OFFERYNNAU STATUDOL CYMRU

2009 Rhif 1844 (Cy.168)

ADDYSG, CYMRU

Gorchymyn Cod Derbyniadau Ysgol (Diwrnod Penodedig) (Cymru) 2009

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn pennu 15 Gorffennaf 2009 fel y diwrnod y daw'r Cod Derbyniadau Ysgol ("y Cod") a ddyroddwyd gan Weinidogion Cymru o dan adrannau 84 a 85 o Ddeddf Safonau a Fframwaith Ysgolion 1998 ("DSFfY 1998") i rym. Mae'r Cod yn gymwys o ran Cymru. Mae'r Cod yn disodli Cod Ymarfer y Swyddfa Gymreig ar Dderbyniadau Ysgol a ddaeth i rym ar 1 Ebrill 1999.

Mae'r Cod yn gosod gofynion ac yn cynnwys canllawiau sy'n pennu nodau, amcanion neu faterion eraill ynglŷn â'r trefniadau ar gyfer derbyn i ysgolion. O dan adran 84(3) o DSFfY 1998, dyletswydd awdurdodau addysg lleol, cyrff llywodraethu ysgolion a gynhelir, fforymau derbyn a phaneli apêl, wrth arfer swyddogaethau o dan Bennod 1 o Ran 3 o DSFfY 1998, yw gweithredu yn unol ag unrhyw ddarpariaethau perthnasol o'r Cod. Yn ychwanegol, rhaid i unrhyw berson arall, wrth arfer unrhyw swyddogaeth at y diben o gyflawni, gan awdurdod addysg lleol neu gorff llywodraethu ysgol a gynhelir, swyddogaethau o dan y Bennod honno, weithredu yn unol ag unrhyw ddarpariaethau perthnasol o'r Cod.

Mae'r fersiwn ddiwygiedig o'r Cod yn adlewyrchu newidiadau yn y gyfraith a wnaed gan adrannau 150, 152 a 153 o Ddeddf Addysg a Sgiliau 2008 ("DAS 2008"):

Mae adran 150 o DAS 2008 yn mewnosod adran 86A yn DSFfY 1998. Mae hon yn gosod dyletswydd newydd ar awdurdodau addysg lleol i wneud trefniadau i blant fynegi dewis ynglŷn â pha ysgol y dymunant gael addysg chweched dosbarth ynddi, neu i

WELSH STATUTORY INSTRUMENTS

2009 No. 1844 (W.168)

EDUCATION, WALES

The School Admissions Code (Appointed Day) (Wales) Order 2009

EXPLANATORY NOTE

(This note is not part of the Order)

This Order appoints 15 July 2009 as the day on which the School Admissions Code ("the Code") issued under sections 84 and 85 of the School Standards and Framework Act 1998 ("the SSFA 1998") by the Welsh Ministers, comes into force. The Code applies in relation to Wales. The Code replaces the Welsh Office Code of Practice on School Admissions which came into force on 1 April 1999.

The Code imposes requirements and includes guidelines setting out aims, objectives or other matters in relation to the arrangements for admission to schools. Under section 84(3) of the SSFA 1998, it is the duty of local education authorities, the governing bodies of maintained schools, admission forums, and appeal panels, when exercising functions under Chapter 1 of Part 3 of the SSFA 1998, to act in accordance with any relevant provisions of the Code. In addition, any other person, when exercising any function for the purpose of the discharge by a local education authority or the governing body of a maintained school of functions under that Chapter, must act in accordance with any relevant provisions of the Code.

The revised version of the Code reflects changes to the law made by sections 150, 152 and 153 of the Education and Skills Act 2008 ("the ESA 2008"):

Section 150 of the ESA 2008 inserts section 86A into the SSFA 1998. This places a new duty on local education authorities to make arrangements for children to express a preference as to the school at which they wish to receive sixth form education or for

blant sydd dros yr oedran ysgol gorfodol fynegi dewis ynglŷn â pha ysgol y dymunant gael addysg ac eithrio addysg chweched dosbarth ynddi.

Mae'r Cod hefyd yn adlewyrchu newidiadau a wnaed yn y categorïau o ddisgyblion y ceir eu cyfrif yn ddisgyblion a eithrir er mwyn cydymffurfio â'r ddyletswydd o dan adran 1 o DSFfY 1998. Cyflwynwyd y categorïau newydd a diwygiedig gan Reoliadau Addysg (Maint Dosbarthiadau Babanod) (Cymru) (Diwygio) 2009 O.S. 2009/828 (Cy.75).

Mae'r Cod hefyd yn amlygu ac yn gosod dyletswyddau newydd ar awdurdodau addysg lleol a chyrff llywodraethu mewn perthynas â phlant sy'n derbyn gofal gan awdurdod lleol o ganlyniad i Reoliadau Addysg (Derbyn Plant sy'n Derbyn Gofal) (Cymru) 2009 O.S. 2009/821 (Cy.72).

children above compulsory school age to express a preference as to the school at which they wish to receive education, other than sixth form education.

The Code also reflects changes made to the categories of pupils who may be classed as excepted pupils in order to comply with the duty under section 1 of the SSFA 1998. The new and amended categories were introduced by the Education (Infant Class Sizes) (Wales) (Amendment) Regulations 2009 S.I. 2009/828 (W.75).

The Code also highlights and imposes new duties upon local education authorities and governing bodies in relation to children looked after by a local authority as a result of the Education (Admission of Looked After Children) (Wales) Regulations 2009 S.I. 2009/821 (W.72).

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ADDYSG, CYMRU

Gorchymyn Cod Derbyniadau Ysgol (Diwrnod Penodedig) (Cymru) 2009

Gwnaed *6 Gorffennaf 2009*

Mae Gweinidogion Cymru, drwy arfer y pŵer a roddwyd i'r Ysgrifennydd Gwladol gan adran 85(5) o Ddeddf Safonau a Fframwaith Ysgolion 1998 ac sydd bellach wedi eu breinio ynddynt hwy(**1**) yn gwneud y Gorchymyn canlynol:

Enwi a chymhwyso

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Cod Derbyniadau Ysgol (Diwrnod Penodedig) (Cymru) 2009.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

Diwrnod Penodedig

2. Y diwrnod a bennir fel y diwrnod y daw'r Cod Derbyniadau Ysgol (y gosodwyd copi o ddrafft ohono gerbron Cynulliad Cenedlaethol Cymru ar 18 Mai 2009) i rym yw 15 Gorffennaf 2009.

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2009 No. 1844 (W.168)

EDUCATION, WALES

The School Admissions Code (Appointed Day) (Wales) Order 2009

Made *6 July 2009*

The Welsh Ministers in exercise of the power conferred on the Secretary of State by section 85(5) of the School Standards and Framework Act 1998 and now vested in them(**1**) make the following Order:

Title and application

1.—(1) The title of this Order is the School Admissions Code (Appointed Day) (Wales) Order 2009.

(2) This Order applies in relation to Wales.

Appointed Day

2. The day appointed for the coming into force of the School Admissions Code (a copy of a draft of which was laid before the National Assembly for Wales on 18 May 2009) is 15 July 2009.

Jane Hutt

Y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau, un o Weinidogion Cymru

6 Gorffennaf 2009

Minister for Children, Education, Lifelong Learning and Skills, one of the Welsh Ministers

6 July 2009

(**1**) 1998 p.31. Trosglwyddwyd swyddogaeth yr Ysgrifennydd Gwladol o dan yr adran hon i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac wedyn i Weinidogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32).

(**1**) 1998 c.31. The function of the Secretary of State under this section was transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and then to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

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