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WELSH STATUTORY
INSTRUMENTS

2013 Rhif 2124 (Cy. 207)

2013 No. 2124 (W. 207)

ADDYSG, CYMRU

EDUCATION, WALES

**Rheoliadau Llywodraethu Ysgolion
a Gynhelir (Gofynion Hyfforddi ar
gyfer Llywodraethwyr) (Cymru)
2013**

**The Government of Maintained
Schools (Training Requirements for
Governors) (Wales) Regulations
2013**

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn nodi'r gofynion hyfforddi ar gyfer llywodraethwyr mewn ysgolion a gynhelir yng Nghymru. Mae cynnwys gofynnol yr hyfforddiant wedi ei nodi mewn dogfennau a gyhoeddwyd gan Weinidogion Cymru.

Mae rheoliad 1 yn darparu y bydd y Rheoliadau yn dod i rym ar 20 Medi 2013. Mae rheoliad 2 yn cynnwys y darpariaethau dehongli.

Mae rheoliad 3 yn gwneud darpariaeth ynghylch hyfforddiant ar gyfer cadeirydd corff llywodraethu. Mae'n nodi'r cyfnod amser ar gyfer cwblhau'r hyfforddiant, a'r esemptiadau i hynny. Mae cadeirydd y mae'n ofynnol iddo gwblhau'r hyfforddiant ond sy'n methu â gwneud hynny o fewn y cyfnod amser i beidio â dal swydd fel cadeirydd unrhyw gorff llywodraethu hyd oni fydd wedi cwblhau'r hyfforddiant.

Mae rheoliad 4 yn gwneud darpariaeth ynghylch hyfforddiant ymsefydlu ar gyfer llywodraethwyr sydd newydd eu penodi. Mae'n nodi'r cyfnod amser ar gyfer cwblhau'r hyfforddiant, a'r esemptiadau i hynny. Mae llywodraethwr y mae'n ofynnol iddo gwblhau'r hyfforddiant ond sy'n methu â gwneud hynny o fewn y cyfnod amser yn cael ei atal dros dro o'r corff llywodraethu hyd oni fydd wedi cwblhau'r hyfforddiant. Os bydd y llywodraethwr yn parhau wedi ei atal dros dro am 6 mis, caiff y llywodraethwr hwnnw ei symud o'i swydd.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out the training requirements for governors at maintained schools in Wales. The required content of the training is set out in documents published by the Welsh Ministers.

Regulation 1 provides that the Regulations will come into force on 20 September 2013. Regulation 2 contains the interpretation provisions.

Regulation 3 makes provision about training for the chair of a governing body. It sets out the time period for, and the exemptions to, the completion of the training. A chair who is required to complete the training, but fails to do so within the time period is to cease to hold office as a chair of any governing body until the training is completed.

Regulation 4 makes provision about induction training for newly appointed governors. It sets out the time period for, and the exemptions to, the completion of the training. A governor who is required to, but fails to complete the training within the time period is suspended from the governing body until such time as the training is completed. If the governor remains suspended for 6 months then that governor is removed from office.

Mae rheoliad 5 yn gwneud darpariaeth ynghylch hyfforddiant ar ddata perfformiad ysgolion ar gyfer llywodraethwyr. Mae'n nodi'r cyfnod amser ar gyfer cwblhau'r hyfforddiant, a'r esemptiadau i hynny. Bydd llywodraethwr y mae'n ofynnol iddo gwblhau'r hyfforddiant ond sy'n methu â gwneud hynny o fewn y cyfnod amser yn cael ei atal dros dro o'r corff llywodraethu hyd oni fydd wedi cwblhau'r hyfforddiant. Os bydd y llywodraethwr yn parhau wedi ei atal dros dro am 6 mis, caiff y llywodraethwr hwnnw ei symud o'i swydd.

Mae rheoliadau 6 a 7 yn diwygio Atodlen 5 i Reoliadau Llywodraethu Ysgolion a Gynhelir (Cymru) 2005 ac Atodlen 7 i Reoliadau Ffedereiddio Ysgolion a Gynhelir a Diwygiadau Amrywiol (Cymru) 2010. Mae'r Atodlenni hynny wedi eu diwygio i gynnwys methiant â chwblhau'r hyfforddiant gofynnol o dan y Rheoliadau hyn fel rheswm i berson gael ei anghymhwyso rhag dal swydd llywodraethwr mewn ysgol. Maent hefyd yn darparu na chaniateir i berson a anghymhwyswyd gael ei benodi na'i ethol yn llywodraethwr hyd oni fydd y person hwnnw wedi cwblhau'r hyfforddiant gofynnol.

Regulation 5 makes provision about school performance data training for governors. It sets out the time period for, and the exemptions to, the completion of the training. A governor who is required to complete the training, but fails to do so within the time period is suspended from the governing body until such time as the training is completed. If the governor remains suspended for 6 months then that governor is removed from office.

Regulations 6 and 7 amend Schedule 5 to the Government of Maintained Schools (Wales) Regulations 2005 and Schedule 7 to the Federation of Maintained Schools and Miscellaneous Amendments (Wales) Regulations 2010. Those Schedules are amended to include failure to complete the training required under these Regulations as a reason to be disqualified from holding the office of governor at a school. They also provide that a person who has been disqualified must not be appointed or elected as a governor until that person has completed the required training.

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2013**

**The Government of Maintained
Schools (Training Requirements for
Governors) (Wales) Regulations
2013**

Gwnaed 23 Awst 2013

Made 23 August 2013

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 28 Awst 2013

Laid before the National Assembly for Wales
28 August 2013

Yn dod i rym 20 Medi 2013

Coming into force 20 September 2013

Mae Gweinidogion Cymru, drwy arfer y pwerau ym mharagraff 19(2) a (3) o Atodlen 1A i Ddeddf Safonau a Fframwaith Ysgolion 1998(1), adrannau 19, 23 a 210 o Ddeddf Addysg 2002(2) ac adrannau 22(3) a (4) a 32 o Fesur Addysg (Cymru) 2011(3), yn gwneud y Rheoliadau a ganlyn:

The Welsh Ministers, in exercise of the powers in paragraph 19(2) and (3) of Schedule 1A to the School Standards and Framework Act 1998(1), sections 19, 23 and 210 of the Education Act 2002(2) and sections 22(3) and (4) and 32 of the Education (Wales) Measure 2011(3), make the following Regulations:

Enwi, cychwyn a chymhwyso

Title, commencement and application

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Llywodraethu Ysgolion a Gynhelir (Gofynion Hyfforddi ar gyfer Llywodraethwyr) (Cymru) 2013 a deuant i rym ar 20 Medi 2013.

1.—(1) The title of these Regulations is the Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013 and they come into force on 20 September 2013.

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

(2) These Regulations apply in relation to Wales.

Dehongli

Interpretation

2.—(1) Yn y Rheoliadau hyn—

2.—(1) In these Regulations—

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- (1) 1998 p.31. Mewnosodd adran 59(2) o Ddeddf 2002 Atodlen 6 i'r Ddeddf honno yn Neddf 1998 fel Atodlen 1A. Mae swyddogaethau'r Ysgrifennydd Gwladol o dan Atodlen 1A i gael eu trin fel pe baent wedi eu trosglwyddo i Gynulliad Cenedlaethol Cymru yn unol ag adran 211 o Ddeddf 2002 ac yna i Weinidogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32).
- (2) 2002 p.32. Diwygiwyd adran 210(7) gan adran 21(1), (3)(c)(i) a (ii) o Fesur Teithio gan Ddysgwyr (Cymru) 2008 (mccc 2). Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru o dan yr adrannau hyn i Weinidogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006.
- (3) 2011 mccc 7.

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- (1) 1998 c.31. Section 59(2) of the 2002 Act inserted Schedule 6 of that Act into the 1998 Act as Schedule 1A. The functions of the Secretary of State under Schedule 1A are to be treated as having transferred to the National Assembly of Wales in accordance with section 211 of the 2002 Act and then to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).
- (2) 2002 c.32. Section 210(7) was amended by section 21(1), (3)(c)(i) and (ii) of the Learner Travel (Wales) Measure 2008 (nawm 2). The functions of the National Assembly for Wales under these sections were transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006.
- (3) 2011 nawm 7.

ystyr “cadeirydd corff llywodraethu” (“*chair of a governing body*”) yw rhywun a etholir i’r swydd honno yn unol â rheoliad 39 o Reoliadau 2005 neu reoliad 47 o Reoliadau 2010;

ystyr “yr hyfforddiant ar ddata perfformiad ysgolion” (“*the school performance data training*”) yw’r hyfforddiant a nodir mewn dogfen a gyhoeddwyd gan Weinidogion Cymru ym mis Medi 2013 o’r enw “Cynnwys hyfforddiant i lywodraethwyr ysgolion yng Nghymru ar ddeall data ysgolion”(1) sy’n nodi, at ddiben adran 22(4) o Fesur 2011, yr hyfforddiant a ragnodir;

ystyr “hyfforddiant awdurdod lleol ar ddata perfformiad ysgolion” (“*local authority school performance data training*”) yw hyfforddiant ar gyfer llywodraethwyr ynghylch data am berfformiad ysgolion a ddarperir gan awdurdod lleol neu ar ei ran, ac a gwblheir yn y flwyddyn yn union cyn y daw’r Rheoliadau hyn i rym;

ystyr “hyfforddiant awdurdod lleol i gadeirydd” (“*local authority chair training*”) yw hyfforddiant ar gyfer cadeiryddion cyrff llywodraethu a ddarperir gan awdurdod lleol neu ar ei ran, ac a gwblheir yn y 2 flynedd yn union cyn y daw’r Rheoliadau hyn i rym;

ystyr “yr hyfforddiant i gadeirydd” (“*the chair training*”) yw’r hyfforddiant a nodir mewn dogfen a gyhoeddwyd gan Weinidogion Cymru ym mis Medi 2013 o’r enw “Cynnwys yr hyfforddiant ar gyfer cadeiryddion llywodraethwyr yng Nghymru”(2) sy’n nodi, at ddiben adran 22(4) o Fesur 2011, yr hyfforddiant a ragnodir;

ystyr “yr hyfforddiant ymsefydlu” (“*the induction training*”) yw’r hyfforddiant a nodir mewn dogfen a gyhoeddwyd gan Weinidogion Cymru ym mis Medi 2013 o’r enw “Cynnwys hyfforddiant ymsefydlu ar gyfer llywodraethwyr yng Nghymru”(3) sy’n nodi, at ddiben adran 22(4) o Fesur 2011, yr hyfforddiant a ragnodir;

ystyr “hyfforddiant ymsefydlu awdurdod lleol” (“*local authority induction training*”) yw hyfforddiant ar gyfer llywodraethwyr newydd a ddarperir gan awdurdod lleol neu ar ei ran, ac a gwblheir yn y 2 flynedd yn union cyn y daw’r Rheoliadau hyn i rym;

ystyr “llywodraethwr” (“*a governor*”) yw unrhyw un o’r categorïau o lywodraethwr, ac eithrio disgybl-lywodraethwyr cyswllt, y cyfeirir atynt yn Rhan 2 o Reoliadau 2005 neu Ran 3 o Reoliadau 2010;

“the 2005 Regulations” (“*Rheoliadau 2005*”) means the Government of Maintained Schools (Wales) Regulations 2005(1);

“the 2010 Regulations” (“*Rheoliadau 2010*”) means the Federation of Maintained Schools and Miscellaneous Amendments (Wales) Regulations 2010(2);

“the 2011 Measure” (“*Mesur 2011*”) means the Education (Wales) Measure 2011;

“the 2012 Regulations” (“*Rheoliadau 2012*”) means the School Governance (Transition from an Interim Executive Board) (Wales) Regulations 2012(3);

“chair of a governing body” (“*cadeirydd corff llywodraethu*”) means someone elected to that position in accordance with regulation 39 of the 2005 Regulations or regulation 47 of the 2010 Regulations;

“a governor” (“*llywodraethwr*”) means any of the categories of governor, except associate pupil governors, referred to in Part 2 of the 2005 Regulations or Part 3 of the 2010 Regulations;

“local authority chair training” (“*hyfforddiant awdurdod lleol i gadeirydd*”) means training for the chairs of governing bodies provided by, or on behalf of a local authority and completed in the 2 years immediately preceding the coming into force of these Regulations;

“local authority induction training” (“*hyfforddiant ymsefydlu awdurdod lleol*”) means training for new governors provided by, or on behalf of a local authority and completed in the 2 years immediately preceding the coming into force of these Regulations;

“local authority school performance data training” (“*hyfforddiant awdurdod lleol ar ddata perfformiad ysgolion*”) means training for governors about school performance data provided by, or on behalf of, a local authority and completed in the year immediately preceding the coming into force of these Regulations;

“maintained school” (“*ysgol a gynhelir*”) means a school in Wales maintained by a local authority;

“relevant break in service as a chair” (“*saib perthnasol mewn gwasanaeth fel cadeirydd*”) means a period of at least 5 consecutive years

(1) ISBN Rhif 978-0-7504-9651-3.

(2) ISBN Rhif 978-0-7504-9649-0.

(3) ISBN Rhif 978-0-7504-9647-6.

(1) S.I. 2005/2914 (W.211) as amended by S.I. 2005/3200 (W.236), S.I. 2006/873 (W.81), S.I. 2007/944 (W.80), S.I. 2009/2544 (W.206), S.I. 2010/638 (W.64), S.I. 2010/1142 (W.101), S.I. 2010/2582 (W.216) and as modified by S.I. 2012/1643 (W.212).

(2) S.I. 2010/638 (W.64).

(3) S.I. 2012/1643 (W.212)

ystyr “Mesur 2011” (“*the 2011 Measure*”) yw Mesur Addysg (Cymru) 2011;

ystyr “Rheoliadau 2005” (“*the 2005 Regulations*”) yw Rheoliadau Llywodraethu Ysgolion a Gynhelir (Cymru) 2005(1);

ystyr “Rheoliadau 2010” (“*the 2010 Regulations*”) yw Rheoliadau Ffedereiddio Ysgolion a Gynhelir a Diwygiadau Amrywiol (Cymru) 2010(2);

ystyr “Rheoliadau 2012” (“*the 2012 Regulations*”) yw Rheoliadau Llywodraethu Ysgolion (Trosi o fod yn Fwrdd Gweithredol Interim) (Cymru) 2012(3);

ystyr “saib perthnasol mewn gwasanaeth fel cadeirydd” (“*relevant break in service as a chair*”) yw cyfnod o 5 mlynedd yn olynol o leiaf ers i lywodraethwr wasanaethu ddiwethaf fel cadeirydd corff llywodraethu;

ystyr “saib perthnasol mewn gwasanaeth fel llywodraethwr” (“*relevant break in service as a governor*”) yw cyfnod o 5 mlynedd yn olynol o leiaf ers i berson wasanaethu ddiwethaf fel llywodraethwr mewn ysgol a gynhelir; ac

ystyr “ysgol a gynhelir” (“*maintained school*”) yw ysgol yng Nghymru a gynhelir gan awdurdod lleol.

(2) Mae unrhyw gyfeiriad yn y Rheoliadau hyn at gorff llywodraethu yn gyfeiriad at gorff llywodraethu ysgol a gynhelir.

(3) At ddibenion Rheoliadau 2012—

- (a) mae cyfeiriadau yn y Rheoliadau hyn at “corff llywodraethu”, “llywodraethwr” a “llywodraethwyr” i’w darllen fel cyfeiriadau at “corff llywodraethu cysgodol”, “llywodraethwr cysgodol” a “llywodraethwyr cysgodol”;
- (b) mae cyfeiriadau at wahanol gategoriâu o lywodraethwyr i’w darllen fel cyfeiriadau at lywodraethwyr cysgodol o’r un categori.

Hyfforddiant i Gadeirydd

3.—(1) Yn ddarostyngedig i baragraff (2), rhaid i gadeirydd corff llywodraethu gwblhau’r hyfforddiant i gadeirydd cyn pen 6 mis ar ôl cael ei ethol yn gadeirydd pan fo’r llywodraethwr hwnnw—

- (a) wedi ei ethol fel cadeirydd corff llywodraethu ar ôl i’r Rheoliadau hyn ddod i rym;

(1) O.S. 2005/2914 (Cy.211) fel y’i diwygiwyd gan O.S. 2005/3200 (Cy.236), O.S. 2006/873 (Cy.81), O.S. 2007/944 (Cy.80), O.S. 2009/2544 (Cy.206), O.S. 2010/638 (Cy.64), O.S. 2010/1142 (Cy.101), O.S. 2010/2582 (Cy.216) ac fel y’i haddaswyd gan O.S. 2012/1643 (Cy.212).

(2) O.S. 2010/638 (Cy.64).

(3) O.S. 2012/1643 (Cy.212).

since a governor last served as a chair of a governing body;

“relevant break in service as a governor” (“*saib perthnasol mewn gwasanaeth fel llywodraethwr*”) means a period of at least 5 consecutive years since a person last served as a governor at a maintained school;

“the chair training” (“*yr hyfforddiant i gadeirydd*”) means the training set out in a document published by the Welsh Ministers in September 2013 and called “Content of the training for chairs of governors in Wales”(1) which sets out for the purpose of section 22(4) of the 2011 Measure the prescribed training;

“the induction training” (“*yr hyfforddiant ymsefydlu*”) means the training set out in a document published by the Welsh Ministers in September 2013 called “Content of induction training for governors in Wales”(2) which sets out for the purpose of section 22(4) of the 2011 Measure the prescribed training; and

“the school performance data training” (“*yr hyfforddiant ar ddata perfformiad ysgolion*”) means the training set out in a document published by the Welsh Ministers in September 2013 and called “Content of training for school governors in Wales on understanding school data”(3) which sets out for the purpose of section 22(4) of the 2011 Measure the prescribed training.

(2) Any reference in these Regulations to a governing body is a reference to a governing body of a maintained school.

(3) For the purposes of the 2012 Regulations—

- (a) references in these Regulations to a “governing body”, “governor” and “governors” are to be read as references to “shadow governing body”, “shadow governor” and “shadow governors”;
- (b) references to different categories of governors are to be read as references to shadow governors of the same category.

Chair Training

3.—(1) Subject to paragraph (2) a chair of a governing body must complete the chair training within 6 months of that governor’s election as chair where that governor—

- (a) is elected as a chair of a governing body after the coming into force of these Regulations;

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(2) ISBN No 978-0-7504-9646-9.

(3) ISBN No 978-0-7504-9650-6.

- (b) heb gwblhau'r hyfforddiant i gadeirydd yn y 2 flynedd cyn ei ethol yn gadeirydd corff llywodraethu;
- (c) heb gwblhau hyfforddiant awdurdod lleol i gadeirydd; neu
- (d) wedi ei ethol yn gadeirydd corff llywodraethu yn dilyn saib perthnasol mewn gwasanaeth fel cadeirydd.

(2) Nid oes dim yn y rheoliad hwn yn gymwys i lywodraethwr sydd wedi cwblhau'r hyfforddiant i gadeirydd neu hyfforddiant awdurdod lleol i gadeirydd, ac sydd wedi ei ethol i wasanaethu am gyfnod pellach fel cadeirydd ar ôl i'r Rheoliadau hyn ddod i rym, ar yr amod nad yw'r llywodraethwr hwnnw wedi cael saib perthnasol mewn gwasanaeth fel cadeirydd.

(3) Mae llywodraethwr nad yw'n cwblhau'r hyfforddiant i gadeirydd yn unol â'r Rheoliadau hyn i beidio â dal swydd fel cadeirydd, ac nid yw'n gymwys i'w ethol yn gadeirydd corff llywodraethu hyd oni fydd y llywodraethwr hwnnw wedi cwblhau'r hyfforddiant gofynnol.

Hyfforddiant Ymsefydlu

4.—(1) Yn ddarostyngedig i baragraff (2), rhaid i lywodraethwr gwblhau'r hyfforddiant ymsefydlu cyn pen blwyddyn ar ôl cael ei benodi neu ei ethol, neu ar ôl i'r Rheoliadau hyn ddod i rym (p'un bynnag yw'r diweddaraf) ("cyfnod yr hyfforddiant ymsefydlu") pan fo'r llywodraethwr hwnnw—

- (a) wedi ei benodi neu ei ethol i gorff llywodraethu ar ôl i'r Rheoliadau hyn ddod i rym; neu
- (b) wedi bod yn llywodraethwr am lai na 2 flynedd yn union cyn i'r Rheoliadau hyn ddod i rym a heb gwblhau hyfforddiant ymsefydlu awdurdod lleol.

(2) Nid oes dim yn y rheoliad hwn yn gymwys i'r canlynol—

- (a) pennaeth ysgol sydd hefyd yn llywodraethwr;
- (b) llywodraethwr sydd—
 - (i) wedi bod yn llywodraethwr am fwy na 2 flynedd yn union cyn i'r Rheoliadau hyn ddod i rym;
 - (ii) yn cael ei benodi neu ei ethol am gyfnod pellach mewn unrhyw ysgol a gynhelir; a
 - (iii) heb gael saib perthnasol mewn gwasanaeth fel llywodraethwr; neu
- (c) llywodraethwr sydd—
 - (i) wedi bod yn llywodraethwr am lai na 2 flynedd yn union cyn i'r Rheoliadau hyn ddod i rym, ac wedi cwblhau hyfforddiant ymsefydlu awdurdod lleol;

- (b) has not completed the chair training in the 2 years before election as chair of a governing body;
- (c) has not completed the local authority chair training; or
- (d) is elected as a chair of a governing body following a relevant break in service as a chair.

(2) Nothing in this regulation applies to a governor who has completed the chair training or the local authority chair training and who has been elected to serve a further term as chair after the coming into force of these Regulations provided that governor has not had a relevant break in service as a chair.

(3) A governor who does not complete the chair training in accordance with these Regulations is to cease to hold office as the chair and is not eligible to be elected as the chair of a governing body until that governor has completed the required training.

Induction Training

4.—(1) Subject to paragraph (2) a governor must complete the induction training within 1 year of that governor's appointment, or election or the coming into force of these Regulations (whichever is the later) ("the induction training period") where that governor—

- (a) is appointed or elected to a governing body after the coming into force of these Regulations; or
- (b) has been a governor for fewer than 2 years immediately before the coming into force of these Regulations and has not completed local authority induction training.

(2) Nothing in this regulation applies to—

- (a) a head teacher of a school who is also a governor;
- (b) a governor who—
 - (i) has been a governor for more than 2 years immediately before the coming into force of these Regulations;
 - (ii) is being appointed or elected for a further term at any maintained school; and
 - (iii) has not had a relevant break in service as a governor; or
- (c) a governor who—
 - (i) has been a governor for fewer than 2 years immediately before the coming into force of these Regulations and who has completed local authority induction training;

- (ii) yn cael ei benodi neu ei ethol am gyfnod pellach mewn unrhyw ysgol a gynhelir; a
- (iii) heb gael saib perthnasol mewn gwasanaeth fel llywodraethwr; neu

(d) llywodraethwr sydd—

- (i) wedi cwblhau'r hyfforddiant ymsefydlu;
- (ii) yn cael ei benodi neu ei ethol am gyfnod pellach mewn unrhyw ysgol a gynhelir; a
- (iii) heb gael saib perthnasol mewn gwasanaeth fel llywodraethwr.

(3) Mae llywodraethwr nad yw'n cwblhau'r hyfforddiant ymsefydlu yn unol â'r Rheoliadau hyn wedi ei atal dros dro o bob cyfarfod y corff llywodraethu oddi ar y diwrnod yn dilyn diwedd cyfnod yr hyfforddiant ymsefydlu hyd oni fydd y llywodraethwr hwnnw wedi cwblhau'r hyfforddiant.

(4) Nid oes dim yn y rheoliad hwn i'w ddarllen fel pe bai'n effeithio ar hawl llywodraethwr sydd wedi ei atal dros dro i—

- (a) cael hysbysiadau am gyfarfodydd y corff llywodraethu, ac agenda ac adroddiadau neu bapurau eraill ar gyfer y cyfarfodydd hynny; neu
- (b) mynychu cyfarfod o'r corff llywodraethu sydd wedi ei alw yn unol â rheoliad 30 o Reoliadau 2005 neu reoliad 38 o Reoliadau 2010 (yn ôl y digwydd) i ystyried symud y person hwnnw o'i swydd,

yn ystod y cyfnod y mae'r llywodraethwr hwnnw wedi ei atal dros dro.

(5) Nid yw llywodraethwr wedi ei anghymhwyso rhag parhau i ddal swydd o dan baragraff 5 o Atodlen 5 i Reoliadau 2005 nac o dan baragraff 5 o Atodlen 7 i Reoliadau 2010 (yn ôl y digwydd) am fethu â mynychu unrhyw gyfarfod o'r corff llywodraethu tra bo wedi ei atal dros dro o dan yn y rheoliad hwn.

(6) Mae llywodraethwr sydd wedi ei atal dros dro o dan y rheoliad hwn am gyfnod parhaus o 6 mis i'w anghymhwyso rhag dal swydd neu barhau mewn swydd o dan reoliad 24 o Reoliadau 2005, ac Atodlen 5 iddynt, neu o dan reoliad 32 o Reoliadau 2010, ac Atodlen 7 iddynt (yn ôl y digwydd).

Hyfforddiant ar Ddata Perfformiad Ysgolion

5.—(1) Yn ddarostyngedig i baragraff (2), rhaid i lywodraethwr gwblhau'r hyfforddiant ar ddata perfformiad ysgolion cyn pen blwyddyn ar ôl cael ei benodi neu ei ethol (p'un bynnag yw'r diweddaraaf) ("cyfnod yr hyfforddiant ar ddata perfformiad ysgolion") pan fo'r llywodraethwr hwnnw wedi ei benodi neu ei ethol i gorff llywodraethu ar ôl i'r Rheoliadau hyn ddod i rym.

- (ii) is being appointed or elected for a further term at any maintained school; and
- (iii) has not had a relevant break in service as a governor; or

(d) a governor who—

- (i) has completed the induction training;
- (ii) is being appointed or elected for a further term at any maintained school; and
- (iii) has not had a relevant break in service as a governor.

(3) A governor who does not complete the induction training in accordance with these Regulations is suspended for all meetings of the governing body from the day following the end of the induction training period until that governor has completed the training.

(4) Nothing in this regulation is to be read as affecting the right of a governor who has been suspended to—

- (a) receive notices of, and agenda and reports or other papers for, meetings of the governing body; or
- (b) attend a meeting of the governing body convened in accordance with regulation 30 of the 2005 Regulations or regulation 38 of the 2010 Regulations (as the case may be) to consider that person's removal from office,

during that governor's period of suspension.

(5) A governor is not disqualified from continuing to hold office under paragraph 5 of Schedule 5 to the 2005 Regulations or under paragraph 5 of Schedule 7 to the 2010 Regulations (as the case may be) for failure to attend any meeting of the governing body while suspended under this regulation.

(6) A governor who is suspended under this regulation for a continuous period of 6 months is to be disqualified from holding or continuing in office under regulation 24 of, and Schedule 5 to, the 2005 Regulations or under regulation 32 of, and Schedule 7 to, the 2010 Regulations (as the case may be).

School Performance Data Training

5.—(1) Subject to paragraph (2) a governor must complete the school performance data training within 1 year of that governor's appointment or election (whichever is the later) ("the school performance data training period") where that governor is appointed or elected to a governing body after the coming into force of these Regulations.

(2) Nid oes dim yn y rheoliad hwn yn gymwys i'r canlynol—

- (a) pennaeth ysgol sydd hefyd yn llywodraethwr;
- (b) llywodraethwr sydd—
 - (i) o fewn y flwyddyn yn union cyn i'r Rheoliadau hyn ddod i rym, wedi cwblhau hyfforddiant awdurdod lleol ar ddata perfformiad ysgolion;
 - (ii) yn cael ei benodi neu ei ethol am gyfnod pellach mewn unrhyw ysgol a gynhelir; a
 - (iii) heb gael saib perthnasol mewn gwasanaeth fel llywodraethwr; neu
- (c) llywodraethwr sydd—
 - (i) wedi cwblhau'r hyfforddiant ar ddata perfformiad ysgolion;
 - (ii) yn cael ei benodi neu ei ethol am gyfnod pellach mewn unrhyw ysgol a gynhelir; a
 - (iii) heb gael saib perthnasol mewn gwasanaeth fel llywodraethwr.

(3) Mae llywodraethwr sydd heb gwblhau'r hyfforddiant ar ddata perfformiad ysgolion yn unol â'r Rheoliadau hyn wedi ei atal dros dro o bob cyfarfod o'r corff llywodraethu oddi ar y diwrnod yn dilyn diwedd cyfnod yr hyfforddiant ar ddata perfformiad ysgolion hyd oni fydd y llywodraethwr hwnnw wedi cwblhau'r hyfforddiant.

(4) Nid oes dim yn y rheoliad hwn i'w ddarllen fel pe bai'n effeithio ar hawl llywodraethwr sydd wedi ei atal dros dro i wneud y canlynol—

- (a) cael hysbysiadau am gyfarfodydd y corff llywodraethu, ac agenda ac adroddiadau neu bapurau eraill ar gyfer y cyfarfodydd hynny; neu
- (b) mynychu cyfarfod o'r corff llywodraethu sydd wedi ei alw yn unol â rheoliad 30 o Reoliadau 2005 neu reoliad 38 o Reoliadau 2010 (yn ôl y digwydd) i ystyried symud y llywodraethwr hwnnw o'i swydd,

yn ystod y cyfnod y mae'r person hwnnw wedi ei atal dros dro.

(5) Nid yw llywodraethwr wedi ei anghymhwysio rhag parhau i ddal swydd o dan baragraff 5 o Atodlen 5 i Reoliadau 2005 nac o dan baragraff 5 o Atodlen 7 i Reoliadau 2010 (yn ôl y digwydd) am fethu â mynychu unrhyw gyfarfod o'r corff llywodraethu tra bo wedi ei atal dros dro o dan y rheoliad hwn.

(6) Mae llywodraethwr sydd wedi ei atal dros dro o dan y rheoliad hwn am gyfnod parhaus o 6 mis i'w anghymhwysio rhag dal swydd neu barhau mewn swydd o dan reoliad 24 o Reoliadau 2005, ac Atodlen 5 iddynt, neu o dan reoliad 32 o Reoliadau 2010, ac Atodlen 7 iddynt (yn ôl y digwydd).

(2) Nothing in this regulation applies to—

- (a) a head teacher of a school who is also a governor;
- (b) a governor who—
 - (i) within the year immediately before the coming into force of these Regulations has completed local authority school performance data training;
 - (ii) is being appointed or elected for a further term at any maintained school; and
 - (iii) has not had a relevant break in service as a governor; or
- (c) a governor who—
 - (i) has completed the school performance data training;
 - (ii) is being appointed or elected for a further term at any maintained school; and
 - (iii) has not had a relevant break in service as a governor.

(3) A governor who has not completed the school performance data training in accordance with these Regulations is suspended for all meetings of the governing body from the day following the end of the school performance data training period until that governor has completed the training.

(4) Nothing in the regulation is to be read as affecting the right of a governor who has been suspended to—

- (a) receive notices of, and agenda and reports or other papers for, meetings of the governing body; or
- (b) attend a meeting of the governing body convened in accordance with regulation 30 of the 2005 Regulations or regulation 38 of the 2010 Regulations (as the case may be) to consider that governor's removal from office,

during that person's period of suspension.

(5) A governor is not disqualified from continuing to hold office under paragraph 5 of Schedule 5 to the 2005 Regulations or under paragraph 5 of Schedule 7 to the 2010 Regulations (as the case may be) for failure to attend any meeting of the governing body while suspended under this regulation.

(6) A governor who is suspended under this regulation for a continuous period of 6 months is to be disqualified from holding or continuing in office under regulation 24 of, and Schedule 5 to, the 2005 Regulations or under regulation 32 of, and Schedule 7 to, the 2010 Regulations (as the case may be).

Diwygio Rheoliadau 2005

6.—(1) Yn Atodlen 5 i Reoliadau 2005, ar ôl paragraff 11 mewnosoder—

“Methu â chwblhau’r hyfforddiant gofynnol

11A.—(1) Anghymhwysir llywodraethwr sydd wedi parhau’n un sydd wedi ei atal dros dro o’i swydd yn rhinwedd rheoliad 4 neu 5 o Reoliadau Llywodraethu Ysgolion a Gynhelir (Gofynion Hyfforddi ar gyfer Llywodraethwyr) (Cymru) 2013 (“Rheoliadau 2013”) am gyfnod parhaus o 6 mis, pan ddaw’r cyfnod hwnnw i ben, rhag dal swydd fel llywodraethwr unrhyw ysgol.

(2) Nid yw llywodraethwr a anghymhwyswyd fel llywodraethwr ysgol o dan is-baragraff (1) yn gymwys i’w ethol, i’w enwebu neu i’w benodi yn llywodraethwr o unrhyw gategori mewn unrhyw ysgol hyd oni fydd y llywodraethwr hwnnw wedi cwblhau’r hyfforddiant sy’n ofynnol yn rhinwedd rheoliad 4 neu 5 o Reoliadau 2013.”

(2) Ym mharagraff 13(a) o Atodlen 5 i Reoliadau 2005, yn lle “11” rhodder “11A”.

Diwygio Rheoliadau 2010

7.—(1) Yn Atodlen 7 i Reoliadau 2010, ar ôl paragraff 11 mewnosoder—

“Methu â chwblhau’r hyfforddiant gofynnol

11A.—(1) Anghymhwysir llywodraethwr sydd wedi parhau’n un sydd wedi ei atal dros dro o’i swydd yn rhinwedd rheoliad 4 neu 5 o Reoliadau Llywodraethu Ysgolion a Gynhelir (Gofynion Hyfforddi ar gyfer Llywodraethwyr) (Cymru) 2013 (“Rheoliadau 2013”) am gyfnod parhaus o 6 mis, pan ddaw’r cyfnod hwnnw i ben, rhag dal swydd fel llywodraethwr unrhyw ysgol.

(2) Nid yw llywodraethwr a anghymhwyswyd fel llywodraethwr ysgol o dan is-baragraff (1) yn gymwys i’w ethol, i’w enwebu neu i’w benodi yn llywodraethwr o unrhyw gategori mewn unrhyw ysgol hyd oni fydd y llywodraethwr hwnnw wedi cwblhau’r hyfforddiant sy’n ofynnol yn rhinwedd rheoliad 4 neu 5 o Reoliadau 2013.”

(2) Ym mharagraff 13(a) o Atodlen 7 i Reoliadau 2010, yn lle “11” rhodder “11A”.

Amendment to the 2005 Regulations

6.—(1) In Schedule 5 to the 2005 Regulations after paragraph 11 insert—

“Failure to complete required training

11A.—(1) A governor, who, has remained suspended from office by virtue of regulation 4 or 5 of the Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013 (“the 2013 Regulations”) for a continuous period of 6 months is, on the expiry of that period, disqualified from holding office as a governor of any school.

(2) A governor who has been disqualified as a governor of a school under sub-paragraph (1) is not qualified for election, nomination or appointment as a governor of any category at any school until such time as that governor has completed the training required by virtue of regulation 4 or 5 of the 2013 Regulations.”

(2) In paragraph 13(a) of Schedule 5 to the 2005 Regulations for “11” substitute “11A”.

Amendment to the 2010 Regulations

7.—(1) In Schedule 7 to the 2010 Regulations after paragraph 11 insert—

“Failure to complete required training

11A.—(1) A governor, who, has remained suspended from office by virtue of regulation 4 or 5 of the Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013 (“the 2013 Regulations”) for a continuous period of 6 months is, on the expiry of that period, disqualified from holding office as a governor of any school.

(2) A governor who has been disqualified as a governor of a school under sub-paragraph (1) is not qualified for election, nomination or appointment as a governor of any category at any school until such time as that governor has completed the training required by virtue of regulation 4 or 5 of the 2013 Regulations.”

(2) In paragraph 13(a) of Schedule 7 to the 2010 Regulations for “11” substitute “11A”.

Y Gweinidog Addysg a Sgiliau, un o Weinidogion
Cymru

23 Awst 2013

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Minister for Education and Skills, one of the Welsh
Ministers

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