn yn unol threfniant o dan adran 31 o Ddeddf Iechyd 1999(c).

9. Gwariant wrth ddarparu cymorth meddygol arbennig ar gyfer disgyblion unigol i'r graddau na helir gwariant o'r fath gan Ymddiriedolaeth Gwasanaeth Iechyd Gwladol(ch) neu'r Bwrdd Iechyd Lleol(d) neu'r Cynulliad Cenedlaethol.

### Gwelliannau mewn ysgolion

10. Gwariant a dynnir gan yr awdurdod mewn perthynas chymau i gefnogi gwella safonau yn ysgolion yr awdurdod, gan gynnwys, yn benodol -

- (a) gwariant a dynnir wrth baratoi, adolygu a gweithredu cynllun datblygu addysg yr awdurdod o dan adrannau 6 a 7 o Ddeddf 1998;
- (b) gwariant a dynnir mewn cysylltiad ag arfer eu swyddogaethau o dan adran 197 o Ddeddf 2002;
- (c) gwariant a dynnir mewn cysylltiad ag ymrwymo i gontract yn unol chyfarwyddyd o dan adran 63 o Ddeddf 2002 (contractau i sicrhau gwasanaethau o natur gynghorol mewn perthynas ag ysgolion gwendidau difrifol neu ysgolion y mae arnynt angen mesurau arbennig);
- (ch) gwariant a dynnir mewn cysylltiad ag arfer eu swyddogaethau o dan adran 14 i 17 o Ddeddf 1998 (pwerau ymyrryd, penodi llywodraethwyr ychwanegol ac atal cyllidebau a ddirprwywyd mewn ysgolion sy'n peri pryder); a
- (d) gwariant ar benodi a thalu aelodau o weithrediaeth dros dro o dan adran 16A o Ddeddf 1998(dd).

### Mynediad i addysg

11. Gwariant mewn perthynas 'r materion canlynol -

- (a) rheoli rhaglen gyfalaf awdurdod gan gynnwys paratoi ac adolygu cynllun rheoli asedau a

- (a) 1989 p.41.
- (b) Caiff adran 175 ei dwyn i rym ar ddiwrnod sydd i'w benodi.
- (c) 1991 p.81.
- (ch) Diffinnir National Health Service Trusts yn adran 5 o Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal Cymunedol 1990 p.19.
- (d) Sefydlir Byrddau Iechyd Lleol drwy orchymyn a wneir gan Gynulliad Cenedlaethol Cymru o dan adran 16BA o Ddeddf y Gwasanaeth Iechyd Gwladol 1977 (p.49) fel y mewnosodwyd hi gan adran 6(1) o Ddeddf Diwygio'r Gwasanaeth Iechyd Gwladol a'r Proffesiynau Gofal Iechyd 2002 (p.17).
- (dd) Mewnosodir adran 16A gan adran 57 o Ddeddf 2002 ar ddiwrnod sydd i'w benodi.

7. Expenditure on carrying out the authority's functions under the Children Act 1989(a) and under section 175(b) of the 2002 Act and other functions relating to child protection.

8. Expenditure incurred in entering into, or subsequently incurred pursuant to, an arrangement under section 31 of the Health Act 1999(c).

9. Expenditure in providing special medical support for individual pupils in so far as such expenditure is not met by a National Health Service Trust(d) or Local Health Board(e) or the National Assembly.

### School improvement

10. Expenditure incurred by the authority in respect of action to support the improvement of standards in the authority's schools, including, in particular -

- (a) expenditure incurred in preparing, reviewing and implementing the authority's education development plan under sections 6 and 7 of the 1998 Act;
- (b) expenditure incurred in connection with the exercise of their functions under section 197 of the 2002 Act;
- (c) expenditure incurred in connection with entering into a contract pursuant to a direction under section 63 of the 2002 Act (contracts to obtain services of an advisory nature in respect of schools with serious weaknesses or schools requiring special measures);
- (d) expenditure incurred in connection with the exercise of their functions under section 14 to 17 of the 1998 Act (powers of intervention, of appointment of additional governors and of suspension of delegated budgets in schools causing concern); and
- (e) expenditure on the appointment and remuneration of interim executive members under section 16A of the 1998 Act(f).

### Access to education

11. Expenditure in relation to the following matters -

- (a) management of the authority's capital programme including preparation and review

- (a) 1989 c.41.
- (b) Section 175 will be brought into force on a day to be appointed.
- (c) 1999 c.81.
- (d) National Health Service Trusts are defined in section 5 of the National Health Service and Community Care Act 1990 c.19.
- (e) Local Health Boards are established by order made by the National Assembly for Wales under section 16BA of the National Health Service Act 1977 (c.49) as inserted by section 6(1) of the National Health Service Reform and Health Care Professions Act 2002 (c.17).
- (f) Section 16A is to be inserted by section 57 of the 2002 Act on a day to be appointed.

thrafod a rheoli trafodion cyllid preifat;

- (b) cynllunio a rheoli'r cyflenwad o leoedd ysgol, gan gynnwys swyddogaethau'r awdurdod -
  - (i) mewn perthynas chynllun trefniadol ysgolion yn unol ag adran 26 o Ddeddf 1998,
  - (ii) mewn perthynas sefydlu, addasu neu gau ysgolion yn unol Phennod II o Ran II o Ddeddf 1998 neu adran 113A o Ddeddf 2000 ac Atodlen 7A iddi(a);
- (c) swyddogaethau'r awdurdod mewn perthynas gwahardd disgyblion o ysgolion neu unedau cyfeirio disgyblion, heb gynnwys darparu unrhyw addysg i'r disgyblion hynny, ond gan gynnwys cyngor i rieni disgybl a waharddwyd;
- (ch) gweinyddu'r system i dderbyn disgyblion i ysgolion (gan gynnwys apelau derbyn ac ymgynghori o dan adran 89(2) o Ddeddf 1998);
- (d) gwariant a dynnir mewn cysylltiad swyddogaethau'r awdurdod o dan adran 85A o Ddeddf 1998(b) (sydd yn darparu ar gyfer sefydlu a chynnal fforymau derbyn);
- (dd) swyddogaethau'r awdurdod o dan adran 509 a 509AA i 509AC(c) o Ddeddf 1996 (cludiant o'r cartref i'r ysgol ac o'r cartref i'r coleg);
- (e) swyddogaethau'r awdurdod o dan adrannau 510 a 514 o Ddeddf 1996 (darparu a gweinyddu grantiau dilladu a grantiau byrddio), ac yn unol rheoliadau a wneir o dan adran 518(1)(c)(ch) o Ddeddf 1996.

**12.** Gwariant ar y Gwasanaeth Lles Addysg a gwariant arall sy'n deillio o swyddogaethau'r awdurdod o dan Bennod II o Ran VI o Ddeddf 1996 (presenoldeb yn yr ysgol).

**13.** Gwariant ar ddarparu cefnogaeth i fyfyrwyr o dan adran 1(1) o Ddeddf Addysg 1962(d) ac o dan adran 22 o Ddeddf Addysgu ac Addysg Uwch 1998(dd).

**14.** Gwariant ar grantiau disgrisiynol o dan adran 1(6) neu 2 o Ddeddf Addysg 1962 (dyfardaliadau ar gyfer cyrsiau dynodedig a chyrsiau eraill).

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- (a) Mewn osodir adran 113A ac Atodlen 7A gan adran 72 o Ddeddf 2002 ac Atodlen 9 iddi ar ddiwrnod i'w benodi.
  - (b) Mae adran 85A o Ddeddf 1998 i'w fewnosod gan adran 46 o Ddeddf 2002 a'r ddiwrnod sydd i'w benodi.
  - (c) Mewn osodwyd adrannau 509AA, 509AB a 509AC gan adran 199 o, Ddeddf 2002 ac Atodlen 19 iddi.
  - (ch) Amnewidiwyd adran 518 gan adran 129 o Ddeddf 1998.
  - (d) 1962 p.12.
  - (dd) 1998 p.30.

of an asset management plan and negotiation and management of private finance transactions;

- (b) planning and managing the supply of school places, including the authority's functions -
  - (i) in relation to school organisation plans pursuant to section 26 of the 1998 Act,
  - (ii) in relation to the establishment, alteration or discontinuance of schools pursuant to Chapter II of Part II of the 1998 Act or section 113A of, and Schedule 7A to, the 2000 Act(a);
- (c) the authority's functions in relation to the exclusion of pupils from schools or pupil referral units, excluding the making of any provision of education to such pupils, but including advice to the parents of an excluded pupil;
- (d) administering the system for admissions of pupils to schools (including admissions appeals and carrying out consultations under section 89(2) of the 1998 Act);
- (e) expenditure incurred in connection with the authority's functions under section 85A of the 1998 Act(b) (which provides for the establishment, and maintenance of admission forums);
- (f) the authority's functions under section 509 and 509AA to 509AC(c) of the 1996 Act (home-to-school and home-to-college transport);
- (g) the authority's functions under sections 510 and 514 of the 1996 Act (provision and administration of clothing grants and boarding grants), and pursuant to regulations made under section 518(1)(c)(d) of the 1996 Act.

**12.** Expenditure on the Education Welfare Service and other expenditure arising from the authority's functions under Chapter II of Part VI of the 1996 Act (school attendance).

**13.** Expenditure on the provision of support for students under section 1(1) of the Education Act 1962(e) and under section 22 of the Teaching and Higher Education Act 1998(f).

**14.** Expenditure on discretionary grants under section 1(6) or 2 of the Education Act 1962 (awards for designated and other courses).

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- (a) Section 113A and Schedule 7A are to be inserted by section 72 of, and Schedule 9 to, the 2002 Act on a day to be appointed.
  - (b) Section 85A of the 1998 Act is to be inserted by section 46 of the 2002 Act on a day to be appointed.
  - (c) Sections 509AA, 509AB and 509AC were inserted by section 199 of and Schedule 19 to the 2002 Act.
  - (d) Section 518 was substituted by section 129 of the 1998 Act.
  - (e) 1962 c.12.
  - (f) 1998 c.30.

15. Gwariant ar dalu lwfansau i bobl dros oedran ysgol gorfodol yn unol rheoliadau a wneir o dan adran 518(1)(b)(a) o Ddeddf 1996.

16. Gwariant ar dalu i bobl dros oedran ysgol gorfodol mewn cysylltiad 'r addysg neu'r hyfforddiant a ragnodwyd yn unol rheoliadau a wneir o dan adran 181(1) o Ddeddf 2002.

### **Addysg bellach a hyfforddiant i bobl ifanc ac oedolion**

17. Gwariant ar ddarparu addysg a hyfforddiant a gweithgareddau amser hamdden wedi'i drefnu a darpariaeth arall o dan adran 15A a 15B o Ddeddf 1996(b).

18. Gwariant ar y ddarpariaeth gan yr awdurdod addysg lleol o dan adrannau 15A a 508 o Ddeddf 1996 o adloniant a hyfforddiant cymdeithasol a chorfforol, ac ar ddarpariaeth yr awdurdod o wasanaethau o dan adran 123 o Ddeddf 2000 i annog a galluogi'r bobl ifanc i gymryd rhan mewn addysg a hyfforddiant.

### **Rheoli strategol**

19. Gwariant yn rhinwedd ei swyddogaeth fel awdurdod addysg lleol mewn perthynas 'r canlynol -

- (a) y Prif Swyddog Addysg a'i staff personol;
- (b) cynllunio ar gyfer y gwasanaeth addysg yn ei gyfanrwydd gan gynnwys ymateb i ddatganiadau polisi a phapurau ymgynghori;
- (c) swyddogaethau'r awdurdod o dan Ran I o Ddeddf Llywodraeth Leol 1999(c) (Gwerth Gorau) a darparu cyngor i gynorthwyo cyrff llywodraethu i gaffael nwyddau a gwasanaethau er mwyn gwella'n barhaus ar y dulliau yr arferir swyddogaethau'r cyrff llywodraethu hynny, gan roi sylw i gyfuniad o ddarbodaeth, effeithlonrwydd a effeithiolrwydd;
- (ch) paratoi cyllideb refeniw; paratoi gwybodaeth am incwm a gwariant ynghylch addysg, i'w hymgorffori yn natganiad cyfrifon blynyddol yr awdurdod; a'r archwiliad allanol i geisiadau am grantiau a'r ffurflenni a ddychwelir sy'n ymwneud ag addysg a swyddogaethau'r awdurdod o dan adran 44 o Ddeddf 2002(ch);

(a) Amnewidiwyd adran 518 gan adran 129 o Ddeddf 1998.

(b) Mewnosodwyd adran 15A gan adran 140(1) a pharagraff 63 o Atodlen 30 i Ddeddf 1998, ac adran 15B gan adran 149 a pharagraffau 1 a 55 o Atodlen 9 i Ddeddf 2000.

(c) 1999 p.27.

(ch) Daw adran 44 i rym ar ddiwrnod i'w benodi.

15. Expenditure on the payment to persons over compulsory school age of allowances pursuant to regulations made under section 518(1)(b)(a) of the 1996 Act.

16. Expenditure on the payment to persons over compulsory school age of allowances in connection with education or training prescribed pursuant to regulations made under section 181(1) of the 2002 Act.

### **Further education and training for young persons and adults**

17. Expenditure on the provision of education and training and of organised leisure time occupation and other provision under section 15A and 15B of the 1996 Act(b).

18. Expenditure on the provision by the local education authority under sections 15A and 508 of the 1996 Act of recreation and social and physical training, and on the authority's provision of services under section 123 of the 2000 Act to encourage and enable the participation by young people in education and training.

### **Strategic management**

19. Expenditure in their capacity as a local education authority in relation to -

- (a) the Chief Education Officer and his or her personal staff;
- (b) planning for the education service as a whole including responding to policy statements and consultation papers;
- (c) functions of the authority under Part I of the Local Government Act 1999(c) (Best Value) and the provision of advice to assist governing bodies in procuring goods and services with a view to securing continuous improvement in the way the functions of those governing bodies are exercised, having regard to a combination of economy, efficiency and effectiveness;
- (d) revenue budget preparation; the preparation of information on income and expenditure relating to education, for incorporation into the authority's annual statement of accounts; the external audit of grant claims and returns relating to education and functions of the authority under section 44 of the 2002 Act(d);

(a) Section 518 was substituted by section 129 of the 1998 Act.

(b) Section 15A was inserted by section 140(1) and paragraph 63 of Schedule 30 to the 1998 Act, and section 15B by section 149 and paragraphs 1 and 55 of Schedule 9 to the 2000 Act.

(c) 1999 c.27.

(d) Section 44 will be brought into force on a day to be appointed.

(d) gweinyddu grantiau i'r awdurdod (gan gynnwys paratoi ceisiadau), swyddogaethau a osodir gan neu o dan Bennod IV o Ran II o Ddeddf 1998 ac, os yw'n ddyletswydd ar yr awdurdod i wneud hynny, sicrhau'r taliadau o ran y dreth, yswiriant gwladol a chyfraniadau blwydd-daliadau;

(dd) awdurdodi a monitro -

- (i) gwariant na thelir mohono o gyfrannau cyllideb yr ysgolion; a
- (ii) gwariant mewn perthynas ag ysgolion sydd heb gyllidebau dirprwyedig,

a phob gweinyddu ariannol cysylltiedig;

(e) swyddogaethau'r awdurdod o dan adran 28 o Ddeddf 2002 (darparu cyfleusterau cymunedol gan gyrff llywodraethu);

(f) tasgau eraill sy'n angenrheidiol i gyflawni cyfrifoldebau prif swyddog cyllid yr awdurdod o dan adran 151 o Ddeddf Llywodraeth Leol 1972(a);

(ff) recriwtio, hyfforddi, datblygu proffesiynol parhaus, rheoli perfformiad a rheoli person l yn achos staff a gyllidir o wariant na thelir amdano gan gyfrannau cyllideb ysgolion ac a delir am wasanaethau a gyflawnir mewn perthynas swyddogaethau a gwasanaethau'r awdurdod y cyfeirir atynt yn yr Atodlen hon;

(g) ymchwiliadau a wneir gan yr awdurdod ar gyflogeion neu gyflogeion posibl yr awdurdod neu gyrff llywodraethu ysgolion, neu bersonau a gymerir ymlaen fel arall neu sydd i'w cymryd ymlaen (gyda th l neu'n ddi-d l) i weithio yn yr ysgolion neu drostynt;

(ng) swyddogaethau'r awdurdod mewn perthynas blwydd-daliadau, gan gynnwys gweinyddu pensiwn athrawon, heblaw swyddogaethau sydd wedi eu dirprwyo i gyrff llywodraethu ysgolion;

(h) aelodaeth l-weithredol o gynlluniau pensiwn ac etholiadau l-weithredol a wneir mewn perthynas phensiynau pan na fyddai'n briodol disgwyl i gorff llywodraethu ysgol i dalu'r gost o gyfran cyllideb yr ysgol;

(i) cyngor, yn unol swyddogaethau statudol yr awdurdod, i gyrff llywodraethu mewn perthynas staff a delir, neu sydd i'w talu, i weithio mewn ysgol, a chyngor mewn perthynas rheoli'r holl staff ar y cyd mewn unrhyw ysgol unigol ("gweithlu'r ysgol"), gan gynnwys yn benodol y cyngor o ran newidiadau mewn cyflog, amodau gwasanaeth a chyd-gyfansoddiad a chyd-drefniadaeth gweithlu ysgol o'r fath;

(j) penderfynu amodau gwasanaeth ar gyfer y staff nad ydynt yn addysgu a chynghori'r

(e) administration of grants to the authority (including preparation of applications), functions imposed by or under Chapter IV of Part II of the 1998 Act and, where it is the authority's duty to do so, ensuring payments are made in respect of taxation, national insurance and superannuation contributions;

(f) authorisation and monitoring of -

- (i) expenditure which is not met from schools' budget shares; and
- (ii) expenditure in respect of schools which do not have delegated budgets,

and all related financial administration;

(g) the authority's functions under section 28 of the 2002 Act (provision of community facilities by governing bodies);

(h) tasks necessary for the discharge of the authority's chief finance officer's responsibilities under section 151 of the Local Government Act 1972(a);

(i) recruitment, training, continuing professional development, performance management and personnel management of staff who are funded by expenditure not met from schools' budget shares and who are paid for services carried out in relation to those of the authority's functions and services which are referred to in this Schedule;

(j) investigations which the authority carry out of employees or potential employees of the authority or of governing bodies of schools, or of persons otherwise engaged or to be engaged (with or without remuneration) to work at or for schools;

(k) functions of the authority in relation to superannuation, including the administration of teachers' pensions, other than functions which have been delegated to the governing bodies of schools;

(l) retrospective membership of pension schemes and retrospective elections made in respect of pensions where it would not be appropriate to expect the governing body of a school to meet the cost from the school's budget share;

(m) advice, in accordance with the authority's statutory functions, to governing bodies in relation to staff paid, or to be paid, to work at a school, and advice in relation to the management of all such staff collectively at any individual school ("the school workforce"), including in particular advice with reference to alterations in remuneration, conditions of service and the collective composition and organisation of such school workforce;

(n) determination of conditions of service for non-teaching staff and advice to schools on the

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(a) 1972 p.70.

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(a) 1972 c.70.

ysgolion ar raddau staff felly;

- (l) swyddogaethau'r awdurdod ynghylch penodi neu ddiswyddo cyflogion;
- (ll) ymgynghori, a swyddogaethau yn barod ar gyfer ymgynghori chyrrff llywodraethu, disgyblion a phobl a gyflogir mewn ysgolion neu eu cynrychiolwyr personol, neu chyrrff eraill sydd buddiant;
- (m) cydymffurfio dyletswyddau'r awdurdod o dan Ddeddf Iechyd a Diogelwch yn y Gwaith 1974(a) a'r darpariaethau statudol perthnasol fel y'u diffinnir yn adran 53(1) o'r Ddeddf honno i'r graddau na ellir cael cydymffurfedd yn rhesymol drwy'r tasgau a ddirprwyir i gyrrff llywodraethu ysgolion; ond gan gynnwys gwariant a dynnir gan yr awdurdod wrth fonitro perfformiad y tasgau hynny gan gyrrff llywodraethu ac os oes angen rhoi cyngor iddynt;
- (n) ymchwilio i gwynion a'u datrys gan gynnwys camau a gymerir i helpu corff llywodraethu i ymdrin chwyn;
- (o) gwasanaethau cyfreithiol ynghylch swyddogaethau statudol yr awdurdod;
- (p) paratoi ac adolygu cynlluniau sy'n ymwneud chydweithio gwasanaethau awdurdod lleol arall neu gydweithio chyrrff cyhoeddus neu wirfoddol;
- (ph) paratoi, addasu ac adolygu cynllun datblygu'r blynyddoedd cynnar a gofal plant ar gyfer ei ardal o dan adrannau 120 a 121 o Ddeddf 1998(b) a darparu (ond nid y gwariant a awdurdodir ganddo) partneriaeth datblygu'r blynyddoedd cynnar a gofal plant o dan adran 119 o Ddeddf 1998(c);
- (r) darparu gwybodaeth ar gyfer neu ar gais y Cynulliad Cenedlaethol, adran o'r Llywodraeth neu unrhyw gorff sy'n arfer swyddogaethau ar ran y Goron a darparu gwybodaeth arall y mae'r awdurdod o dan ddyletswydd i drefnu ei bod ar gael;
- (rh) dyletswyddau'r awdurdod o dan Erthygl 4(2) a (5) o Orchymyn Deddf Cysylltiadau Hiliol 1976 (Dyletswyddau Statudol) 2001(ch);
- (s) talu'r ffioedd sy'n daladwy i Gyngor Addysgu Cyffredinol Cymru yn rhinwedd adrannau 4(4) a 9(1) o Ddeddf Addysgu ac Addysg Uwch 1998 a darparu'r wybodaeth sy'n ofynnol gan y Cyngor yn unol rheoliadau(d) a wnaed o dan adran 12 o'r Ddeddf honno;

grading of such staff;

- (o) the authority's functions relating to the appointment or dismissal of employees;
- (p) consultation and functions preparatory to consultation with or by governing bodies, pupils and persons employed at schools or their representatives, or with other interested bodies;
- (q) compliance with the authority's duties under the Health and Safety at Work etc. Act 1974(a) and the relevant statutory provisions as defined in section 53(1) of that Act in so far as compliance cannot reasonably be achieved through tasks delegated to the governing bodies of schools; but including expenditure incurred by the authority in monitoring the performance of such tasks by governing bodies and where necessary the giving of advice to them;
- (r) the investigation and resolution of complaints including action taken to assist a governing body in handling a complaint;
- (s) legal services relating to the statutory functions of the authority;
- (t) the preparation and review of plans involving collaboration with other local authority services or with public or voluntary bodies;
- (u) the preparation, modification and revision of an early years and childcare development plan for their area under sections 120 and 121 of the 1998 Act(b) and the provision of (but not the expenditure authorised by) an early years development and childcare partnership under section 119 of the 1998 Act(c);
- (v) provision of information to or at the request of the National Assembly, a government department or any body exercising functions on behalf of the Crown and the provision of other information which the authority are under a duty to make available;
- (w) the authority's duties under Article 4(2) and (5) of the Race Relations Act 1976 (Statutory Duties) Order 2001(d);
- (x) the remittance of fees payable to the General Teaching Council for Wales by virtue of sections 4(4) and 9(1) of the Teaching and Higher Education Act 1998 and the provision of information required by the Council pursuant to regulations(e) made under section 12 of that Act;

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(a) 1974 p.37.

(b) Diwygiwyd adrannau 120 a 121 gan adran 150 o Ddeddf 2002.

(c) Diwygiwyd adran 119 gan adran 150 o Ddeddf 2002.

(ch) O.S. 2001/3458.

(d) Y rheoliadau sydd mewn grym ar hyn o bryd o dan y ddarpariaeth hon yw Rheoliadau Cyngor Addysgu Cyffredinol Cymru (Ffioedd) 2002, (O.S. 2002/326 (Cy.39)).

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(a) 1974 c.37.

(b) Sections 120 and 121 were amended by section 150 of the 2002 Act.

(c) Section 119 was amended by section 150 of the 2002 Act.

(d) S.I. 2001/3458.

(e) The regulations currently in force under this provision are the General Teaching Council for Wales (Fees) Regulations 2002 (S.I. 2002/326 (W.39)).

- (t) gwariant a dynnir mewn cysylltiad swyddogaethau'r awdurdod yn unol rheoliadau a wneir o dan adran 12 o Ddeddf 2002 (awdurdodau'n goruchwyllo cwmn au a ffurfiwyd gan gyrff llywodraethu); a
- (th) gwariant a dynnir mewn cysylltiad swyddogaethau'r awdurdod o dan Ddeddf Gwahaniaethu ar sail Anabledd 1995(a) i'r graddau na ellir cael cydymffurfedd yn rhesymol drwy'r tasgau a ddirprwyir i gyrff llywodraethu ysgolion; ond gan gynnwys gwariant a dynnir gan yr awdurdod wrth fonitro perfformiad y tasgau hynny gan gyrff llywodraethu os oes angen rhoi cyngor iddynt.

**20.** Gwariant ar sefydlu a chynnal systemau cyfrifiadurol electronig, gan gynnwys storio data, i'r graddau y maent yn cysylltu, neu'n hwyluso cysylltiad yr awdurdod i'r ysgolion a gynhelir ganddo, rhwng ysgolion o'r fath i gilydd neu rhwng ysgolion o'r fath phobl neu sefydliadau eraill.

**21.** Gwariant ar fonitro trefniadau asesu'r Cwricwlwm Cenedlaethol sy'n ofynnol gan orchymynion a wneir o dan adran 356 o Ddeddf 1996 ac o dan adran 108 o Ddeddf 2002(b).

**22.** Gwariant mewn cysylltiad swyddogaethau'r awdurdod mewn perthynas chynghor ymgynghorol sefydlog addysg grefyddol a ffurfiwyd gan yr awdurdod o dan adran 390 o Ddeddf 1996 neu wrth ailystyried a pharatoi cynllun maes llafur cyt n addysg grefyddol yn unol ag Atodlen 31 i Ddeddf 1996.

**23.** Gwariant mewn perthynas diswyddo neu ymddeoliad cynamserol unrhyw berson neu at ddibenion trefnu ymddiswyddiad, neu mewn perthynas gweithredoedd sy'n gwahaniaethu yn erbyn unrhyw berson.

**24.** Gwariant mewn perthynas thaliadau athrawon o dan adran 19(9) o Ddeddf Addysgu ac Addysg Uwch 1998.

**25.** Gwariant mewn perthynas swyddogaethau corff priodol o dan reoliadau yn unol ag adran 19(2)(g) o Ddeddf Addysgu ac Addysg Uwch 1998(c).

- (y) expenditure incurred in connection with the authority's functions pursuant to regulations made under section 12 of the 2002 Act (supervising by authorities of companies formed by governing bodies); and
- (z) expenditure incurred in connection with the authority's functions under the Disability Discrimination Act 1995(a) in so far as compliance cannot reasonably be achieved through tasks delegated to the governing bodies of schools; but including expenditure incurred by the authority in monitoring the performance of such tasks by governing bodies and where necessary the giving of advice to them.

**20.** Expenditure on establishing and maintaining electronic computer systems, including data storage, in so far as they link, or facilitate the linkage of, the authority to schools which they maintain, such schools to each other or such schools to other persons or institutions.

**21.** Expenditure on monitoring National Curriculum assessment arrangements required by orders made under section 356 of the 1996 Act and under section 108 of the 2002 Act(b).

**22.** Expenditure in connection with the authority's functions in relation to the standing advisory council on religious education constituted by the authority under section 390 of the 1996 Act or in the reconsideration and preparation of an agreed syllabus of religious education in accordance with Schedule 31 to the 1996 Act.

**23.** Expenditure in respect of the dismissal or premature retirement of, or for the purpose of securing the resignation of, or in respect of acts of discrimination against, any person.

**24.** Expenditure in respect of a teacher's emoluments under section 19(9) of the Teaching and Higher Education Act 1998.

**25.** Expenditure in respect of the functions of an appropriate body under regulations pursuant to section 19(2)(g) of the Teaching and Higher Education Act 1998(c).

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(a) 1995 p.50.

(b) Adeg gwneud y Rheoliadau hyn y Gorchymynion perthnasol yw Gorchymyn Addysg (Y Cwricwlwm Cenedlaethol) (Y Trefniadau Asesu ar gyfer Cymraeg, Saesneg, Mathemateg a Gwyddoniaeth) (Cyfnod Allweddol 1) (Cymru) 2002 (O.S. 2002/45); Gorchymyn Addysg (Y Cwricwlwm Cenedlaethol) (Y Trefniadau Asesu ar gyfer Cymraeg, Saesneg, Mathemateg a Gwyddoniaeth) (Cyfnod Allweddol 2) 1997 (O.S. 1997/2009, fel y'i diwygiwyd gan O.S. 1998/1977) a Gorchymyn Addysg (Y Cwricwlwm Cenedlaethol) (Trefniadau Asesu Cyfnod Allweddol 3) (Cymru) 1997 (O.S. 1997/2010), fel y'i diwygiwyd gan O.S. 2001/1889 (Cy.40).

(c) Y Rheoliadau sydd mewn grym ar hyn o bryd o dan y ddarpariaeth hon yw Rheoliadau Addysg (Trefniadau Ymsefydlu ar gyfer Athrawon Ysgol) (Cymru) 2003 (O.S. 2003/543 (Cy.77)).

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(a) 1995 c.50.

(b) At the time these Regulations are made the relevant Orders are the Education (National Curriculum) (Assessment Arrangements for English, Welsh, Mathematics and Science) (Key Stage 1) (Wales) Order 2002 (S.I. 2002/45); the Education (National Curriculum) (Assessment Arrangements for English, Welsh, Mathematics and Science) (Key Stage 2) (Wales) Order 1997 (S.I. 1997/2009 as amended by S.I. 1998/1977) and the Education (National Curriculum) (Key Stage 3 Assessment Arrangements) (Wales) Order 1997 (S.I. 1997/2010) as amended by S.I. 2001/1889 (W.40).

(c) The regulations currently in force under this provision are the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2003 (S.I. 2003/543 (W.77)).

**26.** Gwariant ar benodi llywodraethwyr, gwneud offerynnau llywodraeth, talu treuliau y mae gan lywodraethwyr hawl i'w cael nad ydynt yn daladwy o gyfran cyllideb ysgol a darparu gwybodaeth i lywodraethwyr.

**27.** Unrhyw wariant ar yswiriant heblaw am atebolrwydd sy'n codi mewn cysylltiad ag ysgolion neu dir ac adeiladau ysgol.

**28.** Gwariant a dynnir mewn cysylltiad swyddogaethau'r awdurdod o dan adran 47A(a) o Ddeddf 1998 (sefydlu a chynnal a chadw fforymau ysgolion ac ymgynghori hwy).

**26.** Expenditure on the appointment of governors, the making of instruments of government, the payment of expenses to which governors are entitled and which are not payable from a school's budget share and the provision of information to governors.

**27.** Any expenditure on insurance other than for liability arising in connection with schools or school premises.

**28.** Expenditure incurred in connection with the authority's functions under section 47A(a) of the 1998 Act (the establishment and maintenance of, and consultation with, schools forums).

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(a) Mewnosodwyd adran 47A gan adran 43 o Ddeddf 2002.

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(a) Section 47A was inserted by section 43 of the 2002 Act.

**DOSBARTHIAU NEU DDISGRIFIADAU  
O WARIANT CYNLLUNIEDIG Y CEIR EI  
DDIDYNNU O GYLLIDEB YSGOLION  
AWDURDOD ADDYSG LLEOL**

Mae gwariant o ddosbarth neu ddisgrifiad y cyfeirir ato yn yr Atodlen hon yn cynnwys gwariant ar gostau gweinyddol cysylltiedig a gorbenion.

**Gwariant ar gyfer grantiau cynnal**

**1.**

- (a) Gwariant (heblaw gwariant a dynnir mewn cysylltiad ag unrhyw baragraff arall o'r Atodlen hon neu unrhyw baragraff o Atodlen 1) y mae'n rhaid i'r awdurdod ei dynnu fel un o amodau grant penodol a delir i'r awdurdod ac a gymerir i ystyriaeth wrth benderfynu swm grant penodol o'r fath.
- (b) Unrhyw swm y mae'n rhaid i'r awdurdod drefnu ei fod ar gael fel amod o'r grant a delir o dan adran 14 o Ddeddf 2002 neu o dan adran 484 o Ddeddf 1998 ac a gymerir i ystyriaeth wrth benderfynu swm grant o'r fath, y dirprwyir penderfyniadau ynghylch eu gwariant i gorff llywodraethu ysgol a gynhelir.

**Darpariaeth o natur arbenigol**

**2.** Yn ddarostyngedig i baragraffau 3 a 4, gwariant a dynnir wrth wneud y ddarpariaeth a bennir yn natganiad disgybl o anghenion addysgol arbennig ac eithrio os yw'r disgybl -

- (a) yn ddisgybl cofrestredig mewn ysgol arbennig a gynhelir gan yr awdurdod; neu
- (b) yn ddisgybl cofrestredig mewn ysgol gynradd neu ysgol uwchradd a gynhelir gan yr awdurdod sy'n cymryd un o nifer o leoedd yn yr ysgol honno a'r awdurdod yn cydnabod bod y lleoedd hynny'n lleoedd a gedwir i blant ag anghenion addysgol arbennig.

**3.** Os daw disgybl o fewn paragraff 2(a) neu (b) a bod cost y ddarpariaeth a bennir yn natganiad y disgybl o anghenion addysgol arbennig yn sylweddol yn fwy na'r gost i'r mwyafrif o ddisgyblion yn yr ysgol arbennig, neu sydd yn y lleoedd yn yr ysgol gynradd neu'r ysgol uwchradd o dan sylw, o ba faint y mae swm yn y gwariant a dynnir wrth wneud y ddarpariaeth a bennir yn ei ddatganiad o anghenion addysgol arbennig yn fwy na'r hyn a dynnir wrth ddarparu ar gyfer disgybl sy'n perthyn i'r mwyafrif o'r disgyblion.

**CLASSES OR DESCRIPTIONS OF  
PLANNED EXPENDITURE WHICH MAY  
BE DEDUCTED FROM THE SCHOOLS  
BUDGET OF A LOCAL EDUCATION  
AUTHORITY**

Expenditure of a class or description referred to in this Schedule includes expenditure on associated administrative costs and overheads.

**Expenditure to support grants**

**1.**

- (a) Expenditure (other than expenditure incurred in connection with any other paragraph of this Schedule or any paragraph of Schedule 1) which the authority is obliged to incur as a condition of a specific grant paid to the authority and which is taken into account in determining the amount of such specific grant.
- (b) Any amount which the authority is obliged to make available as a condition of grant paid under section 14 of the 2002 Act or under section 484 of the 1998 Act and which is taken into account in determining the amount of such grant, decisions regarding the expenditure of which are delegated to the governing body of a maintained school.

**Provision of a specialised nature**

**2.** Subject to paragraphs 3 and 4, expenditure in making the provision specified in a pupil's statement of special educational needs except where the pupil is -

- (a) a registered pupil at a special school maintained by the authority; or
- (b) a registered pupil at a primary or secondary school maintained by the authority who occupies one of a number of places at that school which are recognised by the authority as being reserved for children with special educational needs.

**3.** Where a pupil falls within paragraph 2(a) or (b) and the cost of the provision specified in the pupil's statement of special educational needs is significantly greater than that for the generality of pupils at the special school, or occupying the places at the primary or secondary school in question, the amount by which the expenditure incurred in making the provision specified in his or her statement of special educational needs is greater than that incurred in making provision for a pupil who falls within such generality of pupils.



4. Gwariant wrth wneud y ddarpariaeth a bennir yn natganiad disgybl o anghenion addysgol arbennig os daw'r disgybl o fewn paragraff 2(b) ond bod y lleoedd a gydnabyddir gan yr awdurdod fel lleoedd a gedwir i blant ag anghenion addysgol arbennig ar gyfer disgyblion nam ar eu golwg, eu clyw, eu lleferydd neu eu hiaith neu nam cyfathrebu arall.

5. Gwariant mewn perthynas chefnogaeth arbenigol a roddir i gynorthwyo'r cyrff llywodraethu ysgolion i fodloni anghenion penodol disgyblion datganiadau anghenion addysgol arbennig neu sydd o fewn ystod Gweithredu Gan yr Ysgol a Mwy fel y'i disgrifir yn y Cod Ymarfer(a) a ddyroddwyd o dan adran 313 o Ddeddf 1996 (sef gwariant na fyddai'n briodol disgwyl iddo gael ei dalu o gyfran cyllideb yr ysgol).

6. Gwariant at ddibenion sy'n gysylltiedig hybu'r canlynol -

- (a) cydweithredu rhwng ysgolion arbennig ac ysgolion cynradd ac uwchradd i alluogi plant ag anghenion addysgol arbennig i gymryd rhan mewn gweithgareddau mewn ysgolion cynradd ac uwchradd;
- (b) addysg plant ag anghenion addysgol arbennig mewn ysgolion cynradd ac uwchradd; ac
- (c) cael plant ag anghenion addysgol arbennig mewn ysgolion cynradd ac uwchradd i gymryd rhan mewn gweithgareddau yn yr ysgol gyda phlant nad oes ganddynt anghenion addysgol arbennig (sef gwariant na fyddai'n briodol disgwyl iddo gael ei dalu o gyfran cyllideb yr ysgol).

7. Gwariant mewn perthynas ag addysg heblaw yn yr ysgol o dan adran 19 o Ddeddf 1996 neu mewn perthynas ag uned cyfeirio disgyblion fel y'i diffinnir yn yr adran honno.

8. Gwariant a dynnir (heblaw gwariant a dynnir o dan Atodlen 1 neu unrhyw baragraff arall o'r Atodlen hon) ar wasanaethau y mae eu hangen i weithredu cynllun sy'n nodi'r trefniadau a wnaed, neu y bwriedir eu gwneud, gan yr awdurdod mewn cysylltiad ag addysg plant ag anawsterau ymddygiad o dan adran 527A o Ddeddf 1996(b) ac ar weithgareddau eraill at ddibenion osgoi gwahardd disgyblion o ysgolion.

9. Gwariant ar dalu ffioedd mewn perthynas disgyblion ag anghenion addysgol arbennig -

- (a) mewn ysgolion annibynnol neu mewn ysgolion arbennig na chynhelir mohonynt gan yr awdurdod addysg lleol, o dan adran 348 o Ddeddf 1996; neu

4. Expenditure in making the provision specified in a pupil's statement of special educational needs where the pupil falls within paragraph 2(b) but the places which are recognised by the authority as being reserved for children with special educational needs are for such pupils with visual, hearing, speech or language impairments or other communication disorder.

5. Expenditure in respect of specialist support provided to assist the governing bodies of schools in meeting the particular needs of pupils with statements of special educational needs or who are within the scope of School Action Plus as described in the Code of Practice(a) issued under section 313 of the 1996 Act (being expenditure that it would be inappropriate to expect to be met from the school's budget share).

6. Expenditure for purposes connected with the encouragement of -

- (a) collaboration between special schools and primary and secondary schools to enable children with special educational needs to engage in activities at primary and secondary schools;
- (b) the education of children with special educational needs at primary and secondary schools; and
- (c) the engagement of children with special educational needs at primary and secondary schools in activities at the school with children who do not have special educational needs (being expenditure that it would be inappropriate to expect to be met from the school's budget share).

7. Expenditure in relation to education otherwise than at school under section 19 of the 1996 Act or in relation to a pupil referral unit as defined in that section.

8. Expenditure (other than expenditure incurred under Schedule 1 or any other paragraph of this Schedule) incurred on services required to implement a plan setting out the arrangements made, or proposed to be made, by the authority in connection with the education of children with behavioural difficulties under section 527A of the 1996 Act(b) and on other activities for the purpose of avoiding the exclusion of pupils from schools.

9. Expenditure on the payment of fees in respect of pupils with special educational needs -

- (a) at independent schools or at special schools which are not maintained by a local education authority, under section 348 of the 1996 Act; or

(a) Cod Ymarfer Anghenion Addysgol Arbennig Cymru (ISBN 0 7504 2757 4).

(b) Mewnosodwyd adran 527A gan adran 9 o Ddeddf Addysg 1997 (p.44) ac fe'i diwygiwyd gan baragraff 144 o Atodlen 30 i Ddeddf 1998.

(a) The Special Educational Needs Code of Practice for Wales (ISBN 0 7504 2757 4).

(b) Section 527A was inserted by section 9 of the Education Act 1997 (c.44) and amended by paragraph 144 of Schedule 30 to the 1998 Act.

(b) mewn sefydliad y tu allan i Gymru a Lloegr, o dan adran 320 o Ddeddf 1996.

**10.** Gwariant ar daliadau i awdurdod addysg lleol arall yn unol ag adran 493 neu 494 o Ddeddf 1996(a) neu adran 207 o Ddeddf 2002(b) (adennill rhwng awdurdodau addysg lleol).

**11.** Gwariant ar ddarparu hyfforddiant mewn offerynnau cerdd neu hyfforddiant corawl (naill ai i unigolion neu i grwpiau).

**12.** Gwariant ar gefnogi theatrau teithiol i'r graddau nad oes grantiau penodol ar gyfer y gwariant.

**13.** Gwariant mewn cysylltiad darparu addysgu'r Gymraeg gan athrawon a gyflogir i weithio heblaw mewn ysgol unigol i'r graddau nad oes grantiau penodol ar gyfer y gwariant.

**14.** Gwariant ar ddarparu tir ac adeiladau a chyfleusterau i ysgolion ar gyfer gweithgareddau chwaraeon a gweithgareddau y tu allan (gan gynnwys tir ac adeiladau a ddarperir ar safle ysgol er budd y gymuned gyfan).

**15.** Gwariant yn unol ag adran 512, 512ZA, 512ZB neu 513 o Ddeddf 1996(c). Yn achos ysgolion uwchradd mae'n ymwneud darparu llaeth ac yn achos unrhyw ysgol arall mae'n ymwneud darparu llaeth neu brydau bwyd a lluniaeth arall.

**16.** Gwariant ar drwsio a chynnal a chadw cegin ysgol os didynnir y gwariant ar brydau bwyd mewn perthynas r ysgol o dan sylw o gyllideb ysgolion yr awdurdod yn unol pharagraff 15.

**17.** Gwariant ar benderfynu ar gymhwyster disgybl i gael prydau bwyd ysgol yn ddi-d l.

**18.** Gwariant yn unol ag adran 18 o Ddeddf 1996 wrth wneud unrhyw grant neu daliad arall mewn perthynas ffioedd neu dreuliau (o ba natur bynnag) sy'n daladwy mewn cysylltiad phresenoldeb disgyblion mewn ysgol nas cynhelir gan unrhyw awdurdod addysg lleol.

## Staff

**19.** Gwariant wrth dalu, neu lenwi bwlch dros dro, menyw sydd ar seibiant mamolaeth neu i berson ar seibiant mabwysiadu.

**20.** Gwariant wrth dalu, neu lenwi bwlch dros dro ar gyfer, personau -

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- (a) Diwygir adran 493 gan adran 208(1) o Ddeddf 2002 ar ddiwrnod i'w benodi.
- (b) Caiff Adran 207 ei dwyn i rym ar ddiwrnod i'w benodi.
- (c) Amnewidiwyd adran 512 a mewnosodwyd adrannau 512ZA a 512ZB gan adran 201 o Ddeddf 2002.

(b) at an institution outside England and Wales, under section 320 of the 1996 Act.

**10.** Expenditure on payments to another local education authority pursuant to section 493 or 494 of the 1996 Act(a) or section 207 of the 2002 Act(b) (recoupment between local education authorities).

**11.** Expenditure on the provision of tuition in musical instruments or choral instruction (either to individuals or groups).

**12.** Expenditure on supporting travelling theatres so far as such expenditure is not covered by specific grants.

**13.** Expenditure in connection with the provision of Welsh language teaching by teachers who are employed to work otherwise than at a single school so far as such expenditure is not covered by specific grants.

**14.** Expenditure on the provision to schools of premises and facilities for sporting activities and outdoor activities (including premises provided on the site of a school for the benefit of the community at large).

**15.** Expenditure pursuant to section 512, 512ZA, 512ZB or 513 of the 1996 Act(c) which in relation to secondary schools relates to the provision of milk and in relation to any other school relates to the provision of milk or meals and other refreshment.

**16.** Expenditure on the repair and maintenance of a school kitchen where expenditure on meals in relation to the school concerned is deducted from the authority's schools budget pursuant to paragraph 15.

**17.** Expenditure on determining the eligibility of a pupil for free school meals.

**18.** Expenditure pursuant to section 18 of the 1996 Act in making any grant or other payment in respect of fees or expenses (of whatever nature) which are payable in connection with the attendance of pupils at a school which is not maintained by any local education authority.

## Staff

**19.** Expenditure in making payments to, or in providing a temporary replacement for, a woman on maternity leave or to a person on adoption leave.

**20.** Expenditure in making payments to, or in providing a temporary replacement for, persons -

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- (a) Section 493 is to be amended by section 208(1) of the 2002 Act on a day to be appointed.
- (b) Section 207 is to be brought into force on a day to be appointed.
- (c) Section 512 was substituted and sections 512ZA and 512ZB inserted by section 201 of the 2002 Act.

- (a) sy'n cyflawni dyletswyddau undeb llafur neu ymgyrdd ag hyfforddiant o dan adran 168 o Ddeddf (Cydgrynhoi) Undebau Llafur a Chysylltiadau Cyflogaeth 1992(a);
- (b) sy'n cymryd rhan mewn gweithgareddau undeb llafur o dan adran 170 o Ddeddf (Cydgrynhoi) Undebau Llafur a Chysylltiadau Cyflogaeth 1992;
- (c) sy'n cyflawni dyletswyddau cyhoeddus o dan adran 50 o Ddeddf Hawliau Cyflogi 1996(b);
- (ch) sy'n gwasanaethu ar reithgor;
- (d) sy'n gynrychiolwyr personol o dan Reoliadau Cynrychiolwyr Diogelwch a Phwyllgorau Diogelwch 1977(c);
- (dd) sy'n gynrychiolwyr diogelwch cyflogaeth o Reoliadau Iechyd a Diogelwch (Ymgynghori Cyflogaeth) 1996(ch);
- (e) sy'n gynrychiolwyr cyflogaeth at ddibenion Pennod II o Ran IV o Ddeddf (Cydgrynhoi) Undebau Llafur a Chysylltiadau Cyflogaeth 1992 fel y'i diffinnir yn adran 196 o'r Ddeddf honno neu reoliadau 10 a 11 o Reoliadau Trosglwyddo Ymgymeriadau (Diogelu Cyflogaeth) 1981 fel y'u diffinnir yn rheoliad 11A o'r Rheoliadau hynny(d);
- (f) sy'n cymryd amser i ffwrdd ar gyfer gofal cyn-geni o dan adran 55 o Ddeddf Hawliau Cyflogi 1996;
- (ff) sy'n cyflawni dyletswyddau fel aelodau o'r lluoedd wrth gefn fel y'u diffinnir yn adran 1(2) o Ddeddf Lluoedd Wrth Gefn 1996(dd);
- (g) a ataliwyd dros dro rhag gweithio mewn ysgol;
- (ng) sy'n aelodau o Cyngor Addysgu Cyffredinol Cymru neu bwyllgor iddo; neu
- (h) a benodwyd yn gynrychiolwyr dysgu i'r undebau llafur, er mwyn iddynt ddadansoddi'r gofynion hyfforddi neu ddarparu neu hybu cyfleoedd hyfforddi, a chyflawni gwaith ymgynghori neu baratoi mewn cysylltiad swyddogaethau o'r fath.

**21.** Gwariant wrth dalu, neu wrth ddarparu i lenwi bwch dros dro, ar gyfer person sydd ar secondiad ar sail llawnamser am gyfnod o dri mis neu fwy heblaw i awdurdod addysg lleol neu i gorff llywodraethu ysgol.

**21.** Expenditure in making payments to, or in providing a temporary replacement for, a person who is seconded on a full-time basis for a period of three months or more other than to a local education authority or the governing body of a school.

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(a) 1992 p.52.

(b) 1996 p.18.

(c) O.S. 1977/500, a ddiwygiwyd gan O.S. 1996/1513 a 1999/860.

(ch) O.S. 1996/1513.

(d) O.S. 1981/1794; mewnosodwyd rheoliad 11A gan O.S. 1995/2587 a'i ddiwygio gan O.S. 1999/1925.

(dd) 1996 p.14.

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(a) 1992 c.52.

(b) 1996 c.18.

(c) S.I. 1977/500, amended by S.I. 1996/1513 and 1999/860.

(d) S.I. 1996/1513.

(e) S.I. 1981/1794; regulation 11A was inserted by S.I. 1995/2587 and amended by S.I. 1999/1925.

(f) 1996 c.14.

**22.** Gwariant wrth dalu, neu wrth ddarparu i lenwi bwlch dros dro, i bersonau sydd wedi bod yn absennol o'r gwaith yn ddi-dor oherwydd salwch am 21 diwrnod neu fwy.

**23.** Gwariant, nad yw'n dod o fewn Atodlen 1, mewn perthynas recriwtio, hyfforddi, datblygu proffesiynol parhaus, rheoli perfformiad a rheoli person l yn achos staff sy'n cael eu cyllido o wariant na thelir mohono o gyfrannau cyllideb ysgolion.

### **Gwariant arall**

**24.** Gwariant mewn cysylltiad darparu addysg feithrin ac eithrio os gwneir y ddarpariaeth mewn ysgol a gynhelir neu ysgol feithrin a gynhelir sydd chyfran cyllideb o dan adran 45(1A) o Ddeddf 1998(a).

**25.** Gwariant ar yswiriant mewn perthynas ag atebolrwydd sy'n codi mewn cysylltiad ag ysgolion a thir ac adeiladau ysgol ac eithrio i'r graddau y mae cyrff llywodraethu yn derbyn cyllid ar gyfer yswiriant fel rhan o'u cyfrannau cyllideb ysgolion.

**26.** Gwariant ar ffi trwyddedau neu danysgrifiadau a delir ar ran ysgolion ar yr amod nad yw'r gwariant yn dod i gyfanswm sy'n fwy na 0.2 y cant o gyllideb ysgolion yr awdurdod.

**27.** Gwariant a dynnir wrth ymateb i adroddiad arolygiad o dan adran 10 o Ddeddf Arolygiadau Ysgolion 1996(b).

**28.** Gwariant ar wasanaethau llyfrgell a gwasanaethau amgueddfa ar gyfer ysgolion.

**29.** Gwariant y byddai addysg disgyblion mewn ysgol hebddo yn cael ei handwyo'n ddifrifol ac na fyddai'n rhesymol disgwyl oherwydd naill ai -

- (a) ei faint a'i natur annisgwyl; neu
- (b) ei faint a'i natur anochel,

i'r corff llywodraethu ei dalu o gyfran cyllideb yr ysgol.

**30.** Gwariant ar ychwanegiadau at gyfran cyllideb yr ysgol y mae'r ysgol hawl iddynt yn rhinwedd fformiwla'r awdurdod neu ailbenderfynu cyfrannau'r gyllideb o dan awdurdod y Cynulliad Cenedlaethol neu wariant ar gywiro gwallau.

**31.** Gwariant at ddibenion nad ydynt yn dod o fewn unrhyw baragraff arall o'r Atodlen hon ar yr amod nad yw'r gwariant yn dod i gyfanswm sy'n fwy na 0.1 y cant o gyllideb ysgolion yr awdurdod.

**32.** CERA a dynnir at ddibenion nad ydynt yn dod o fewn unrhyw baragraff arall o'r Atodlen neu Atodlen 1.

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(a) Daw adran 45(1A) i rym ar ddiwrnod i'w benodi.

(b) 1996 p.57.

**22.** Expenditure in making payments to, or in providing a temporary replacement for, persons who have been continuously absent from work because of illness for 21 days or more.

**23.** Expenditure, not falling within Schedule 1, in relation to the recruitment, training, continuing professional development, performance management and personnel management of staff who are funded by expenditure not met from schools' budget shares.

### **Other expenditure**

**24.** Expenditure in connection with the provision of nursery education except where such provision is made at a maintained school or a maintained nursery school which has a budget share under section 45(1A) of the 1998 Act(a).

**25.** Expenditure on insurance in respect of liability arising in connection with schools and school premises except to the extent that governing bodies receive funding for insurance as part of their schools' budget shares.

**26.** Expenditure on licence fees or subscriptions paid on behalf of schools provided that the expenditure does not amount in total to more than 0.2 per cent of the authority's schools budget.

**27.** Expenditure incurred in responding to a report of an inspection under section 10 of the School Inspections Act 1996(b).

**28.** Expenditure on library services and museum services for schools.

**29.** Expenditure without which the education of pupils at a school would be seriously prejudiced and which because of either -

- (a) its size and unexpectedness; or
- (b) its size and unavoidability,

it would not be reasonable to expect the governing body to meet from the school's budget share.

**30.** Expenditure on increases to a school's budget share to which the school is entitled by virtue of the authority's formula or the re-determination of budget shares under the authority of the National Assembly or expenditure on the correction of errors.

**31.** Expenditure for purposes not falling within any other paragraph of this Schedule provided that the expenditure does not amount in total to more than 0.1 per cent. of the authority's schools budget.

**32.** CERA incurred for purposes not falling within any other paragraph of this Schedule or Schedule 1.

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(a) Section 45(1A) is to be brought into force on a day to be appointed.

(b) 1996 c.57.

**33.** Gwariant a dynnir yn unol pharagraff 7 o Atodlen 11 i Ddeddf 1998 neu adran 22 o Ddeddf Addysg 2002 (a) wrth hyfforddi llywodraethwyr i'w galluogi i gyflawni eu swyddogaethau yn effeithiol i'r graddau na ddarperir hyn gan grantiau penodol.

**34.** Gwariant a dynnir mewn perthynas hyfforddi clercod byrddau llywodraethu i'w galluogi i gyflawni eu swyddogaethau yn effeithiol.

**33.** Expenditure incurred pursuant to paragraph 7 of Schedule 11 to the 1998 Act or section 22 of the Education Act 2002(a) in the training of governors to enable the effective discharge of their functions in so far as this is not provided by specific grants.

**34.** Expenditure incurred in relation to the training of clerks to the governing bodies to enable the effective discharge of their functions.

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(a) Daw adran 22 i rym ar ddiwrnod i w benodi.

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(a) Section 22 is to be brought into force on a day to be appointed.





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OFFERYNNAU STATUDOL

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**2003 Rhif 3118 (Cy.296)**

**ADDYSG, CYMRU**

Rheoliadau Cyllidebau AAL,  
Cyllidebau Ysgolion a Chyllidebau  
Ysgolion Unigol (Cymru) 2003

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STATUTORY INSTRUMENTS

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**2003 No. 3118 (W.296)**

**EDUCATION, WALES**

The LEA Budget, Schools Budget  
and Individual Schools Budget  
(Wales) Regulations 2003

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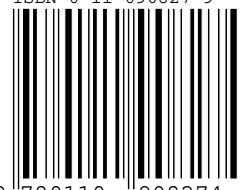
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