OFFERYNNAU STATUDOL CYMRU

2015 Rhif 1309 (Cy. 113)

ADDYSG, CYMRU

Gorchymyn y Cwricwlwm Cenedlaethol (Cymedroli Trefniadau Asesu ar gyfer yr Ail Gyfnod Allweddol a'r Trydydd Cyfnod Allweddol) (Cymru) 2015

NODYN ESBONIADOL

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

Mae adran 108(3)(c) o Ddeddf Addysg 2002 ("Deddf 2002") yn darparu pŵer i Weinidogion Cymru i ragnodi drwy orchymyn drefniadau asesu ar gyfer y cyfnodau allweddol. Yn ychwanegol mae adran 108(7) o Ddeddf 2002 yn caniatáu i Weinidogion Cymru osod swyddogaethau ar gorff llywodraethu ysgol, ar bennaeth ac ar awdurdod lleol mewn perthynas ag unrhyw orchymyn o'r fath a wneir o dan adran 108(3)(c) o Ddeddf 2002.

Mae erthygl 3 o'r Gorchymyn hwn yn darparu bod y darpariaethau cymedroli sydd wedi eu nodi ynddo yn gymwys mewn perthynas â'r holl asesiadau athrawon statudol o ddisgyblion mewn ysgolion a gynhelir yng Nghymru ym mlwyddyn olaf yr ail gyfnod allweddol ac ym mlwyddyn olaf y trydydd cyfnod allweddol. Rhoddwyd effaith gyfreithiol i asesiadau athrawon statudol drwy orchymyn a wnaed yn unol ag adran 108(3)(c) o Ddeddf 2002. Nid yw'r Gorchymyn hwn yn gymwys i ysgolion arbennig a gynhelir gan awdurdodau lleol yng Nghymru.

Mae erthygl 4 o'r Gorchymyn hwn yn gosod dyletswydd ar bennaeth ysgol a gynhelir yng Nghymru i wneud trefniadau i sicrhau bod ei ysgol yn ymuno â grŵp clwstwr cymedroli ysgolion a bod y grŵp yn cyfarfod o leiaf unwaith ym mhob blwyddyn ysgol yn nhymor y gwanwyn neu yn nhymor yr haf. Mae erthygl 4 hefyd yn nodi diben y grŵp clwstwr cymedroli ysgolion. Caiff grwpiau clwstwr cymedroli ysgolion gynnwys ysgolion o fwy nag un ardal awdurdod lleol.

WELSH STATUTORY INSTRUMENTS

2015 No. 1309 (W. 113)

EDUCATION, WALES

The National Curriculum (Moderation of Assessment Arrangements for the Second and Third Key Stages) (Wales) Order 2015

EXPLANATORY NOTE

(This note is not part of the Order)

Section 108(3)(c) of the Education Act 2002 ("the 2002 Act") provides a power for the Welsh Ministers to prescribe by way of an order assessment arrangements for the key stages. In addition section 108(7) of the 2002 Act allows the Welsh Ministers to impose functions on a school governing body, head teacher and local authority in relation to any such order made under section 108(3)(c) of the 2002 Act.

Article 3 of this Order provides that the moderation provisions set out in it apply in relation to all statutory teacher assessments of pupils in maintained schools in Wales in the final year of the second and third key stages. The statutory teacher assessments were given legal effect by way of an order made pursuant to section 108(3)(c) of the 2002 Act. This Order does not apply to special schools maintained by local authorities in Wales.

Article 4 of this Order places a duty on a head teacher of a maintained school in Wales to make arrangements to ensure that their school joins school moderation cluster group and that the group meets at least once every school year in the spring or summer school terms. Article 4 also sets out the purpose of the school moderation cluster group. School moderation cluster groups may contain schools from more than one local authority area.

Mae erthygl 5 o'r Gorchymyn hwn yn gosod dyletswydd ar y pennaeth i wneud trefniadau i sicrhau bod athrawon yn ei ysgol yn dod yn ymwybodol o ddyfarniadau a phenderfyniadau'r grŵp clwstwr cymedroli ysgolion ac yn eu rhoi ar waith.

Article 5 of this Order places a duty on the head teacher to make arrangements to ensure that teachers at their school are made aware of and implement the determinations and decisions of the school moderation cluster group.

Mae erthygl 6 o'r Gorchymyn hwn yn gwneud darpariaeth mewn perthynas â'r personau y mae rhaid iddynt fod yn bresennol yng nghyfarfodydd y grŵp clwstwr cymedroli ysgolion a'r personau y caniateir iddynt fod yn bresennol yn y cyfarfodydd hynny. Mae'r erthygl hon yn darparu y caiff prif swyddog addysg yr awdurdod lleol y mae'r ysgol yn ei ardal fod yn bresennol yng nghyfarfodydd y grŵp clwstwr cymedroli ysgolion.

Article 6 of this Order makes provision in relation to the persons who must and who may attend meetings of the school moderation cluster group. This article provides that the chief education officer of the local authority in whose area the school is situated may attend meetings of the school moderation cluster group.

Mae erthygl 7 yn darparu mai mater i'r grŵp clwstwr cymedroli ysgolion yw rheoleiddio ei weithdrefnau ei hun.

Article 7 provides that it is for the school moderation cluster group to regulate their own procedures.

Mae erthygl 8 o'r Gorchymyn hwn yn darparu bod person sy'n gweithredu fel pennaeth dros dro i'w ystyried yn bennaeth yr ysgol at ddibenion y Gorchymyn hwn.

Article 8 of this Order provides that a person serving as an acting head teacher is to be regarded as the head teacher for the school for the purposes of this Order.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Gorchymyn hwn. Gellir cael copi oddi wrth Is-adran Cwricwlwm yr Adran Addysg a Sgiliau.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with this Order. A copy can be obtained from the Curriculum Division in the Department for Education and Skills.

OFFERYNNAU STATUDOL CYMRU

2015 Rhif 1309 (Cy. 113)

ADDYSG, CYMRU

Gorchymyn y Cwricwlwm Cenedlaethol (Cymedroli Trefniadau Asesu ar gyfer yr Ail Gyfnod Allweddol a'r Trydydd Cyfnod Allweddol) (Cymru) 2015

Gwnaed *6 Mai 2015*

Gosodwyd gerbron Cynulliad Cenedlaethol Cymru *11 Mai 2015*

Yn dod i rym *1 Medi 2015*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i Gynulliad Cenedlaethol Cymru gan adrannau 108(3)(c), (7), a 210 o Ddeddf Addysg 2002(**1**) ac a freiniwyd bellach ynddynt hwy, yn gwneud y Gorchymyn a ganlyn:

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn y Cwricwlwm Cenedlaethol (Cymedroli Trefniadau Asesu ar gyfer yr Ail Gyfnod Allweddol a'r Trydydd Cyfnod Allweddol) (Cymru) 2015 a daw i rym ar 1 Medi 2015.

(2) Mae'r Gorchymyn hwn yn gymwys mewn perthynas ag ysgolion a gynhelir yng Nghymru.

Dehongli

2.—(1) Yn y Gorchymyn hwn—

ystyr "asesiad athro neu athrawes" ("*teacher assessment*") yw'r trefniadau asesu hynny a ragnodir o dro i dro gan Weinidogion Cymru mewn perthynas â'r ail gyfnod allweddol a'r

(**1**) 2002 p.32. Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru yn adran 108 o Ddeddf Addysg 2002 i Weinidogion Cymru o dan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).

WELSH STATUTORY INSTRUMENTS

2015 No. 1309 (W. 113)

EDUCATION, WALES

The National Curriculum (Moderation of Assessment Arrangements for the Second and Third Key Stages) (Wales) Order 2015

Made *6 May 2015*

Laid before the National Assembly for Wales *11 May 2015*

Coming into force *1 September 2015*

The Welsh Ministers, in exercise of the powers conferred on the National Assembly for Wales by sections 108(3)(c), (7), and 210 of the Education Act 2002(**1**) and now vested in them, make the following Order:

Title, commencement and application

1.—(1) This Order is called the National Curriculum (Moderation of Assessment Arrangements for the Second and Third Key Stages) (Wales) Order 2015 and it comes into force on 1 September 2015.

(2) This Order applies in relation to maintained schools in Wales.

Interpretation

2.—(1) In this Order—

"the Act" ("*y Ddeddf*") means the Education Act 2002;

"maintained school" ("*ysgol a gynhelir*") means a community, foundation or voluntary school

(**1**) 2002 c.32. The functions of the National Assembly for Wales in section 108 of the Education Act 2002 were transferred to the Welsh Ministers under paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

trydydd cyfnod allweddol o dan adran 108(3)(c) o'r Ddeddf(**1**) ac mae "asesiadau athrawon" i'w dehongli yn unol â hynny;

ystyr "cymedroli" ("*moderation*", "*moderating*") yw adolygu prosesau a chanlyniadau asesiadau athrawon er mwyn sicrhau cysondeb mewn asesiadau athrawon yn ystod yr ail gyfnod allweddol a'r trydydd cyfnod allweddol;

ystyr "y Ddeddf" ("*the Act*") yw Deddf Addysg 2002;

ystyr "penderfyniad rhagarweiniol" ("*preliminary determination*") yw unrhyw benderfyniad a wneir gan athro neu athrawes ynghylch lefel cyrhaeddiad disgybl ar ôl asesiad athro neu athrawes o'r disgybl hwnnw cyn gwneud penderfyniad terfynol ynghylch lefel cyrhaeddiad y disgybl hwnnw yn yr asesiadau athrawon hynny;

ystyr "safoni arferion asesiadau athrawon" ("*standardisation of teacher assessment practices*") yw adolygu dyfarniadau asesiadau athrawon a phrosesau asesiadau athrawon er mwyn sicrhau cysondeb yn y dyfarniadau a'r prosesau hynny;

ystyr "tymor y gwanwyn" ("*spring term*") yw'r tymor ysgol a ddaw'n union cyn tymor yr haf;

ystyr "tymor yr haf" ("*summer term*") yw'r tymor olaf yn y flwyddyn ysgol;

ystyr "ysgol a gynhelir" ("*maintained school*") yw ysgol gymunedol, ysgol sefydledig neu ysgol wirfoddol a gynhelir gan awdurdod lleol yng Nghymru ac nad yw'n ysgol arbennig.

(2) Mae cyfeiriadau at yr ail gyfnod allweddol a'r trydydd cyfnod allweddol i'w dehongli yn unol ag adran 103 o'r Ddeddf.

Cymedroli asesiad athro neu athrawes

3. Mae'r Gorchymyn hwn yn gwneud darpariaeth ar gyfer cymedroli'r asesiad athro neu athrawes o bob disgybl ym mlwyddyn olaf yr ail gyfnod allweddol ac ym mlwyddyn olaf y trydydd cyfnod allweddol.

Dyletswydd i ymuno â grŵp cymedroli clwstwr ysgolion

4.—(1) Rhaid i bennaeth roi trefniadau ar waith i sicrhau—

(a) bod yr ysgol y mae wedi ei gyflogi ynddi yn dod yn aelod ("aelod-ysgol") o grŵp clwstwr cymedroli ysgolion; a

(**1**) Nodir y trefniadau asesu cyfredol yn O.S. 2004/2915 (Cy. 254), O.S. 2005/1394 (Cy. 108), O.S. 2013/433 (Cy. 51) ac O.S. 2014/1999 (Cy. 200).

maintained by a local authority in Wales and which is not a special school;

"moderation" ("*cymedroli*") means the review of teacher assessment processes and results to ensure consistency in teacher assessment during the second and third key stages and "moderating" is to be construed accordingly;

"preliminary determination" ("*penderfyniad rhagarweiniol*") means any determination made by a teacher as to the level of attainment of a pupil following teacher assessment of that pupil prior to making a final determination as to that pupil's level of attainment in those teacher assessments;

"spring term" ("*tymor y gwanwyn*") means the school term immediately preceding the summer term;

"standardisation of teacher assessment practices" ("*safoni arferion asesiadau athrawon*") means the review of teacher assessment judgements and teacher assessment processes to ensure consistency in those judgements and processes;

"summer term" ("*tymor yr haf*") means the final term in the school year;

"teacher assessment" ("*asesiad athro neu athrawes*") means such assessment arrangements as are prescribed from time to time by the Welsh Ministers in relation to the second and third key stages under section 108(3)(c) of the Act(**1**).

(2) References tthe second key and third stage are to be construed in accordance with section 103 of the Act.

Moderation of teacher assessment

3. This Order makes provision for the moderation of the teacher assessment of all pupils in the final year of the second and third key stages.

Duty to join a school moderation cluster group

4.—(1) A head teacher must put in place arrangements to ensure that the—

(a) school at which they are employed becomes a member ("school member") of a school moderation cluster group; and

(**1**) The current assessment arrangements are set out in S.I. 2004/2915 (W. 254), S.I. 2005/1394 (W. 108), S.I. 2013/433 (W. 51) and S.I. 2014/1999 (W. 200).

(b) bod y grŵp clwstwr cymedroli ysgolion yn cyfarfod o leiaf unwaith ym mhob blwyddyn ysgol naill ai yn ystod tymor y gwanwyn neu yn ystod tymor yr haf.

(2) Mae grŵp clwstwr cymedroli ysgolion yn grŵp o ddwy ysgol neu ragor a sefydlir at ddibenion—

(a) datblygu safoni arferion asesiadau athrawon cywir a chyson ym mhob aelod-ysgol cyn asesiadau athrawon o waith ysgol disgyblion;

(b) datblygu cymedroli cywir a chyson gan athrawon ym mhob aelod-ysgol ar ôl asesiadau athrawon o waith ysgol disgyblion;

(c) adolygu o dro i dro safoni arferion asesiadau athrawon a'r arferion cymedroli ym mharagraffau (2)(a) a (b) mewn aelodau-ysgol gyda golwg ar wella eu cywirdeb a'u cysondeb; a

(d) adolygu enghreifftiau o waith a gynhyrchir gan ddisgyblion cofrestredig yr aelod-ysgol a'u hasesu yn erbyn y deilliannau dymunol.

Dyletswydd i roi dyfarniadau a phenderfyniadau'r grŵp clwstwr cymedroli ysgolion ar waith

5. Rhaid i bennaeth roi trefniadau ar waith i sicrhau, cyn diwedd y flwyddyn ysgol y cyfarfu'r grŵp clwstwr cymedroli ysgolion ynddi ("y flwyddyn ysgol gyfredol"), fod athrawon yn yr ysgol—

(a) yn dod yn ymwybodol o ddyfarniadau a phenderfyniadau'r grŵp clwstwr cymedroli ysgolion mewn perthynas â safoni a chymedroli asesiadau athrawon o'r disgyblion yn yr ysgol yn ystod y flwyddyn ysgol gyfredol;

(b) yn adolygu, ac yn diwygio os oes angen, unrhyw benderfyniad rhagarweiniol a wneir yn ystod y flwyddyn ysgol gyfredol i ystyried dyfarniadau a phenderfyniadau'r grŵp clwstwr cymedroli ysgolion mewn perthynas â safoni a chymedroli asesiadau athrawon o ddisgyblion ar gyfer y flwyddyn ysgol gyfredol; ac

(c) yn gweithredu dyfarniadau a phenderfyniadau'r grŵp clwstwr cymedroli ysgolion mewn perthynas â safoni a chymedroli asesiadau athrawon o ddisgyblion yn ystod y flwyddyn ysgol yn union cyn y flwyddyn ysgol gyfredol.

Presenoldeb mewn cyfarfodydd o grŵp clwstwr cymedroli ysgolion

6.—(1) Rhaid i'r personau a ganlyn fod yn bresennol mewn unrhyw gyfarfod o grŵp clwstwr cymedroli ysgolion—

(b) school moderation cluster group meets at least once in every school year during either the spring or summer terms.

(2) A school moderation cluster group is a group of 2 or more schools established for the purposes of—

(a) developing accurate and consistent standardisation of teacher assessment practices in all school members before teacher assessment of pupil's school work;

(b) developing accurate and consistent teacher moderation in all school members following teacher assessment of pupil's school work;

(c) reviewing from time to time the standardisation of teacher assessment practices and the moderation practices in paragraphs (2)(a) and (b) in school members with a view to improving their accuracy and consistency; and

(d) reviewing examples of work produced by registered pupils of the school member and assess them against the desirable outcomes.

Duty to implement determinations and decisions of the school moderation cluster group

5. A head teacher must put in place arrangements to ensure that before the end of the school year in which the school moderation cluster group met the teachers at the school ("the current school year")—

(a) are made aware of the determinations and decisions of the school moderation cluster group in relation to the standardisation and moderation of the teacher assessment of pupils at the school during the current school year;

(b) review and if necessary revise any preliminary determination made during the current school year to take account of the determinations and decisions of the school moderation cluster group in relation to the standardisation and moderation of the teacher assessment of pupils for the current school year; and

(c) implement the determinations and decisions of the school moderation cluster group in relation to the standardisation and moderation of the teacher assessment of pupils during the school year immediately proceeding the current school year.

Attendance at school moderation cluster group meetings

6.—(1) The following persons must attend any meeting of a school moderation cluster group—

(a) pennaeth pob ysgol a gynhelir sy'n aelod o'r grŵp clwstwr cymedroli ysgolion, neu gynrychiolydd y pennaeth; a

(b) unrhyw bersonau eraill y mae'r aelodau-ysgol yn penderfynu arnynt.

(2) Pan fo'r pennaeth, yn unol â pharagraff (1)(a), yn trefnu i'w gynrychiolydd fod yn bresennol mewn cyfarfod o'r grŵp clwstwr cymedroli ysgolion yn ei le, rhaid i'r pennaeth fod wedi ei fodloni bod gan y cynrychiolydd y sgiliau, y profiad a'r arbenigedd angenrheidiol i wneud hynny.

(3) Caiff prif swyddog addysg pob awdurdod lleol y mae ysgol a gynhelir yn ei ardal sy'n aelod-ysgol o'r grŵp clwstwr cymedroli ysgolion, neu gynrychiolydd y person hwnnw, fod yn bresennol mewn unrhyw gyfarfod o grŵp clwstwr cymedroli ysgolion at ddiben ceisio sicrhau cysondeb o ran cymedroli a safoni arferion asesiadau athrawon ysgolion ar draws yr holl grwpiau clwstwr cymedroli ysgolion yn ardal yr awdurdod lleol hwnnw.

(4) Pan fo'r prif swyddog addysg, yn unol â pharagraff (3), yn trefnu i'w gynrychiolydd fod yn bresennol mewn cyfarfod o'r grŵp clwstwr cymedroli ysgolion yn ei le, rhaid i'r prif swyddog addysg fod wedi ei fodloni bod gan y cynrychiolydd y sgiliau, y profiad a'r arbenigedd angenrheidiol i wneud hynny.

Gweithdrefn cyfarfodydd grŵp clwstwr cymedroli ysgolion

7. Yn ddarostyngedig i unrhyw ddarpariaeth arall yn y Gorchymyn hwn, caiff aelodau-ysgol reoleiddio eu gweithdrefnau eu hunain.

Pennaeth dros dro

8. At ddibenion y Gorchymyn hwn, mae person i'w ystyried fel pe bai'n gweithredu fel pennaeth ysgol a gynhelir os yw'r person hwnnw yn cyflawni swyddogaethau pennaeth yr ysgol—

(a) hyd nes y penodir pennaeth, neu

(b) yn absenoldeb pennaeth.

(a) the head teacher, or their representative, of every maintained school that is a member of the school moderation cluster group; and

(b) such other persons as the school members determine.

(2) Where pursuant to paragraph (1)(a) the head teacher arranges for their representative to attend a school moderation cluster group meeting in their place the head teacher must be satisfied that the representative has the necessary skills, experience and expertise to do so.

(3) The chief education officer of each local authority which has a maintained school in its area that is a school member of the school moderation cluster group, or that person's representative, may attend any meeting of a school moderation cluster group for the purpose of seeking to ensure consistency in school moderation and standardisation of teacher assessment practices across all school moderation cluster groups in that local authority's area.

(4) Where pursuant to paragraph (3) the chief education officer arranges for their representative to attend a school moderation cluster group meeting in their place the chief education officer must be satisfied that the representative has the necessary skills, experience and expertise to do so.

Procedure of school moderation cluster group meetings

7. Subject to any other provision of this Order the school members may regulate their own procedures.

Acting head teacher

8. For the purposes of this Order a person is to be regarded as serving as the head teacher of a maintained school if that person is carrying out the functions of the head teacher of the school—

(a) pending the appointment of a head teacher, or

(b) in the absence of a head teacher.

Huw Lewis

Y Gweinidog Addysg a Sgiliau, un o Weinidogion Cymru
6 Mai 2015

Minister for Education and Skills, one of the Welsh Ministers
6 May 2015

©ⓗHawlfraint y Goron 2015

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

© Crown copyright 2015

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

OFFERYNNAU STATUDOL CYMRU

2015 Rhif 1309 (Cy. 113)

ADDYSG, CYMRU

Gorchymyn y Cwricwlwm Cenedlaethol (Cymedroli Trefniadau Asesu ar gyfer yr Ail Gyfnod Allweddol a'r Trydydd Cyfnod Allweddol) (Cymru) 2015

WELSH STATUTORY INSTRUMENTS

2015 No. 1309 (W. 113)

EDUCATION, WALES

The National Curriculum (Moderation of Assessment Arrangements for the Second and Third Key Stages) (Wales) Order 2015

ISBN 978-0-348-11096-8

£6.00

W2306/05/15 ON