OFFERYNNAU STATUDOL CYMRU

2007 Rhif 3564 (Cy.314)

ADDYSG, CYMRU

Rheoliadau Addysg (Gwybodaeth am Berfformiad Ysgolion) (Cymru) (Diwygio) 2007

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn gwneud mân newidiadau i Reoliadau Addysg (Gwybodaeth am Berfformiad Ysgolion) (Cymru) 2004 ("Rheoliadau 2004").

Mae rheoliad 2(4) yn diwygio paragraff 2 o Atodlen 1 i Reoliadau 2004 gyda'r canlyniad na fydd yn bosibl mwyach i gorff llywodraethu gofnodi absenoldeb disgybl fel y rheswm dros beidio â darparu canlyniadau'r cyfan neu ran o'u hasesiadau statudol. Yn lle hynny, mae paragraff 2 diwygiedig Atodlen 1 i Reoliadau 2004 yn darparu y caiff corff llywodraethu gofnodi nad yw asesiadau statudol disgybl ar gael neu eu bod ar gael yn rhannol yn unig am resymau ac eithrio bod y disgybl wedi'i esemptio o dan adrannau 113 neu 114 o Ddeddf Addysg 2002.

WELSH STATUTORY INSTRUMENTS

2007 No. 3564 (W.314)

EDUCATION, WALES

The Education (School Performance Information) (Wales) (Amendment) Regulations 2007

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make minor amendments to the Education (School Performance Information) (Wales) Regulations 2004 ("the 2004 Regulations").

Regulation 2(4) amends paragraph 2 of Schedule 1 to the 2004 Regulations so that it is no longer possible for a governing body to record a pupil's absence as the reason for not providing the results of all or some of their statutory assessments. Instead the amended paragraph 2 of Schedule 1 to the 2004 Regulations provides that a governing body may record that a pupil's statutory assessments are not available or only partly available for reasons other than the pupil being exempted under sections 113 or 114 of the Education Act 2002.

OFFERYNNAU STATUDOL CYMRU

2007 Rhif 3564 (Cy.314)

ADDYSG, CYMRU

Rheoliadau Addysg (Gwybodaeth am Berfformiad Ysgolion) (Cymru) (Diwygio) 2007

Gwnaed	*17 Rhagfyr 2007*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*20 Rhagfyr 2007*
Yn dod i rym	*14 Ionawr 2008*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 29(3), 408, 537, 537A(1) a (2) a 569(4) a (5) o Ddeddf Addysg 1996(**1**) ac a freiniwyd bellach ynddynt(**2**) ac ar ôl ymgynghori â'r personau hynny yr oedd ymgynghori â hwy yn ymddangos yn ddymunol i Weinidogion Cymru yn unol ag adran 408(5) o Ddeddf Addysg 1996, yn gwneud y Rheoliadau a ganlyn.

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Gwybodaeth am Berfformiad Ysgolion) (Cymru) (Diwygio) 2007 a deuant i rym ar 14 Ionawr 2008.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(**1**) 1996 p.56. Cafodd adran 29(3) ei disodli gan baragraff 67 o Atodlen 30 i Ddeddf Safonau a Fframwaith Ysgolion 1998 (p.31). Diwygiwyd adran 408 gan baragraff 30 o Atodlen 7 ac Atodlen 8 i Ddeddf Addysg 1997 (p.44), paragraffau 57 a 106 o Atodlen 30 ac Atodlen 31 i Ddeddf Safonau a Fframwaith Ysgolion 1998 a pharagraff 57 o Atodlen 9 i Ddeddf Dysgu a Medrau 2000 (p.21). Diwygiwyd adran 537 gan baragraff 37 o Atodlen 7 i Ddeddf Addysg 1997, paragraffau 57 a 152 o Atodlen 30 i Ddeddf Safonau a Fframwaith Ysgolion 1998 a pharagraff 60 o Atodlen 9 i Ddeddf Dysgu a Medrau 2000. Cafodd Adran 537A ei disodli gan baragraff 153 o Atodlen 30 i Ddeddf Safonau a Fframwaith Ysgolion 1998. I gael gweld ystyr "prescribed" a "regulations" gweler adran 579(1) o Ddeddf Addysg 1996.

(**2**) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac yna i Weinidogion Cymru o dan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru (p.32).

WELSH STATUTORY INSTRUMENTS

2007 No. 3564 (W.314)

EDUCATION, WALES

The Education (School Performance Information) (Wales) (Amendment) Regulations 2007

Made	*17 December 2007*
Laid before the National Assembly for Wales	*20 December 2007*
Coming into force	*14 January 2008*

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by sections 29(3), 408, 537, 537A(1) and (2) and 569(4) and (5) of the Education Act 1996(**1**) and now vested in them(**2**) and after consulting with those persons with whom consultation appeared to the Welsh Ministers to be desirable pursuant to section 408(5) of the Education Act 1996 make the following Regulations.

Name, commencement and application

1.-(1) These Regulations are called the Education (School Performance Information) (Wales) (Amendment) Regulations 2007 and come into force on 14 January 2008.

(2) These Regulations apply in relation to Wales.

(**1**) 1996 c.56. Section 29(3) was substituted by paragraph 67 of Schedule 30 to the School Standards and Framework Act 1998 (c.31). Section 408 was amended by paragraph 30 of Schedule 7 and Schedule 8 to the Education Act 1997 (c.44), paragraphs 57 and 106 of Schedule 30 and Schedule 31 to the School Standards and Framework Act 1998 and paragraph 57 of Schedule 9 to the Learning and Skills Act 2000 (c.21). Section 537 was amended by paragraph 37 of Schedule 7 to the Education Act 1997, paragraphs 57 and 152 of Schedule 30 to the School Standards and Framework Act 1998 and paragraph 60 of Schedule 9 to the Learning and Skills Act 2000. Section 537A was substituted by paragraph 153 of Schedule 30 to the School Standards and Framework Act 1998. For the meaning of "prescribed" and "regulations" see section 579(1) of the Education Act 1996.

(**2**) The functions of the Secretary of State were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and then to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

Diwygiadau i Reoliadau Addysg (Gwybodaeth am Berfformiad Ysgolion) (Cymru) 2004

2.-(1) Diwygir Rheoliadau Addysg (Gwybodaeth am Berfformiad Ysgolion) (Cymru) 2004(**1**) yn unol â pharagraffau (2) i (6) isod.

(2) Yn rheoliad 2(3) dileer is-baragraff (b).

(3) Yn lle rheoliad 7 a'i bennawd rhodder y canlynol -

"**Darparu canlyniadau asesiadau cyfnod allweddol i Weinidogion Cymru**

Ar neu cyn y dyddiad a bennir yn y canllawiau ar yr Asesu Statudol a'r Trefniadau Adrodd, rhaid i'r awdurdod ddarparu bob blwyddyn i Weinidogion Cymru yr wybodaeth sy'n ymwneud â'r asesiadau statudol y cyfeirir atynt yn Atodlen 1 mewn perthynas â'r holl ysgolion y mae'n eu cynnal ac y mae ganddynt ddisgyblion cofrestredig yn y cyfnod allweddol cyntaf sy'n gymwys i gael asesiadau statudol ym mlwyddyn adrodd yr ysgol.".

(4) Yn lle paragraff 2 o Atodlen 1, rhodder y paragraff canlynol -

"O ran pob disgybl o'r fath, canlyniadau ei asesiadau statudol ac, os nad yw rhai o'r canlyniadau hynny neu'r cyfan ohonynt ar gael, a oedd y disgybl wedi'i esemptio o'r asesiadau o dan adrannau 113 neu 114 o Ddeddf 2002 neu a yw'r ffaith nad yw canlyniadau ei asesiadau statudol ar gael oherwydd rhesymau gwahanol i'w esemptiad o dan adrannau 113 neu 114 o Ddeddf 2002.".

(5) Ym mharagraff 1 yn Rhan 1 o Atodlen 3 dileer is-baragraff (d).

(6) Ym mharagraff 2 yn Rhan 2 o Atodlen 3 dileer is-baragraff (d).

Amendments to the Education (School Performance Information) (Wales) Regulations 2004

2.-(1) The Education (School Performance Information) (Wales) Regulations 2004(**1**) are amended in accordance with paragraphs (2) to (6) below.

(2) In regulation 2(3) delete sub-paragraph (b).

(3) For regulation 7 and its heading substitute the following -

"**Provision of key stage assessment results to the Welsh Ministers**

On or before the date specified in the Statutory Assessment and Reporting Arrangements guidance the authority must each year provide the Welsh Ministers with the information relating to the statutory assessments referred to in Schedule 1 in relation to all the schools which it maintains which have registered pupils in the first key stage who are eligible for statutory assessments in the reporting school year.".

(4) For paragraph 2 of Schedule 1 substitute the following paragraph -

"In respect of each such pupil, the results of the pupil's statutory assessments and where some or all of those results are not available whether the pupil was exempted from the assessments under sections 113 or 114 of the 2002 Act or whether the results of the pupil's assessments are not available for reasons other than the pupil's exemption under sections 113 or 114 of the 2002 Act.".

(5) In paragraph 1 in Part 1 of Schedule 3 delete sub-paragraph (e).

(6) In paragraph 2 in Part 2 of Schedule 3 delete sub-paragraph (e).

Jane Hutt

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

17 Rhagfyr 2007

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

17 December 2007

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