OFFERYNNAU STATUDOL CYMRU

# 2009 Rhif 569 (Cy.53)

## ADDYSG, CYMRU

## Rheoliadau Gwybodaeth am Deithio gan Ddysgwyr (Cymru) 2009

### NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn gosod yr wybodaeth y mae'n ofynnol i awdurdodau lleol ei chyhoeddi am drefniadau teithio a wneir o dan Fesur Teithio gan Ddysgwyr (Cymru) 2008 ac maent yn gosod sut a phryd y mae'r wybodaeth i'w chyhoeddi.

WELSH STATUTORY INSTRUMENTS

# 2009 No. 569 (W.53)

## EDUCATION, WALES

## The Learner Travel Information (Wales) Regulations 2009

### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations set out the information required to be published by local authorities about travel arrangements made under the Learner Travel (Wales) Measure 2008 and set out how and when the information is to be published.

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# ADDYSG, CYMRU

## Rheoliadau Gwybodaeth am Deithio gan Ddysgwyr (Cymru) 2009

| | |
|---|---|
| *Gwnaed* | *9 Mawrth 2009* |
| *Gosodwyd gerbron Cynulliad Cenedlaethol Cymru* | *10 Mawrth 2009* |
| *Yn dod i rym* | *1 Ebrill2009* |

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd iddynt gan adrannau 16 a 27 o Fesur Teithio gan Ddysgwyr (Cymru) 2008(**1**), yn gwneud y Rheoliadau a ganlyn:

**Enwi, cychwyn a chymhwyso**

**1**.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Gwybodaeth am Deithio gan Ddysgwyr (Cymru) 2009 a deuant i rym ar 1 Ebrill 2009.

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

**Dirymu**

**2**. Dirymir paragraffau 8, 19 a 20 o Atodlen 1 i Reoliadau Addysg (Gwybodaeth Ysgolion) (Cymru) 1999(**2**).

**Dehongli**

**3**.—(1) Yn y Rheoliadau hyn—

mae i'r ymadrodd "mannau perthnasol" ("*relevant places*") yr ystyr sydd iddo yn adran 1(4) o'r Mesur;

ystyr "y Mesur" ("*the Measure*") yw Mesur Teithio gan Ddysgwyr (Cymru) 2008.

(**1**) 2008 mccc 2. I ganfod ystyr "rhagnodi" a "rheoliadau" *gweler* adran 24(1).

(**2**) O.S. 1999/1812 fel y'i diwygiwyd gan O.S. 2001/1111, 2001/3710, 2002/1400, 2004/1736, 2004/2914, 2005/1396, 2005/3238, 2005/3239.

WELSH STATUTORY INSTRUMENTS

# 2009 No. 569 (W.53)

# EDUCATION, WALES

## The Learner Travel Information (Wales) Regulations 2009

| | |
|---|---|
| *Made* | *9 March 2009* |
| *Laid before the National Assembly for Wales* | *10 March 2009* |
| *Coming into force* | *1 April 2009* |

The Welsh Ministers, in exercise of the powers conferred on them by sections 16 and 27 of the Learner Travel (Wales) Measure 2008(**1**), make the following Regulations:

**Title, commencement and application**

**1**.—(1) The title of these Regulations is the Learner Travel Information (Wales) Regulations 2009 and they come into force on 1 April 2009.

(2) These Regulations apply in relation to Wales.

**Revocation**

**2**. Paragraphs 8, 19 and 20 of Schedule 1 to the Education (School Information) (Wales) Regulations 1999(**2**) are revoked.

**Interpretation**

**3**.—(1) In these Regulations —

"the Measure" ("*y Mesur*") means the Learner Travel (Wales) Measure 2008;

"relevant places" ("*mannau perthnasol*") has the same meaning as in section 1(4) of the Measure.

(**1**) 2008 nawm 2. For the meaning of "prescribed" and "regulations", *see* section 24(1).

(**2**) S.I. 1999/1812 as amended by S.I. 2001/1111, 2001/3710, 2002/1400, 2004/1736, 2004/2914, 2005/1396, 2005/3238, 2005/3239.

**Cyhoeddi gwybodaeth**

**4**.—(1) Rhaid i awdurdod lleol gyhoeddi'r wybodaeth a bennir yn Rhan 1 o'r Atodlen i'r Rheoliadau hyn.

(2) Rhaid cyhoeddi'r wybodaeth cyn 1 Hydref yn y flwyddyn cyn y flwyddyn academaidd y mae'r wybodaeth yn ymwneud â hi ond yn achos gwybodaeth sy'n ymwneud â'r flwyddyn academaidd 2009-2010 nid yw'n ofynnol i'r awdurdod lleol gyhoeddi'r wybodaeth ond i'r graddau nad yw eisoes wedi gwneud hynny (o dan Reoliadau Addysg (Gwybodaeth Ysgolion) (Cymru) 1999) ac mae'n ofynnol iddo wneud hynny cyn gynted ag y bo'n rhesymol ymarferol.

(3) Rhaid cyhoeddi'r wybodaeth —

(a) ar wefan yr awdurdod lleol;

(b) drwy ddanfon copïau yn ddi-dâl i rieni pan ofynnir amdanynt, a thrwy sicrhau bod copïau ar gael i rieni a phersonau eraill gyfeirio atynt —

(i) yn swyddfeydd yr awdurdod lleol; a

(ii) ym mhob ysgol a gynhelir gan yr awdurdod lleol;

(c) drwy sicrhau bod copïau ar gael i rieni a phersonau eraill gyfeirio atynt yn y llyfrgelloedd cyhoeddus yn ardal yr awdurdod;

(ch) drwy ddanfon copïau yn ddi-dâl i rieni disgyblion sydd yn eu blwyddyn olaf mewn ysgolion a gynhelir gan yr awdurdod lleol, ac eithrio ysgolion arbennig neu unedau cyfeirio disgyblion.

(4) Mae disgyblion yn eu blwyddyn olaf at ddibenion paragraff (3)(ch) os ydynt, yn y flwyddyn cyn y flwyddyn academaidd y mae'r wybodaeth yn ymwneud â hi, yn y flwyddyn olaf mewn ysgol ac y gallent drosglwyddo i ysgolion eraill a gynhelir gan yr awdurdod lleol.

(5) Mae cyhoeddi cymaint o'r wybodaeth ag sy'n berthnasol o ystyried yr ysgolion y gallai disgyblion yn y flwyddyn olaf mewn ysgol benodol drosglwyddo iddynt yn ddigon i gydymffurfio â pharagraff (3)(ch).

(6) Rhaid i'r wybodaeth gael ei chyhoeddi hefyd drwy ddanfon copïau yn ddi-dâl i unrhyw fannau perthnasol eraill y mae'r awdurdod lleol o'r farn y gall dysgwyr sy'n preswylio fel arfer yn ei ardal ddymuno eu mynychu.

**Publication of information**

**4**.—(1) A local authority must publish the information specified in Part 1 of the Schedule to these Regulations.

(2) The information must be published before 1 October of the year preceding the academic year to which the information relates but in the case of information relating to the academic year 2009-2010 the local authority is required to publish the information only in so far as it has not already done so (under the Education (School Information) (Wales) Regulations 1999) and is required to do so as soon as is reasonably practicable.

(3) The information must be published —

(a) on the local authority's website;

(b) by copies being distributed without charge to parents on request, and made available for reference by parents and other persons —

(i) at the offices of the local authority; and

(ii) at every school maintained by the local authority;

(c) by copies being made available for reference by parents and other persons at the public libraries in the authority's area;

(d) by copies being distributed without charge to parents of pupils who are in their final year at schools maintained by the local authority, other than special schools or pupil referral units.

(4) Pupils are in their final year for the purpose of paragraph (3)(d) if, in the year preceding the academic year to which the information relates, they are in the final year at a school and they might transfer to other schools maintained by the local authority.

(5) It is sufficient compliance with paragraph (3)(d) if there is published so much of the information as is relevant having regard to the schools to which pupils in the final year at a particular school might transfer.

(6) The information must also be published by copies being distributed without charge to any other relevant places which the local authority consider learners ordinarily resident within its area may wish to attend.

**Gwybodaeth arall**

**5**.—(1) Pan ofynnir iddo wneud hynny, rhaid i awdurdod lleol roi'r cyfryw wybodaeth a bennir yn Rhan 2 o'r Atodlen i'r Rheoliadau hyn ac sydd yn ei feddiant yn rhad ac am ddim i —

(a) corff llywodraethu ysgol yn ei ardal neu ysgol y mae plentyn sy'n preswylio fel arfer yn ei ardal yn ei mynychu,

(b) pennaeth y cyfryw ysgol,

(c) rhiant plentyn sy'n preswylio fel arfer yn ei ardal, neu sydd neu a allai ddod yn ddisgybl cofrestredig mewn ysgol yn ei ardal,

(ch) unrhyw ddysgwr sy'n preswylio fel arfer yn ei ardal.

**Other information**

**5**.—(1) A local authority must provide such of the information specified in Part 2 of the Schedule to these Regulations as is in its possession on request and free of charge to —

(a) the governing body of a school in its area or a school at which a child who is ordinarily resident in its area attends,

(b) the head teacher of such a school,

(c) the parent of a child who is ordinarily resident in its area, or who is or may become a registered pupil at a school in its area,

(d) any learner who is ordinarily resident in its area.

*Ieuan Wyn Jones*

Y Gweinidog dros yr Economi a Thrafnidiaeth, un o Weinidogion Cymru.

9 Mawrth 2009

Minister for Economy and Transport, one of the Welsh Ministers.

9 March 2009

## YR ATODLEN

## YR WYBODAETH I'W CHYHOEDDI

Rheoliadau 4 a 5

### RHAN 1

**1**. Trefniadau a pholisïau cyffredinol yr awdurdod lleol mewn cysylltiad â theithio i fannau perthnasol ac oddi yno gan gynnwys, yn benodol —

(a) darparu cludiant am ddim;

(b) unrhyw drefniadau teithio a wneir ar gyfer dysgwyr na ddarperir cludiant am ddim iddynt;

(c) talu'r cyfan neu ran o dreuliau teithio rhesymol;

(ch) trefniadau a pholisïau o ran dysgwyr ag anawsterau dysgu a dysgwyr anabl.

**2**. Gwybodaeth am sut i wneud ymholiadau ynghylch trefniadau teithio, am unrhyw weithdrefn gwynion sydd ar gael mewn cysylltiad â threfniadau teithio ac am unrhyw weithdrefn apelau mewn cysylltiad â phenderfyniadau sy'n ymwneud â threfniadau teithio.

**3**. Unrhyw wybodaeth arall, y mae'r awdurdod lleol o'r farn y byddai'n ddefnyddiol i ddysgwyr yn ei ardal ac sydd ym meddiant yr awdurdod yn rhinwedd yr asesiad a wneir o dan adran 2 o'r Mesur, am drefniadau teithio a wneir gan bersonau eraill ac sy'n hwyluso'r ffordd i ddysgwyr fynychu man lle y maent yn derbyn addysg neu hyfforddiant.

### RHAN 2

**1**. Gwybodaeth sy'n ymwneud â'r asesiadau a wneir o dan adran 2 o'r Mesur.

**2**. Gwybodaeth sy'n ymwneud â phenderfyniadau ynghylch addasrwydd trefniadau cludo neu deithio at ddiben adran 3 neu 4 o'r Mesur.

**3**. Gwybodaeth sy'n ymwneud â phenderfyniadau ynghylch p'un a yw ffordd ar gael at ddiben adran 3(7) o'r Mesur.

**4**. Gwybodaeth sy'n ymwneud â phenderfyniadau ynghylch p'un a yw trefniadau teithio'n angenrheidiol o dan adran 4(1) o'r Mesur.

**5**. Gwybodaeth sy'n ymwneud â phenderfyniadau i wneud trefniadau teithio o dan adran 6 o'r Mesur.

## SCHEDULE

## INFORMATION TO BE PUBLISHED

Regulations 4 and 5

### PART 1

**1**. The local authority's general arrangements and policies in respect of travel to and from relevant places including, in particular —

(a) the provision of free transport;

(b) any travel arrangements made for learners for whom free transport is not provided;

(c) the payment in whole or in part of reasonable travelling expenses;

(d) arrangements and policies in relation to learners with learning difficulties and learners who are disabled.

**2**. Information on how to make enquiries about travel arrangements, on any complaints procedure available in respect of travel arrangements and any appeals procedure available in respect of decisions relating to travel arrangements.

**3**. Any other information the local authority considers would be useful for learners in its area about travel arrangements made by other persons which facilitate the attendance of learners at a place where they receive education or training and which the authority has in its possession by virtue of the assessment carried out under section 2 of the Measure.

### PART 2

**1**. Information relating to the assessments carried out under section 2 of the Measure.

**2**. Information relating to decisions as to the suitability of transport or travel arrangements for the purpose of section 3 or 4 of the Measure.

**3**. Information relating to decisions as to whether a route is available for the purpose of section 3(7) of the Measure.

**4**. Information relating to decisions as to whether travel arrangements are necessary for the purpose of section 4(1) of the Measure.

**5**. Information relating to decisions to make travel arrangements under section 6 of the Measure.

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