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CYMRU

WELSH STATUTORY
INSTRUMENTS

2015 Rhif 484 (Cy. 41)

2015 No. 484 (W. 41)

ADDYSG, CYMRU

EDUCATION, WALES

Rheoliadau Addysg (Trefniadau
Sefydli ar gyfer Athrawon Ysgol)
(Cymru) 2015

The Education (Induction
Arrangements for School Teachers)
(Wales) Regulations 2015

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Cafodd Cyngor Addysgu Cyffredinol Cymru ei ail-enwi yn 'Gyngor y Gweithlu Addysg' ("y Cyngor") gan adran 2 o Ddeddf Addysg (Cymru) 2014 ("Deddf 2014").

The General Teaching Council for Wales was re-named the Education Workforce Council ("the Council") by section 2 of the Education (Wales) Act 2014 ("the 2014 Act").

Mae adrannau 17 a 19 o Ddeddf 2014 yn gwneud darpariaeth mewn perthynas â'r gofyniad bod athrawon ysgol yn ymgymryd â chyfnod sefydlu.

Sections 17 and 19 of the 2014 Act makes provision in relation to the requirement for school teachers to undertake a period of induction.

Mae'r Rheoliadau hyn yn dirymu ac yn disodli Rheoliadau Addysg (Trefniadau Ymsefydlu ar gyfer Athrawon Ysgol) (Cymru) 2005 ("Rheoliadau 2005"), fel y'u diwygiwyd. Ailddeddfir darpariaethau Rheoliadau 2005, ond disodlwyd y cyfeiriadau at y Cyngor Addysgu Cyffredinol gan gyfeiriadau at Gyngor y Gweithlu Addysg.

These Regulations revoke and replace the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2005 ("the 2005 Regulations"), as amended. The provisions of the 2005 Regulations are re-enacted but the references to the General Teaching Council for Wales have been removed and replaced with references to the Education Workforce Council.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ni thybiwyd bod angen llunio asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

2015 Rhif 484 (Cy. 41)

ADDYSG, CYMRU

Rheoliadau Addysg (Trefniadau Sefydli ar gyfer Athrawon Ysgol) (Cymru) 2015

Gwnaed 3 Mawrth 2015

Gosodwyd gerbron Cynulliad Cenedlaethol Cymru 5 Mawrth 2015

Yn dod i rym 1 Ebrill 2015

2015 No. 484 (W. 41)

EDUCATION, WALES

The Education (Induction Arrangements for School Teachers) (Wales) Regulations 2015

Made 3 March 2015

Laid before the National Assembly for Wales 5 March 2015

Coming into force 1 April 2015

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd iddynt gan adrannau 17, 19(3) a 47(1) o Ddeddf Addysg (Cymru) 2014(1) yn gwneud y Rheoliadau canlynol:

Enwi, cychwyn a chymhwys

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Trefniadau Sefydli ar gyfer Athrawon Ysgol) (Cymru) 2015, a deuant i rym ar 1 Ebrill 2015.

(2) Mae'r Rheoliadau hyn yn gymwys mewn perthynas ag athrawon ysgol yng Nghymru.

Dirymu a darpariaeth drosiannol

2.—(1) Yn ddarostyngedig i baragraff (2), mae'r Rheoliadau a bennir yn y golofn gyntaf o'r tabl yn Atodlen 1 wedi eu dirymu i'r graddau a ddynodir yn nhrydedd golofn y tabl yn Atodlen 1.

(2) Rhaid trin person a oedd, yn union cyn 1 Ebrill 2015, yn ymgymryd â chyfnod sefydlu yn unol â Rheoliadau Addysg (Trefniadau Ymsefydlu ar gyfer Athrawon Ysgol) (Cymru) 2005(2) ("Rheoliadau 2005"), fel pe bai o'r dyddiad hwnnw, yn ymgymryd â chyfnod sefydlu yn unol â'r Rheoliadau hyn, a rhaid

The Welsh Ministers, in exercise of the powers conferred on them by sections 17, 19(3) and 47(1) of the Education (Wales) Act 2014(1) make the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2015 and they come into force on 1 April 2015.

(2) These Regulations apply in relation to school teachers in Wales.

Revocation and transitional provision

2.—(1) Subject to paragraph (2) the regulations set out in the first column of the table in Schedule 1 are revoked to the extent indicated in the third column of the table in Schedule 1.

(2) A person who immediately before 1 April 2015 was serving an induction period in accordance with the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2005(2) ("the 2005 Regulations") is to be treated from that date as if they were serving an induction period in accordance with

(1) 2014 decc 5.

(2) O.S. 2005/1818 (Cy. 146) fel y'i diwygiwyd gan O.S. 2007/2811 (Cy. 238), O.S. 2010/1142 (Cy. 101), O.S. 2012/724 (Cy. 96) ac O.S. 2012/1675 (Cy. 216).

(1) 2014 anaw 5.

(2) S.I. 2005/1818 (W. 146) as amended by S.I. 2007/2811 (W. 238), S.I. 2010/1142 (W. 101), S.I. 2012/724 (W. 96) and S.I. 2012/1675 (W. 216).

trin unrhyw beth a wnaed o dan Reoliadau 2005 fel pe bai wedi ei wneud o dan y Rheoliadau hyn.

Dehongli

3.—(1) Yn y Rheoliadau hyn—

ystyr “athro neu athrawes gofrestredig” (“*registered teacher*”) yw person a gafodd awdurdodiad i addysgu yn unol â pharagraffau 12 i 18 o Atodlen 2 i Reoliadau 1999 cyn 1 Medi 2004;

ystyr “athro neu athrawes gyflenwi” (“*supply teacher*”) yw athro neu athrawes a gyflogir yn gyfan gwbl neu yn bennaf at ddibenion goruchwyllo neu addysgu disgyblion nad yw eu hathro neu athrawes reolaidd ar gael i'w haddysgu;

ystyr “athro neu athrawes gymwysedig” (“*qualified teacher*”) yw person sy'n bodloni'r gofynion sydd wedi'u pennu mewn rheoliadau sydd wedi'u gwneud o dan adran 132 o Ddeddf 2002;

ystyr “athro neu athrawes raddedig” (“*graduate teacher*”) yw person a gafodd awdurdodiad i addysgu yn unol â pharagraffau 5 i 11 o Atodlen 2 i Reoliadau 1999 cyn 1 Medi 2004;

ystyr “awdurdod” (“*authority*”) yw awdurdod lleol yng Nghymru;

mae “blwyddyn ysgol” (“*school year*”) yn cynnwys blwyddyn academaidd coleg AB;

ystyr “coleg AB” (“*FE college*”) yw sefydliad yn y sector addysg bellach yn unol â'r diffiniad yn adran 91(3) o Ddeddf Addysg Bellach ac Uwch 1992(1);

mae i “corff llywodraethu” mewn perthynas â choleg AB yr un ystyr ag sydd i “governing body” yn adran 90(1) o Ddeddf Addysg Bellach ac Uwch 1992;

ystyr “corff priodol” (“*appropriate body*”) yw'r corff priodol o dan reoliad 5;

ystyr “cyflogwr” (“*employer*”) yw awdurdod, corff llywodraethu neu berson arall sy'n cymryd person ymlaen, neu'n gwneud trefniadau i'w gymryd ymlaen, i ddarparu ei wasanaethau fel athro neu athrawes o dan gontract cyflogaeth, neu rywfodd arall ac eithrio o dan gontract cyflogaeth, a rhaid dehongli “cyflogedig” (“*employed*”) a “cyflogaeth” (“*employment*”) ac unrhyw ymadroddion sy'n ymwneud â therfynu cyflogaeth yn unol â hynny;

mae i “cyfnod allweddol” yr ystyr a roddir i “key stage” yn adran 103(1) o Ddeddf 2002;

(1) 1992 p.13.

these Regulations and anything done under the 2005 Regulations is to be treated as done under these Regulations.

Interpretation

3.—(1) In these Regulations—

“the 1998 Act” (“*Deddf 1998*”) means the School Standards and Framework Act 1998(1);

“the 2002 Act” (“*Deddf 2002*”) means the Education Act 2002(2);

“the 1999 Regulations” (“*Rheoliadau 1999*”) means the Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999(3);

“the 2014 Act” (“*Deddf 2014*”) means the Education (Wales) Act 2014;

“appropriate body” (“*corff priodol*”) means the appropriate body under regulation 5;

“authority” (“*awdurdod*”) means a local authority in Wales;

“the Council” (“*y Cyngor*”) means the Education Workforce Council;

“employer” (“*cyflogwr*”) means an authority, governing body or other person who engages or make arrangements for the engagement of a person to provide their services as a teacher under a contract of employment or otherwise than under a contract of employment, and “employed” (“*cyflogedig*”), “employment” (“*cyflogaeth*”) and any expressions relating to the termination of employment are to be construed accordingly;

“employment-based teacher training scheme” (“*cynllun hyfforddi athrawon ar sail cyflogaeth*”) means a scheme established by the Welsh Ministers under regulation 8 of the School Teachers' Qualifications Regulations;

“England's Induction Regulations” (“*Rheoliadau Sefydlu Lloegr*”) means regulations made from time to time under section 135A of the 2002 Act(4) in relation to teachers in England;

“FE college” (“*coleg AB*”) means an institution within the further education sector as defined in section 91(3) of the Further and Higher Education Act 1992(5);

(1) 1998 c.31.

(2) 2002 c.32.

(3) S.I. 1999/2817 as amended by S.I. 2002/1663 (W. 158), S.I. 2002/2938 (W. 279), S.I. 2003/140 (W. 12), S.I. 2004/1729 (W. 173), S.I. 2004/1744 (W. 183), S.I. 2004/2733 (W. 240), S.I. 2006/873 (W. 81), S.I. 2010/1142 (W. 101) and S.I. 2012/724 (W. 96).

(4) Section 135A of the Education Act 2002 was inserted by section 9 of the Education Act 2011 (c.21).

(5) 1992 c.13.

ystyr “cyfnod sefydlu” (“*induction period*”) yw cyfnod sefydlu sy'n ofynnol o dan y Rheoliadau hyn;

ystyr “y Cyngor” (“*the Council*”) yw Cyngor y Gweithlu Addysg;

ystyr “cynllun hyfforddi athrawon ar sail cyflogaeth” (“*employment-based teacher training scheme*”) yw cynllun a sefydlwyd gan Weinidogion Cymru o dan reoliad 8 o Reoliadau Cymwysterau Athrawon Ysgol;

ystyr “Deddf 1998” (“*the 1998 Act*”) yw Deddf Safonau a Fframwaith Ysgolion 1998(1);

ystyr “Deddf 2002” (“*the 2002 Act*”) yw Deddf Addysg 2002(2);

ystyr “Deddf 2014” (“*the 2014 Act*”) yw Deddf Addysg (Cymru) 2014;

ystyr “diwrnod gwaith” (“*working day*”) yw unrhyw ddiwrnod nad yw'n ddydd Sadwrn, dydd Sul nac yn ddiwrnod sy'n wyl banc o fewn yr ystyr a roddir i “*bank holiday*” yn Neddf Bancio a Thrafodion Ariannol 1971(3);

ystyr “diwrnod ysgol” (“*school day*”) mewn perthynas ag ysgol yw unrhyw ddiwrnod pan fydd sesiwn ysgol yn yr ysgol honno, ac mewn perthynas â choleg AB unrhyw ddiwrnod pan fydd y coleg yn cyfarfod;

mae “pennaeth” (“*head teacher*”) yn cynnwys pennaeth coleg AB;

ystyr “Rheoliadau 1999” (“*the 1999 Regulations*”) yw Rheoliadau Addysg (Cymwysterau a Safonau Iechyd Athrawon) (Cymru) 1999(4);

ystyr “Rheoliadau Cymwysterau Athrawon Ysgol” (“*the School Teachers' Qualifications Regulations*”) yw Rheoliadau Addysg (Cymwysterau Athrawon Ysgol) (Cymru) 2012(5);

ystyr “Rheoliadau Sefydlu Lloegr” (“*England's Induction Regulations*”) yw rheoliadau a wneir o bryd i'w gilydd o dan adran 135A o Ddeddf 2002(6) mewn perthynas ag athrawon yn Lloegr;

ystyr “sefydliad” (“*institution*”) yw ysgol berthnasol, ysgol annibynnol neu goleg AB lle y ceir ymgymryd â chyfnod sefydlu o dan y Rheoliadau hyn, fel y bo'r cyd-destun yn mynnu;

“governing body” (“*corff llywodraethu*”) in relation to an FE college has the same meaning as in section 90(1) of the Further and Higher Education Act 1992;

“graduate teacher” (“*athro neu athrawes raddedig*”) means a person who was granted an authorisation to teach in accordance with paragraphs 5 to 11 of Schedule 2 to the 1999 Regulations before 1 September 2004;

“head teacher” (“*pennaeth*”) includes the principal of an FE college;

“induction period” (“*cyfnod sefydlu*”) means an induction period required by these Regulations;

“institution” (“*sefydliad*”) means a relevant school, an independent school or an FE college in which an induction period may be served under these Regulations, as the context requires;

“key stage” (“*cyfnod allweddol*”) has the same meaning as in section 103(1) of the 2002 Act;

“non-maintained special school” (“*ysgol arbennig nas cynhelir*”) means a special school which is neither a community special school nor a foundation special school;

“qualified teacher” (“*athro neu athrawes gymwysedig*”) means a person who satisfies requirements specified in regulations made under section 132 of the 2002 Act;

“registered teacher” (“*athro neu athrawes gofrestredig*”) means a person who was granted an authorisation to teach in accordance with paragraphs 12 to 18 of Schedule 2 to the 1999 Regulations before 1 September 2004;

“relevant school” (“*ysgol berthnasol*”) means a school maintained by an authority or a non-maintained special school;

“school day” (“*diwrnod ysgol*”) in relation to a school means any day on which at that school there is a school session, and in relation to an FE college, means any day on which the college meets;

“school session” (“*sesiwn ysgol*”) has the same meaning as in regulations 4 and 5 of the Education (School Day and School Year) (Wales) Regulations 2003(1);

“the School Teachers' Qualifications Regulations” (“*Rheoliadau Cymwysterau Athrawon Ysgol*”) means the Education (School Teachers' Qualifications) (Wales) Regulations 2012(2);

(1) 1998 p.31.

(2) 2002 p.32.

(3) 1971 p.80.

(4) O.S. 1999/2817 fel y'i diwygiwyd gan O.S. 2002/1663 (Cy. 158), O.S. 2002/2938 (Cy. 279), O.S. 2003/140 (Cy. 12), O.S. 2004/1729 (Cy. 173), O.S. 2004/1744 (Cy. 183), O.S. 2004/2733 (Cy. 240), O.S. 2006/873 (Cy. 81), O.S. 2010/1142 (Cy. 101) ac O.S. 2012/724 (Cy. 96).

(5) O.S. 2012/724 (Cy. 96).

(6) Mewnosodwyd adran 135A o Ddeddf Addysg 2002 gan adran 9 o Ddeddf Addysg 2011 (p.21).

(1) S.I. 2003/3231 (W. 311) as amended by S.I. 2006/1262 (W. 119), S.I. 2008/1739 (W. 171), S.I. 2011/149 (W. 33) and S.I. 2012/248 (W. 41).

(2) S.I. 2012/724 (W. 96).

mae i “sesiwn ysgol” (“*school session*”) yr un ystyr ag a roddir iddo yn rheoliadau 4 a 5 o Reoliadau Addysg (Y Diwrnod Ysgol a'r Flwyddyn Ysgol) (Cymru) 2003(1);

mae “tymor ysgol” (“*school term*”) yn cynnwys tymor coleg AB;

mae i “ysgol arbennig” yr ystyr a roddir i “*special school*” yn adran 337(1) o Ddeddf 1996(2);

ystyr “ysgol arbennig nas cynhelir” (“*non-maintained special school*”) yw ysgol arbennig nad yw'n ysgol arbennig gymunedol nac yn ysgol arbennig sefydledig;

ystyr “ysgol berthnasol” (“*relevant school*”) yw ysgol sy'n cael ei chynnal gan awdurdod neu ysgol arbennig nas cynhelir.

(2) At ddibenion y Rheoliadau hyn, mae person wedi cwblhau cyfnod sefydlu pan fydd y person hwnnw wedi ymgymryd â chyfnod sefydlu o—

- (a) tri thymor ysgol; neu
- (b) o unrhyw hyd arall a benderfynir yn unol â rheoliad 8(4) (gan gynnwys, yn unig, gyfnodau o gyflogaeth sy'n cyfrif tuag at gyfnod sefydlu o dan reoliad 9); ac

os yw'r corff priodol yn estyn y cyfnod sefydlu yn unol â rheoliad 10, cyfnod yr estyniad hwnnw.

Torri terfynau amser

4. Nid yw methiant gan unrhyw berson i gyflawni unrhyw ddyletswydd o fewn terfyn amser a bennir yn y Rheoliadau hyn yn rhyddhau'r person hwnnw o'r ddyletswydd honno.

Corff priodol

5.—(1) At ddibenion y Rheoliadau hyn—

- (a) y corff priodol mewn perthynas ag ysgol gymunedol, sefydledig neu wirfoddol, ysgol arbennig gymunedol neu sefydledig, neu ysgol feithrin a gynhelir (ym mhob achos o fewn ystyr y termau cyfatebol Saesneg yn Neddf 1998) yw'r awdurdod sy'n ei chynnal;
- (b) y corff priodol mewn perthynas ag ysgol arbennig nas cynhelir yw'r awdurdod ar gyfer yr ardal y mae'r ysgol wedi'i lleoli ynddi;
- (c) y corff priodol mewn perthynas ag ysgol annibynnol yw—
 - (i) awdurdod, neu

“school term” (“*tymor ysgol*”) includes a term of an FE college;

“school year” (“*blwyddyn ysgol*”) includes the academic year of an FE college;

“special school” (“*ysgol arbennig*”) has the same meaning as in section 337(1) of the Education Act 1996(1);

“supply teacher” (“*athro neu athrawes gyflenwi*”) means a teacher employed wholly or mainly for the purpose of supervising or teaching pupils whose regular teacher is not available to teach them;

“working day” (“*diwrnod gwaith*”) means any day other than a Saturday, a Sunday or a day which is a bank holiday within the meaning of the Banking and Financial Dealings Act 1971(2).

(2) For the purposes of these Regulations a person has completed an induction period when that person has served an induction period of—

- (a) three school terms; or
- (b) such other length as determined in accordance with regulation 8(4) (comprising only periods of employment which count towards an induction period under regulation 9); and

where the appropriate body extends the induction period in accordance with regulation 10, the period of that extension.

Breach of time limits

4. Failure by any person to discharge any duty within a time limit specified in these Regulations does not relieve that person of that duty.

Appropriate body

5.—(1) For the purposes of these Regulations—

- (a) the appropriate body in relation to a community, foundation or voluntary school, a community or foundation special school, or a maintained nursery school (in each case within the meaning of the 1998 Act) is the authority maintaining it;
- (b) the appropriate body in relation to a non-maintained special school is the authority for the area in which the school is situated;
- (c) the appropriate body in relation to an independent school is—
 - (i) an authority, or

(1) O.S. 2003/3231 (Cy. 311) fel y'i diwygiwyd gan O.S. 2006/1262 (Cy. 119), O.S. 2008/1739 (Cy. 171), O.S. 2011/149 (Cy. 33) ac O.S. 2012/248 (Cy. 41).

(2) 1996. p.56.

(1) 1996. c.56.

(2) 1971 c.80.

- (ii) pa bynnag bersonau neu gorff a benderfynir gan Weinidogion Cymru, a rhaid i'r personau hynny neu'r corff hwnnw gynnwys, fel aelod, gynrychiolydd awdurdod, a

- (d) y corff priodol mewn perthynas â choleg AB yw awdurdod.

(2) Mae unrhyw gwestiwn ynglŷn â pha un yw'r corff priodol at y diben o arfer unrhyw swyddogaethau a osodir ar gorff priodol neu a roddir iddo gan y Rheoliadau hyn, mewn achos lle mae person yn ymgymryd â'i gyfnod sefydlu mewn mwy nag un sefydliad, i gael ei benderfynu gan Weinidogion Cymru.

Gofyniad i ymgymryd â chyfnod sefydlu

6. Yn ddarostyngedig i'r eithriadau yn Atodlen 2, ni chaniateir cyflogi neb ar neu ar ôl 1 Ebrill 2015 fel athro neu athrawes mewn ysgol berthnasol onid yw'r person hwnnw wedi cwblhau'n foddhaol gyfnod sefydlu yn unol â'r Rheoliadau hyn.

Sefydliadau y ceir ymgymryd â chyfnod sefydlu ynddynt

7.—(1) Yn ddarostyngedig i baragraff (2), yn y canlynol yn unig y ceir ymgymryd â chyfnod sefydlu—

- (a) ysgol berthnasol yng Nghymru ac eithrio ysgol arbennig gymunedol neu sefydledig a sefydlwyd mewn ysbyty; neu
- (b) yn yr amgylchiadau a bennir ym mharagraff (3), ysgol annibynnol yng Nghymru; neu
- (c) yn yr amgylchiadau a bennir ym mharagraff (4), coleg AB yng Nghymru; neu
- (d) ysgol neu goleg AB yn Lloegr lle y ceir ymgymryd â chyfnod sefydlu o dan Reoliadau Sefydli Lloegr.

(2) Ni cheir ymgymryd â chyfnod sefydlu yn y canlynol—

- (a) ysgol yng Nghymru y mae'r amgylchiadau a ddisgrifir yn seiliau 6 neu 8 yn adran 2 o Ddeddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013(1) yn gymwys mewn perthynas â hi, oni bai—
 - (i) bod y person o dan sylw wedi dechrau ei gyfnod sefydlu neu wedi'i gyflogi fel athro neu athrawes raddedig neu athro neu athrawes gofrestredig neu ar gynllun hyfforddi athrawon ar sail cyflogaeth yn yr ysgol ar adeg pan nad oedd amgylchiadau o'r fath yn gymwys, neu

- (ii) such persons or body as the Welsh Ministers may determine, which persons or body must include as a member representative of an authority, and

- (d) the appropriate body in relation to an FE college is an authority.

(2) Any question as to which is the appropriate body for the purposes of exercising any functions imposed or conferred on an appropriate body by these Regulations in a case where a person serves an induction period in more than one institution is to be determined by the Welsh Ministers.

Requirement to serve an induction period

6. Subject to the exceptions in Schedule 2, no person is to be employed on or after 1 April 2015 as a teacher at a relevant school unless that person has satisfactorily completed an induction period in accordance with these Regulations.

Institutions in which an induction period may be served

7.—(1) Subject to paragraph (2), an induction period may only be served in—

- (a) a relevant school in Wales other than a community or foundation special school established in a hospital; or
- (b) in the circumstances set out in paragraph (3) an independent school in Wales; or
- (c) in the circumstances set out in paragraph (4) an FE college in Wales; or
- (d) a school or an FE college in England in which an induction period may be served under England's Induction Regulations.

(2) An induction period may not be served in—

- (a) a school in Wales in respect of which the circumstances described in grounds 6 or 8 in section 2 of the School Standards and Organisation (Wales) Act 2013(1) apply, unless—
 - (i) the person in question began their induction period, or was employed as a graduate teacher or a registered teacher or on an employment-based teacher training scheme, at the school at a time when such circumstances did not apply, or

(1) 2013 dccc 1.

(1) 2013 anaw 1.

(ii) bod un o Arolygwyr Addysg a Hyfforddiant Ei Mawrhydi yng Nghymru wedi ardstio yn ysgrifenedig ei fod yn fodlon bod yr ysgol yn addas at ddibenion darparu goruchwyliaeth a hyfforddiant sefydlu, neu

(b) uned cyfeirio disgyblion.

(3) Yr amgylchiadau pan gaiff person ymgymryd â chyfnod sefydlu mewn ysgol annibynnol yw'r canlynol—

(a) yn achos person a gyflogir i addysgu disgyblion yng nghyfnod allweddol tri neu bedwar, bod cwricwlwm yr ysgol ar gyfer disgyblion y cyfnodau allweddol hynny yn cynnwys yr holl bynciau craidd a'r holl bynciau sylfaen eraill a bennwyd mewn perthynas â chyfnodau allweddol tri a phedwar yn adran 105(2) a (3) ac adran 106(2) a (3) o Ddeddf 2002, y cyflogir y person hwnnw i'w haddysgu; a

(b) ym mhob achos, bod y cwricwlwm ar gyfer yr holl ddisgyblion cofrestredig yng nghyfnodau allweddol un a dau yn bodloni gofynion adran 105(1) o Ddeddf 2002 (Cwricwlwm Cenedlaethol Cymru), ac eithrio mewn perthynas â threfniadau asesu; ac

(c) ym mhob achos, cyn dechrau'r cyfnod sefydlu, bod perchennog yr ysgol a naill ai awdurdod neu'r personau neu'r corff a benderfynir gan Weinidogion Cymru o dan reoliad 5(1)(c) wedi cytuno bod yr awdurdod neu'r personau neu'r corff, yn ôl fel y digwydd, i weithredu fel y corff priodol mewn perthynas â'r ysgol.

(4) Ni chaiff person ymgymryd â chyfnod sefydlu mewn coleg AB yng Nghymru oni fydd corff llywodraethu'r coleg ac awdurdod wedi cytuno, cyn dechrau'r cyfnod sefydlu, fod yr awdurdod i weithredu fel y corff priodol mewn perthynas â'r coleg.

(5) Ni chaiff person ymgymryd â chyfnod sefydlu mewn dau neu ragor o sefydliadau yr un pryd oni fydd penaethiaid yr holl sefydliadau wedi cytuno, cyn i'r cyfnod sefydlu ddechrau, pa un ohonynt sydd i weithredu fel y pennaeth arweiniol.

(6) Yn y rheoliad hwn, mae "cyfnod sefydlu" ("*induction period*") yn cynnwys rhan o gyfnod sefydlu.

Hyd cyfnod sefydlu

8.—(1) Yn ddarostyngedig i baragraffau (3) a (4), tri thymor ysgol fydd hyd cyfnod sefydlu ("y rheol tri thymor").

(ii) one of Her Majesty's Inspectors of Education and Training in Wales has certified in writing that they are satisfied that the school is fit for the purpose of providing induction supervision and training, or

(b) a pupil referral unit.

(3) The circumstances in which a person may serve an induction period in an independent school in Wales are—

(a) in the case of a person who is employed to teach pupils at the third or fourth key stage, the curriculum of the school for pupils at those key stages includes all the core and other foundation subjects specified in relation to the third and fourth key stages in section 105(2) and (3) and section 106(2) and (3) of the 2002 Act which such person is employed to teach; and

(b) in all cases, the curriculum for all registered pupils in the foundation phase and the second key stage meets the requirements of section 105(1) of the 2002 Act (the National Curriculum for Wales), other than in relation to assessment arrangements; and

(c) in all cases, before the start of the induction period the proprietor of the school and either an authority or the persons or body determined by the Welsh Ministers under regulation 5(1)(c) have agreed that the authority or the persons or body, as the case may be, are to act as the appropriate body in relation to the school.

(4) A person may not serve an induction period in an FE college in Wales unless before the start of the induction period the governing body of the college and an authority have agreed that the authority are to act as the appropriate body in relation to the college.

(5) A person may not serve an induction period in two or more institutions simultaneously unless before the start of the induction period the head teachers of all the institutions have agreed which of them is to act as the lead head teacher.

(6) In this regulation, "induction period" ("*cyfnod sefydlu*") includes a part of an induction period.

Length of an induction period

8.—(1) Subject to paragraphs (3) and (4), the length of an induction period is to be three school terms ("the three term rule").

(2) At y diben o gyfrifo hyd y cyfnod sefydlu, caiff tymor ysgol fod naill ai'n un tymor ysgol neu'n ddau hanner tymor sydd (gan ddiystyru gwyliau) yn digwydd yn olynol.

(3) Nid yw'r rheol tri thymor yn gymwys yn yr amgylchiadau canlynol—

- (a) pan ymgymerir â'r cyfnod sefydlu mewn sefydliad lle nad yw'r flwyddyn ysgol yn cynnwys tri thymor ysgol;
- (b) pan ymgymerir â chyfnod sefydlu gan berson mewn gwasanaeth rhan-amser;
- (c) pan ymgymerir â chyfnod sefydlu mewn dau neu ragor o sefydliadau ar yr un pryd;
- (d) pan fo unrhyw gyfnodau o gyflogaeth sy'n cyfrif tuag at gyfnod sefydlu yn cynnwys cyfnod o lai nag un tymor ysgol; neu
- (e) pan nad yw'n briodol, ym marn y corff priodol, i'r rheol tri thymor fod yn gymwys.

(4) Hyd y cyfnod sefydlu pan nad yw'r rheol tri thymor yn gymwys yw—

- (a) pan fo paragraff (3)(d) yn gymwys, 380 o sesiynau ysgol; a
- (b) ym mhob achos arall, y cyfryw hyd a benderfynir gan y corff priodol, ar yr amod nad yw'r cyfnod hwnnw'n llai na chyfwerth â 380 o sesiynau ysgol neu 3 thymor ysgol.

Cyfnodau o gyflogaeth sy'n cyfrif tuag at gyfnod sefydlu

9.—(1) Yr unig gyfnodau o gyflogaeth fel athro neu athrawes gymwysedig ar neu ar ôl 1 Medi 2003 ond cyn 1 Ebrill 2015 sy'n cyfrif tuag at gyfnod sefydlu yw'r canlynol—

- (a) cyfnod o gyflogaeth mewn sefydliad yng Nghymru y mae rheoliad 7(1) yn gymwys iddo nad yw'n llai nag un tymor ysgol o ran ei hyd;
- (b) cyfnod o gyflogaeth mewn sefydliad neu sefydliadau yng Nghymru y mae rheoliad 7(1) yn gymwys iddo neu iddynt o ddau hanner tymor ysgol sydd (gan ddiystyru gwyliau) yn digwydd yn olynol;
- (c) yn achos athro neu athrawes unigol, cyfnod o gyflogaeth mewn sefydliad yng Nghymru y mae rheoliad 7(1) yn gymwys iddynt o unrhyw hyd arall, sy'n briodol ym marn y corff priodol; neu
- (d) cyfnod o gyflogaeth mewn ysgol neu goleg AB yn Lloegr os byddai'n cyfrif tuag at gyfnod sefydlu o dan Reoliadau Sefydlu Lloegr.

(2) For the purpose of calculating the induction period a school term may be either one school term or two half school terms which (disregarding holidays) are consecutive.

(3) The three term rule does not apply in the following circumstances—

- (a) where an induction period is served at an institution at which a school year does not consist of three school terms;
- (b) where an induction period is served by a person in part time service;
- (c) where an induction period is served in two or more institutions simultaneously;
- (d) where any periods of employment counting towards an induction period consist of a period of less than one school term; or
- (e) where in the opinion of the appropriate body it is not appropriate that it applies.

(4) The length of an induction period where the three term rule does not apply—

- (a) is 380 school sessions where paragraph (3)(d) applies; and
- (b) in all other cases, is such length as the appropriate body determines provided that this period is not less than the equivalent of 380 school sessions or 3 school terms.

Periods of employment counting towards an induction period

9.—(1) The only periods of employment as a qualified teacher on or after 1 September 2003 but before 1 April 2015 that count towards an induction period are—

- (a) a period of employment in an institution in Wales to which regulation 7(1) applies of not less than one school term in duration;
- (b) a period of employment in an institution or institutions in Wales to which regulation 7(1) applies of two half school terms which (disregarding holidays) are consecutive;
- (c) in the case of an individual teacher a period of employment in an institution in Wales to which regulation 7(1) applies of such other length as the appropriate body considers appropriate; or
- (d) a period of employment in a school or FE college in England if it would count towards an induction period under England's Induction Regulations.

(2) Yr unig gyfnodau o gyflogaeth fel athro neu athrawes gymwysedig ar neu ar ôl 1 Ebrill 2015 sy'n cyfrif tuag at gyfnod sefydlu yw'r canlynol—

- (a) cyfnod o gyflogaeth mewn sefydliad yng Nghymru y mae rheoliad 7(1) yn gymwys iddo nad yw'n llai nag un sesiwn ysgol o ran ei hyd;
- (b) cyfnod o gyflogaeth mewn ysgol neu goleg AB yn Lloegr os byddai'n cyfrif tuag at gyfnod sefydlu o dan Reoliadau Sefydlu Lloegr.

Estyn cyfnod sefydlu cyn ei gwblhau

10.—(1) Pan fo person sy'n ymgymryd â chyfnod sefydlu yn absennol o'r gwaith am gyfnod cyfanredol o ddeg ar hugain neu fwy o ddiwrnodau ysgol, caiff y corff priodol estyn y cyfnod sefydlu, o gyfnod cyfanredol yr absenoldebau neu o unrhyw gyfnod llai sy'n briodol ym marn y corff priodol.

(2) Os estynnir cyfnod sefydlu o dan Reoliadau Sefydlu Lloegr ac os digwydd i'r person sy'n ymgymryd â'r cyfnod sefydlu symud i gyflogaeth mewn sefydliad yng Nghymru, rhaid trin y cyfnod sefydlu fel pe bai wedi'i estyn o dan y rheoliad hwn.

(3) Ac eithrio fel y darperir ar ei gyfer yn y rheoliad hwn ni cheir estyn cyfnod sefydlu cyn ei gwblhau.

Ymgymryd â rhagor nag un cyfnod sefydlu

11. Ac eithrio fel y darperir ar ei gyfer yn rheoliad 13 neu 16, ni chaiff neb ymgymryd â mwy nag un cyfnod sefydlu.

Goruchwyllo a hyfforddi yn ystod y cyfnod sefydlu

12.—(1) Bydd pennaeth sefydliad yng Nghymru lle mae person yn ymgymryd â chyfnod sefydlu yn gyfrifol am oruchwyllo a hyfforddi'r person hwnnw o ddydd i ddydd.

(2) Y corff priodol mewn perthynas â sefydliad sy'n gyfrifol yn gyffredinol am oruchwyllo a hyfforddiant person sy'n ymgymryd â chyfnod sefydlu yn y sefydliad hwnnw.

(3) Rhaid i'r oruchwyllo a'r hyfforddiant o dan baragraff (2) gynnwys goruchwyllo a hyfforddi gan berson sydd â gwybodaeth o'r safonau a grybwyllir yn adran 18 o Ddeddf 2014.

Cwblhau cyfnod sefydlu

13.—(1) Mae'r rheoliad hwn yn gymwys pan fydd person wedi cwblhau cyfnod sefydlu—

(2) The only periods of employment as a qualified teacher on or after 1 April 2015 that count towards an induction period are—

- (a) a period of employment in an institution in Wales to which regulation 7(1) applies of not less than one school session in duration;
- (b) a period of employment in a school or FE college in England if it would count towards an induction period under England's Induction Regulations.

Extension of an induction period before completion

10.—(1) Where a person serving an induction period is absent from work for an aggregate period of thirty or more school days the appropriate body may extend the induction period by the aggregate period of the absences or by any lesser period as it considers appropriate.

(2) Where an induction period is extended under England's Induction Regulations and the person serving the induction period becomes employed at an institution in Wales, the induction period is to be treated as having been extended under this regulation.

(3) Except as provided for in this regulation an induction period may not be extended before its completion.

Service of more than one induction period

11. Except as provided for in regulation 13 or 16, no person may serve more than one induction period.

Supervision and training during the induction period

12.—(1) The head teacher of an institution in Wales in which a person serves an induction period is responsible for the daily supervision and training of that person.

(2) The appropriate body in relation to an institution is responsible for the overall supervision and training of a person serving an induction period at that institution.

(3) The supervision and training under paragraph (2) must include supervision and training by a person with knowledge of the standards mentioned in section 18 of the 2014 Act.

Completion of an induction period

13.—(1) This regulation applies where a person has completed an induction period if—

- (a) os yw'r person hwnnw'n cael ei gyflogi mewn sefydliad yng Nghymru pan gwblheir y cyfnod sefydlu; neu
- (b) os yw sefydliad y pennaeth arweiniol yng Nghymru, pan gwblheir cyfnod sefydlu a ymgwymerwyd mewn dau neu ragor o sefydliadau yr un pryd.

(2) O fewn y cyfnod o ugain diwrnod gwaith sy'n dechrau gyda'r diwrnod y cwblhawyd y cyfnod sefydlu rhaid i'r corff priodol benderfynu—

- (a) pa un ai yw'r person a gwblhaodd y cyfnod sefydlu wedi cyrraedd y safonau a grybwyllir yn adran 18 o Ddeddf 2014 ac felly wedi cwblhau cyfnod sefydlu yn foddhaol;
- (b) pa un ai y dylid estyn y cyfnod sefydlu o ba bynnag gyfnod a benderfynir gan y corff priodol; neu
- (c) pa un ai yw'r person hwnnw wedi methu â chwblhau cyfnod sefydlu yn foddhaol.

(3) Rhaid i'r corff priodol, cyn gwneud penderfyniad o dan baragraff (2), roi sylw i unrhyw sylwadau ysgrifenedig a gaiff gan y person sydd dan sylw.

(4) Rhaid i'r corff priodol, o fewn y cyfnod o dri diwrnod gwaith sy'n dechrau gyda'r diwrnod y gwnaeth penderfyniad o dan baragraff (2)—

- (a) anfon hysbysiad ysgrifenedig o'i benderfyniad at—
 - (i) y person dan sylw,
 - (ii) yn achos ysgol perthnasol neu goleg AB, corff llywodraethu'r ysgol neu'r coleg lle y cyflogir y person hwnnw,
 - (iii) yn achos ysgol annibynnol, y perchennog,
 - (iv) pennaeth y sefydliad lle y cyflogid y person yn ymgymryd â chyfnod sefydlu pan gwblhawyd y cyfnod sefydlu,
 - (v) os na chyflogir y person hwnnw gan y corff priodol, cyflogwr y person (os nad oes hawl ganddo i gael hysbysid o dan baragraff (ii) neu (iii)), a
 - (vi) y Cyngor, a
- (b) os gwnaeth y corff priodol benderfyniad sy'n dod o fewn paragraff (2)(b) neu (c), anfon at y person dan sylw hysbysiad ysgrifenedig o'r canlynol—
 - (i) ei hawl i apelio i'r Cyngor yn erbyn y penderfyniad,
 - (ii) y manylion cyswllt (gan gynnwys y cyfeiriad) ar gyfer apelio i'r Cyngor,
 - (iii) y cyfnod o amser a ganiateir ar gyfer apelio.

- (a) at the completion of the induction period, that person is employed at an institution in Wales; or
- (b) at the completion of an induction period served in two or more institutions simultaneously, the lead head teacher's institution is in Wales.

(2) Within the period of twenty working days beginning with the date on which the induction period was completed, the appropriate body must decide whether the person who has completed an induction period—

- (a) has achieved the standards mentioned in section 18 of the 2014 Act and has accordingly satisfactorily completed an induction period;
- (b) should have the induction period extended by such period as it determines; or
- (c) has failed satisfactorily to complete an induction period.

(3) The appropriate body must have regard to any written representation received from the person concerned before making a decision under paragraph (2).

(4) The appropriate body must within the period of three working days beginning with the date on which it made a decision under paragraph (2)—

- (a) send written notice of its decision to—
 - (i) the person concerned,
 - (ii) in the case of a relevant school or a FE college, the governing body of the school or college at which the person is employed,
 - (iii) in the case of an independent school, the proprietor,
 - (iv) the head teacher of the institution at which the person serving the induction period was employed at the completion of the induction period,
 - (v) if that person is not employed by the appropriate body, the person's employer (if not entitled to notice under paragraph (ii) or (iii)), and
 - (vi) the Council, and
- (b) if the appropriate body made a decision falling within paragraph (2)(b) or (c), send the person concerned written notice of—
 - (i) the right to appeal to the Council against the decision,
 - (ii) the contact details (including the address) for making an appeal to the Council, and
 - (iii) the time period for making an appeal.

(5) Ceir rhoi hysbysiad i berson o dan baragraffau (2) a (4) drwy ffacs, y post electronig neu ddull cyffelyb arall sydd â chyfleuster i gynhyrchu dogfen sy'n cynnwys testun y cyfathrebiad, a rhaid ystyried bod hysbysiad a anfonir drwy ddull o'r fath wedi ei roi pan ddaw i law mewn ffurf ddarllenadwy.

Estyn cyfnod sefydlu yn unol â phenderfyniad gan y corff priodol neu'r Cyngor

14.—(1) Mae rheoliadau 7, 9 i 13, 15 ac 16 ac Atodlen 3 yn gymwys mewn perthynas â pherson sy'n ymgymryd â chyfnod sefydlu a estynnwyd wedi iddo gael ei gwblhau drwy benderfyniad gan y corff priodol o dan reoliad 13 neu drwy benderfyniad gan y Cyngor o dan reoliad 16, fel y mae'r darpariaethau hynny yn gymwys mewn perthynas â'r cyfnod sefydlu cychwynnol.

(2) Mae rheoliadau 7, 9 i 13, 15 ac 16 ac Atodlen 3 yn gymwys mewn perthynas â pherson sy'n ymgymryd â chyfnod sefydlu a estynnwyd wedi iddo gael ei gwblhau, o dan Reoliadau Sefydlu Lloegr os yw'r person hwnnw wedyn yn cael ei gyflogi mewn sefydliad yng Nghymru, fel y mae'r darpariaethau hynny yn gymwys mewn perthynas â chyfnod sefydlu cychwynnol.

Terfynu cyflogaeth yn dilyn methiant i gwblhau cyfnod sefydlu yn foddhaol

15.—(1) Mae'r paragraff hwn yn gymwys i berson a gyflogir fel athro neu athrawes mewn ysgol berthnasol yng Nghymru ac sydd wedi methu â chwblhau cyfnod sefydlu yn foddhaol, pa un ai yng Nghymru neu yn Lloegr.

(2) Rhaid i gyflogwr person y mae paragraff (1) yn gymwys iddo sicrhau y terfynir cyflogaeth y person hwnnw fel athro neu athrawes—

- (a) os nad yw'r person hwnnw'n apelio i'r Cyngor yn erbyn penderfyniad y corff priodol; neu
- (b) os gwrthodir apêl y person hwnnw i'r Cyngor neu i'r corff apelio o dan Reoliadau Sefydlu Lloegr.

(3) Rhaid i gyflogwr gymryd y camau sy'n angenrheidiol i sicrhau bod cyflogaeth person, a derfynir o dan yr amgylchiadau a grybwyllir ym mharagraff (2)(a), yn cael ei therfynu fel bod y terfynu yn cael effaith o fewn y cyfnod o ddeg diwrnod gwaith sy'n dechrau gyda'r dyddiad—

- (a) y cafodd y cyflogwr hysbysiad ysgrifenedig oddi wrth berson o'r fath nad oedd ganddo fwriad i apelio i'r Cyngor; neu
- (b) y daeth yr amser a ganiateid ar gyfer apelio gan baragraff 2(1) o Atodlen 3 i ben.

(5) Notice under paragraphs (2) and (4) may be given to a person by facsimile, electronic mail or other similar means which are capable of producing a document containing the text of the communication, and a notice sent by such a method is to be regarded as given when it is received in legible form.

Extension of an induction period pursuant to a decision of the appropriate body or the Council

14.—(1) Regulations 7, 9 to 13, 15 and 16 and Schedule 3 apply in relation to a person serving an induction period extended following its completion by a decision of the appropriate body under regulation 13 or of the Council under regulation 16 as those provisions apply in relation to the initial induction period.

(2) Regulations 7, 9 to 13, 15 and 16 and Schedule 3 apply in relation to a person serving an induction period extended, following its completion, under England's Induction Regulations if that person is subsequently employed at an institution in Wales, as those provisions apply in relation to an initial induction period.

Termination of employment following failure to complete an induction period satisfactorily

15.—(1) This paragraph applies to a person employed as a teacher at a relevant school in Wales who has failed satisfactorily to complete an induction period, whether in Wales or England.

(2) The employer of a person to whom paragraph (1) applies must secure the termination of that person's employment as a teacher if—

- (a) that person does not appeal to the Council against the decision of the appropriate body; or
- (b) that person's appeal to the Council, or the appeal body under England's Induction Regulations, is dismissed.

(3) The employer must take the steps necessary to secure the termination of a person's employment in the circumstances mentioned in paragraph (2)(a) so that the termination takes effect within the period of ten working days beginning with the date on which—

- (a) the employer received written notification from such person that they did not intend to appeal to the Council; or
- (b) the time limit for appeal imposed by paragraph 2(1) of Schedule 3 expired.

(4) Rhaid i gyflogwr gymryd y camau sy'n angenrheidiol i sicrhau bod cyflogaeth person, a derfynir o dan yr amgylchiadau a grybwyllir ym mharagraff (2)(b) yn cael ei therfynu fel bod y terfynu yn cael effaith o fewn y cyfnod o ddeg diwrnod gwaith sy'n dechrau gyda'r dyddiad pan gafodd y cyflogwr hysbysiad o ganlyniad gwrandawriad yr apêl.

(5) Nid oes rhwymedigaeth ar gyflogwr person—

- (a) y mae paragraff (1) yn gymwys iddo; a
- (b) sy'n apelio i'r Cyngor yn erbyn penderfyniad y corff priodol neu sy'n apelio i'r corff apelio o dan Reoliadau Sefydlu Lloegr,

i sicrhau y derfynir cyflogaeth person o'r fath fel athro neu athrawes tra arhosir am ganlyniad yr apêl, ar yr amod bod y cyflogwr yn sicrhau mai dyletswyddau addysgu cyfyngedig yn unig, y penderfynir arnynt gan Weinidogion Cymru, a ymgymerir yn y cyfamser gan y person hwnnw.

Apelau

16.—(1) Mae Atodlen 3 yn cael effaith mewn perthynas ag apelau o dan adran 19(1) of the 2014 Act.

(2) Pan fo person yn apelio yn erbyn penderfyniad gan gorff priodol o dan reoliad 13 i estyn cyfnod sefydlu yn cael ei estyn, caiff y Cyngor—

- (a) caniatáu'r apêl;
- (b) gwrthod yr apêl; neu
- (c) pennu estyniad am gyfnod gwahanol.

(3) Pan fo person yn apelio yn erbyn penderfyniad gan gorff priodol o dan reoliad 13, fod person wedi methu â chwblhau cyfnod sefydlu yn foddhaol, caiff y Cyngor—

- (a) caniatáu'r apêl;
- (b) gwrthod yr apêl; neu
- (c) estyn y cyfnod sefydlu i'r person hwnnw fel y gwêl y Cyngor yn dda.

Swyddogaethau eraill y corff priodol

17. Caiff y corff priodol, mewn cysylltiad â hyfforddi, goruchwyllo ac asesu sefydlu o dan y Rheoliadau hyn, ddarparu—

- (a) canllawiau, cefnogaeth a chymorth i ysgolion a cholegau AB; a
- (b) hyfforddiant i athrawon.

Codi tâl

18. Caiff corff priodol mewn perthynas ag ysgol annibynnol neu goleg AB godi tâl rhesymol (nad yw'n fwy na chost darparu'r gwasanaeth) ar gorff llywodraethu ysgol neu goleg AB y mae'n gorff

(4) The employer must take the steps necessary to secure the termination of a person's employment in the circumstances mentioned in paragraph (2)(b) so that the termination takes effect within the period of ten working days beginning with the date on which the employer received notice of the outcome of the appeal hearing.

(5) The employer of a person—

- (a) to whom paragraph (1) applies; and
- (b) who appeals to the Council against the decision of the appropriate body or who appeals to the appeal body under England's Induction Regulations,

is not obliged to secure the termination of such person's employment as a teacher pending the outcome of the appeal provided such employer secures that the person only undertakes such limited teaching duties as the Welsh Ministers may determine.

Appeals

16.—(1) Schedule 3 has effect in relation to appeals under section 19(1) of the 2014 Act.

(2) Where a person appeals against a decision by an appropriate body under regulation 13 to have an induction period extended, the Council may—

- (a) allow the appeal;
- (b) dismiss the appeal; or
- (c) substitute a different period of extension.

(3) Where a person appeals against a decision by an appropriate body under regulation 13 that person has failed satisfactorily to complete an induction period, the Council may—

- (a) allow the appeal;
- (b) dismiss the appeal; or
- (c) extend the induction period for such person as it thinks fit.

Other functions of the appropriate body

17. The appropriate body may in connection with providing induction training, supervision and assessment under these Regulations provide—

- (a) guidance, support and assistance to schools and FE colleges; and
- (b) training for teachers.

Charges

18. An appropriate body in relation to an independent school or an FE college may make a reasonable charge (not exceeding the cost of provision of the service) to the governing body of a school or an

priodol iddynt, mewn cysylltiad ag unrhyw un o swyddogaethau'r corff priodol o dan y Rheoliadau hyn.

FE college for which it is the appropriate body in connection with any of its functions under these Regulations.

Huw Lewis

Y Gweinidog Addysg a Sgiliau, un o Weinidogion
Cymru
3 Mawrth 2015

Minister for Education and Skills, one of the Welsh
Ministers
3 March 2015

RHEOLIADAU A DDIDDYMR

<i>Rheoliadau a ddiddymir</i>	<i>Cyfeiriadau</i>	<i>Graddau'r diddymu</i>
Rheoliadau Addysg (Trefniadau Ymsefydlu ar gyfer Athrawon Ysgol) (Cymru) 2005	O.S. 2005/1818 (Cy. 146)	Yn llwyr
Rheoliadau Addysg (Diwygiadau i Reoliadau ynghylch Cydnabod Cymwysterau Proffesiynol) (Cymru) 2007	O.S. 2007/2811 (Cy. 238)	Rheoliad 3
Rheoliadau Cymwysterau Athrawon Ysgol (Cymru) 2012	O.S. 2012/724 (Cy. 96)	Rheoliad 10
Rheoliadau Addysg (Trefniadau Ymsefydlu ar gyfer Athrawon Ysgol) (Cymru) (Diwygio) 2012	O.S. 2012/1675 (Cy. 216)	Yn llwyr

REGULATIONS REVOKED

<i>Regulations revoked</i>	<i>References</i>	<i>Extent of revocation</i>
Education (Induction Arrangements for School Teachers) (Wales) Regulations 2005	S.I. 2005/1818 (W. 146)	Fully
Education (Amendments to Regulations regarding the Recognition of Professional Qualifications) (Wales) Regulations 2007	S.I. 2007/2811 (W. 238)	Regulation 3
School Teachers' Qualifications (Wales) Regulations 2012	S.I. 2012/724 (W. 96)	Regulation 10
Education (Induction Arrangements for School Teachers) (Wales) (Amendment) Regulations 2012	S.I. 2012/1675 (W. 216)	Fully

**Achosion pan geir cyflogi person fel
Athro neu Athrawes mewn ysgol
berthnasol pan nad yw wedi cwblhau
Cyfnod Sefydlu yn foddhaol**

**Cases in which a person may be
employed as a Teacher in a relevant
school without having satisfactorily
completed an Induction Period**

1. Person a oedd, ar 1 Ebrill 2003 yn athro neu athrawes gymwysedig.

1. A person who on 1 April 2003 is a qualified teacher.

2. Person sydd—

2. A person who—

- (a) yn ymgymryd â chyfnod sefydlu (gan gynnwys cyfnod sefydlu a estynnwyd cyn ei gwblhau o dan reoliad 10 neu ar ôl ei gwblhau o dan reoliad 13 neu 16); neu
- (b) wedi cwblhau cyfnod sefydlu o'r fath ac a gyflogir i weithio fel athro neu athrawes tra arhosir am benderfyniad gan y corff priodol o dan reoliad 13 o'r Rheoliadau hyn neu reoliad 15 o Reoliadau Sefydlu Lloegr.

- (a) is serving an induction period (including an induction period which has been extended before its completion under regulation 10 or after its completion under regulation 13 or 16); or
- (b) has completed such an induction period and is being employed to work as a teacher pending a decision of the appropriate body under regulation 13 of these Regulations or regulation 15 of England's Induction Regulations.

3. Person a fethodd â chwblhau cyfnod sefydlu yn foddhaol ac y cyfyngir ar ei gyflogaeth o dan reoliad 15(5) tra arhosir am ganlyniad apêl.

3. A person who has failed satisfactorily to complete an induction period whose employment is subject to restriction under regulation 15(5) pending the outcome of an appeal.

4. Person sy'n athro neu athrawes ysgol yn yr ystyr a roddir i "school teacher" gan adran 122(5) o Ddeddf 2002.

4. A person who is a school teacher within the meaning of section 122(5) of the 2002 Act.

5. Person sydd wedi cwblhau cyfnod sefydlu yn foddhaol o dan Reoliadau Sefydlu Lloegr.

5. A person who has satisfactorily completed an induction period under England's Induction Regulations.

6. Person a gofrestrwyd yn llawn, neu sy'n gymwys i gael ei gofrestru'n llawn, fel athro neu athrawes addysg gynradd neu uwchradd gyda Chyngor Addysgu Cyffredinol yr Alban.

6. A person who has, or is eligible for, full registration as a teacher of primary or secondary education with the General Teaching Council for Scotland.

7. Person—

7. A person—

- (a) sydd wedi cwblhau'n llwyddiannus y cyfnod sefydlu ar gyfer addysg athrawon yng Ngogledd Iwerddon; neu
- (b) a gyflogid fel athro neu athrawes yng Ngogledd Iwerddon ar unrhyw adeg cyn cyflwyno'r cyfnod sefydlu yn hyfforddiant athrawon yng Ngogledd Iwerddon.

- (a) who has successfully completed the induction stage of teacher education in Northern Ireland; or
- (b) was employed as a teacher in Northern Ireland at any time prior to the introduction of the induction stage of teacher training in Northern Ireland.

8. Person sydd, mewn perthynas â phroffesiwn athro neu athrawes ysgol yn dod o fewn Rheoliadau'r Cymunedau Ewropeaidd (Cydnabod Cymwysterau Proffesiynol) 2007(1), fel y'u hestynnwyd gan Gytundeb yr Ardal Economaidd Ewropeaidd a

8. A person who as respects the profession of school teacher, falls within the European Communities (Recognition of Professional Qualifications) Regulations 2007(1), as extended by the Agreement of the European Economic Area signed at Oporto on 2

(1) O.S. 2007/2781.

(1) S.I. 2007/2781.

lofnodwyd yn Oporto ar 2 Mai 1992 fel y'i haddaswyd gan y protocol a lofnodwyd ym Mrwsel ar 17 Mawrth 1993, ac fel y'i diwygiwyd gan y Cytundeb rhwng y Gymuned Ewropeaidd a'i Haelod-wladwriaethau ar y naill law a'r Cydffederasiwn Swisaidd ar y llall, ar Ryddid Personau i Symud, a lofnodwyd yn Lwcsembwrg ar 21 Mehefin 1999 ac a ddaeth i rym ar 1 Mehefin 2002.

9. Person sydd wedi cwblhau'n llwyddiannus gyfnod prawf ar gyfer athrawon o dan drefniadau a gymeradwywyd ac a oruchwyliwyd gan Gyfarwyddwr Addysg Gibraltar.

10. Person sydd wedi cwblhau'n llwyddiannus Raglen Sefydlu Taleithiau Jersey ar gyfer Athrawon sydd Newydd Gymhwys.

11. Person a gymeradwywyd gan Gyngor Addysg Taleithiau Guernsey fel person sydd wedi cwblhau'n llwyddiannus gyfnod sefydlu ar gyfer athrawon.

12. Person sydd wedi cwblhau'n llwyddiannus gyfnod sefydlu ar gyfer athrawon o dan drefniadau a gymeradwywyd ac a oruchwyliwyd gan Adran Addysg Ynys Manaw.

13. Person sydd wedi cwblhau'n llwyddiannus Raglen Sefydlu Ysgolion Addysg Plant y Lluoedd Arfog yn yr Almaen neu yng Nghyprus.

14. Person a oedd ar neu cyn 1 Ebrill 2003—

- (a) yn gyflogedig fel athro neu athrawes mewn ysgol berthnasol yng Nghymru neu Loegr; a
- (b) naill ai—
 - (i) wedi cwblhau'n llwyddiannus gwrs hyfforddiant cychwynnol ar gyfer athrawon mewn ysgolion, mewn sefydliad addysgol yn yr Alban, neu
 - (ii) wedi'i gofrestru fel athro neu athrawes addysg gynradd neu uwchradd gyda Chyngor Addysgu Cyffredinol yr Alban.

15. Person a oedd ar neu cyn 1 Ebrill 2003—

- (a) yn gyflogedig fel athro neu athrawes mewn ysgol berthnasol yng Nghymru neu Loegr; a
- (b) naill ai—
 - (i) wedi cwblhau'n llwyddiannus gwrs hyfforddiant cychwynnol ar gyfer athrawon mewn ysgolion, mewn sefydliad addysgol yng Ngogledd Iwerddon, neu
 - (ii) y dyfarnwyd i'r person hwnnw gadarnhad o'i gydnabod fel athro neu athrawes mewn ysgolion yng Ngogledd Iwerddon gan Adran Addysg Gogledd Iwerddon, a'r cadarnhad hwnnw heb ei dynnu'n ôl ar unrhyw adeg ar ôl ei ddyfarnu.

May 1992 as adjusted by the protocol signed at Brussels on 17 March 1993, and as amended by the Agreement between the European Community and its Member States of the one part and the Swiss Confederation of the other on the Free Movement of Persons signed at Luxemburg on 21 June 1999 and which came into force on 1 June 2002.

9. A person who has successfully completed a probationary period for teachers under arrangements approved and supervised by the Director of Education of Gibraltar.

10. A person who has successfully completed the States of Jersey Induction Programme for Newly Qualified Teachers.

11. A person who has been approved by the States of Guernsey Education Council as having successfully completed an induction period for teachers.

12. A person who has successfully completed an induction period for teachers under arrangements approved and supervised by the Isle of Man Department of Education.

13. A person who has successfully completed the Service Children's Education Schools Induction Programme in Germany or Cyprus.

14. A person who on or before 1 April 2003—

- (a) was employed as a teacher at a relevant school in England or Wales; and
- (b) either—
 - (i) had successfully completed a course of initial training for teachers in schools at an educational institution in Scotland, or
 - (ii) was registered as a teacher of primary or secondary education with the General Teaching Council for Scotland.

15. A person who on or before 1 April 2003—

- (a) was employed as a teacher at a relevant school in England or Wales; and
- (b) either—
 - (i) had successfully completed a course of initial training for teachers in schools at an educational institution in Northern Ireland, or
 - (ii) had been awarded confirmation of recognition as a teacher in schools in Northern Ireland by the Northern Ireland Department of Education, that confirmation not having been withdrawn at any time subsequent to the award.

16. Person sy'n athro neu athrawes gymwysedig yn rhinwedd rheoliad 5 o Reoliadau Cymwysterau Athrawon Ysgol a pharagraff 12 o Atodlen 2 i'r Rheoliadau hynny neu yn rhinwedd rheoliad 10 o Reoliadau 1999 a pharagraff 10 o Atodlen 3 i Reoliadau 1999.

17. Person sy'n athro neu athrawes gymwysedig yn rhinwedd rheoliad 5 o Reoliadau Cymwysterau Athrawon Ysgol a pharagraff 13 o Atodlen 2 i'r Rheoliadau hynny neu yn rhinwedd rheoliad 10 o Reoliadau 1999 a pharagraff 11 o Atodlen 3 i Reoliadau 1999.

18. Person y ceir ei gyflogi o dan Reoliadau Sefydlu Lloegr fel athro neu athrawes mewn ysgol berthnasol yn Lloegr, pan nad yw'r person hwnnw wedi cwblhau cyfnod sefydlu yn foddhaol.

19. Person sydd—

- (a) wedi cwblhau'n llwyddiannus raglen o hyfforddiant proffesiynol ar gyfer athrawon mewn unrhyw wlad y tu allan i'r Deyrnas Unedig, ac a gydnabyddir felly gan yr awdurdod cymwys yn y wlad honno;
- (b) â dim llai na dwy flynedd o brofiad o addysgu amser-llawn, neu brofiad cyfatebol, yn y Deyrnas Unedig neu mewn man arall;
- (c) yn athro neu athrawes gymwysedig yn rhinwedd rheoliad 5 o Reoliadau Cymwysterau Athrawon Ysgol a pharagraff 2 o Atodlen 2 i'r Rheoliadau hynny, neu yn rhinwedd rheoliad 5 o Reoliadau Cymwysterau Athrawon Ysgol a pharagraff 9 neu 10 o Atodlen 2 i'r Rheoliadau hynny, neu yn rhinwedd rheoliad 10 o Reoliadau 1999 a pharagraff 7 o Atodlen 3 i'r Rheoliadau hynny; a
- (d) naill ai—
 - (i) wedi bodloni'n llwyddiannus gyfnod o brofiad proffesiynol yn dilyn hyfforddiant proffesiynol (cymaradwy â chyfnod sefydlu yng Nghymru), mewn unrhyw wlad y tu allan i'r Deyrnas Unedig, a gydnabyddir fel y cyfryw gan yr awdurdod cymwys yn y wlad honno, neu
 - (ii) yr aseswyd ei fod yn bodloni'r safonau a benderfynwyd o dan adran 18 o Ddeddf 2014 gan sefydliad a achredwyd gan Gyngor Cyllido Addysg Uwch Cymru o dan reoliad 7 o Reoliadau Cymwysterau Athrawon Ysgol neu berson a gymeradwywyd gan Weinidogion Cymru.

20. Person sydd—

- (a) yn athro neu athrawes gymwysedig yn rhinwedd rheoliad 5 o Reoliadau Cymwysterau Athrawon Ysgol a pharagraff 7 o Atodlen 2 i'r Rheoliadau hynny neu yn rhinwedd rheoliad 5 o Reoliadau

16. A person who is a qualified teacher by virtue of regulation 5 of, and paragraph 12 of Schedule 2 to, the School Teachers' Qualifications Regulations or by virtue of regulation 10 of, and paragraph 10 of Schedule 3 to, the 1999 Regulations.

17. A person who is a qualified teacher by virtue of regulation 5 of, and paragraph 13 of Schedule 2 to, the School Teachers' Qualifications Regulations or by virtue of regulation 10 of, and paragraph 11 of Schedule 3 to, the 1999 Regulations.

18. A person who, under England's Induction Regulations, may be employed as a teacher in a relevant school in England without having satisfactorily completed an induction period.

19. A person who—

- (a) has successfully completed a programme of professional training for teachers in any country outside the United Kingdom and which is recognised as such by the competent authority in that country;
- (b) has no less than two years' full-time teaching experience, or its equivalent in the United Kingdom or elsewhere;
- (c) is a qualified teacher by virtue of regulation 5 of, and paragraph 2 of Schedule 2 to the School Teachers' Qualifications Regulations or by virtue of regulation 5 of, and paragraph 9 or 10 of Schedule 2 to, the School Teachers' Qualifications Regulations or by virtue of regulation 10 of, and paragraph 7 of Schedule 3 to, the 1999 Regulations; and
- (d) has either—
 - (i) successfully satisfied a period of professional experience following professional training (comparable to an induction period in Wales) in any country outside the United Kingdom, which is recognised as such by the competent authority of that country, or
 - (ii) been assessed as meeting the standards determined under section 18 of the 2014 Act by an institution accredited by the Higher Education Funding Council for Wales under regulation 7 of the School Teachers' Qualifications Regulations or a person approved by the Welsh Ministers.

20. A person who—

- (a) is a qualified teacher by virtue of regulation 5 of, and paragraph 7 of Schedule 2 to the School Teachers' Qualifications Regulations or by virtue of regulation 5 of, and paragraph 10 of Schedule 2 to, the School Teachers'

Cymwysterau Athrawon Ysgol a pharagraff 10 o Atodlen 2 i'r Rheoliadau hynny ac, yn y naill achos neu'r llall, a ddaeth yn athro neu athrawes gymwysedig o'r fath drwy fodloni gofynion cynllun hyfforddi athrawon ar sail cyflogaeth, rywfodd ac eithrio drwy gwblhau'n llwyddiannus gyfnod o hyfforddiant ar y cynllun; a

- (b) yr aseswyd ei fod yn bodloni'r safonau a benderfynwyd o dan adran 18 o Ddeddf 2014 gan sefydliad a achredwyd gan Gyngor Cyllido Addysg Uwch Cymru o dan reoliad 7 o Reoliadau Cymwysterau Athrawon Ysgol neu berson a gymeradwywyd gan Weinidogion Cymru.

Qualifications Regulations and who in either case became such a qualified teacher by satisfying the requirements of an employment based teacher training scheme otherwise than by successfully completing a period of training on the scheme; and

- (b) has been assessed as meeting the standards determined under section 18 of the 2014 Act of an institution accredited by the Higher Education Funding Council for Wales under regulation 7 of the School Teachers' Qualifications Regulations or a person approved by the Welsh Ministers.

Y weithdrefn ar gyfer apelio yn erbyn penderfyniad gan y corff priodol

The Procedure for Appeal against a Decision of the Appropriate Body

Dehongli

1. Yn yr Atodlen hon—

ystyr “apelydd” (“*appellant*”) yw person sy'n dwyn apêl o dan adran 19(1) o Ddeddf 2014 yn erbyn penderfyniad gan y corff priodol o dan reoliad 13;

ystyr “corff priodol” (“*appropriate body*”) yw'r corff priodol a wnaeth y penderfyniad sy'n destun apêl;

ystyr “penderfyniad a herir” (“*disputed decision*”) yw'r mater y mae'r apelydd yn apelio i'r Cyngor mewn perthynas ag ef; ac

ystyr “swyddog priodol” (“*proper officer*”) yw'r person a benodir gan y Cyngor i gyflawni dyletswyddau swyddog priodol o dan yr Atodlen hon.

Y dull a'r amser a ganiateir ar gyfer apelio

2.—(1) Rhaid gwneud apêl drwy anfon hysbysiad o apêl at y swyddog priodol, fel bod yr hysbysiad o apêl yn cyrraedd o fewn y cyfnod o 20 diwrnod gwaith sy'n dechrau gyda'r dyddiad y cafodd yr apelydd hysbysiad o dan reoliad 13(4) o'r penderfyniad a herir.

(2) Caiff y Cyngor estyn y terfyn amser a bennir gan is-baragraff (1), pa un ai yw'r cyfnod a ganiateir wedi dod i ben ai peidio, ond rhaid i'r Cyngor beidio â gwneud hynny oni fodlonir ef y byddai peidio ag estyn y terfyn amser yn arwain at anghyfiawnder sylweddol.

(3) Os yw'r apelydd yn credu y bydd hysbysiad o apêl yn debygol o gyrraedd y tu allan i'r terfyn amser a bennir gan is-baragraff (1), caiff gyflwyno, gyda'r hysbysiad o apêl, ddatganiad o'r rhesymau y dibynnir arnynt i gyfiawnhau'r oedi a rhaid i'r Cyngor ystyried unrhyw ddatganiad o'r fath wrth benderfynu a ddylid estyn y terfyn amser ai peidio.

Yr hysbysiad o apêl

3.—(1) Rhaid i'r hysbysiad o apêl ddatgan—

- (a) enw a chyfeiriad yr apelydd;
- (b) enw a chyfeiriad yr ysgol y cyflogid yr apelydd ynddi ar ddiwedd y cyfnod sefydlu;
- (c) enw a chyfeiriad cyflogwr yr apelydd, os oes un, ar y dyddiad yr anfonir yr hysbysiad o apêl at y Cyngor;

Interpretation

1. In this Schedule—

“appellant” (“*apelydd*”) means a person who brings an appeal under section 19(1) of the 2014 Act against a decision of the appropriate body under regulation 13;

“appropriate body” (“*corff priodol*”) means the appropriate body who took the decision subject to an appeal;

“disputed decision” (“*penderfyniad a herir*”) means the matter in relation to which the appellant appeals to the Council; and

“proper officer” (“*swyddog priodol*”) means the person appointed by the Council to perform the duties of a proper officer under this Schedule.

The time for and manner of making an appeal

2.—(1) An appeal is to be made by sending a notice of appeal to the proper officer so that it is received within the period of 20 working days beginning with the date on which the appellant received notice under regulation 13(4) of the disputed decision.

(2) The Council may extend the time limit imposed by sub-paragraph (1), whether or not it has already expired, but must not do so unless it is satisfied that not to extend the time limit would result in substantial injustice.

(3) Where the appellant considers it likely that a notice of appeal will be received outside the time limit imposed by sub-paragraph (1) the notice of appeal may be accompanied by a statement of the reasons relied upon to justify the delay and the Council must consider any such statement in deciding whether or not to extend the time limit.

The notice of appeal

3.—(1) The notice of appeal must state—

- (a) the name and address of the appellant;
- (b) the name and address of the school at which the appellant was employed at the end of the induction period;
- (c) the name and address of the appellant's employer, if any, at the date when the appellant sends notice of the appeal to the Council;

- (d) seiliau'r apêl;
- (e) enw, cyfeiriad a phroffesiwn y person (os oes un) sy'n cynrychioli'r apelydd, a pha un ai dylai'r Cyngor anfon dogfennau sy'n ymwneud â'r apêl at y cynrychiolydd hwnnw yn hytrach nag at yr apelydd; ac
- (f) pa un ai yw'r apelydd yn gofyn am i'r apêl gael ei phenderfynu mewn gwrandawriad llafar.

(2) Rhaid i'r hysbysiad o apêl gael ei lofnodi gan yr apelydd.

(3) Rhaid i'r apelydd atodi copïau o'r canlynol ynghlwm wrth yr hysbysiad o apêl—

- (a) yr hysbysiad a roddwyd i'r apelydd gan y corff priodol o dan reoliad 13(4) mewn perthynas â'r penderfyniad a herir;
- (b) unrhyw ddatganiad ysgrifenedig a roddwyd i'r apelydd gan y corff priodol yn rhoi rhesymau dros ei benderfyniad; ac
- (c) pob dogfen arall y mae'r apelydd yn dibynnu arni at ddibenion yr apêl.

Dogfennau ychwanegol, diwygio'r apêl a thynnu'r apêl yn ôl

4.—(1) Ar unrhyw adeg cyn cael hysbysiad o'r dyddiad a bennwyd ar gyfer y gwrandawriad o dan baragraff 13 neu hysbysiad o benderfyniad gan y Cyngor o dan baragraff 11, caiff yr apelydd—

- (a) anfon copïau o unrhyw ddogfennau ychwanegol y mae'n dymuno dibynnu arnynt at ddibenion yr apêl at y swyddog priodol;
- (b) diwygio neu dynnu'n ôl yr apêl, neu unrhyw ran ohoni; neu
- (c) diwygio unrhyw ddeunydd a gyflwynwyd i ategu'r apêl neu ei dynnu yn ôl.

(2) Ar unrhyw adeg, caiff yr apelydd gymryd unrhyw gam a grybwyllwyd yn is-baragraff (1) gyda chaniatâd y Cyngor.

(3) Os yw apelydd yn tynnu apêl yn ôl, ni chaiff ddwyn apêl newydd mewn perthynas â'r penderfyniad a herir.

(4) Ceir diwygio apêl neu dynnu yn ôl drwy anfon at y swyddog priodol hysbysiad apêl diwygiedig, neu hysbysiad sy'n datgan bod yr apêl yn cael ei thynnu yn ôl, yn ôl fel y digwydd.

Cydnabod yr apêl a hysbysu yn ei chylch

5.—(1) O fewn y cyfnod o ddeg diwrnod gwaith, sy'n dechrau gyda'r dyddiad y cafodd y Cyngor yr hysbysiad o'r apêl, rhaid i'r swyddog priodol—

- (d) the grounds of the appeal;
- (e) the name, address and profession of the person (if any) representing the appellant, and whether the Council should send documents concerning the appeal to the representative instead of to the appellant; and
- (f) whether the appellant requests that the appeal should be decided at an oral hearing.

(2) The notice of appeal must be signed by the appellant.

(3) The appellant must annex to the notice of appeal a copy of—

- (a) the notice given to the appellant by the appropriate body under regulation 13(4) relating to the disputed decision;
- (b) any written statement given to the appellant by the appropriate body giving reasons for its decision; and
- (c) every other document on which the appellant relies for the purposes of the appeal.

Additional documents, amendment and withdrawal of the appeal

4.—(1) The appellant may at any time before receiving notice of the date fixed for the hearing under paragraph 13 or of a decision of the Council under paragraph 11—

- (a) send copies of such additional documents as the appellant wishes to rely on for the purpose of the appeal to the proper officer;
- (b) amend or withdraw the appeal, or any part of it; or
- (c) amend or withdraw any material submitted in support of the appeal.

(2) The appellant may at any time take any step mentioned in sub-paragraph (1) with the permission of the Council.

(3) Where an appellant withdraws an appeal they may not bring a fresh appeal in relation to the disputed decision.

(4) An appeal may be amended or withdrawn by sending to the proper officer an amended notice of appeal or a notice stating that the appeal is withdrawn, as the case may be.

Acknowledgement and notification of the appeal

5.—(1) The proper officer must within the period of ten working days beginning with the date on which the Council received the notice of appeal—

- (a) anfon at yr apelydd gydnabyddiaeth o gael yr apêl;
- (b) anfon copi o'r hysbysiad o apêl ac unrhyw ddogfennau sydd ynghlwm wrtho at y corff priodol;
- (c) os enwir unrhyw berson neu gorff ac eithrio'r corff priodol fel cyflogwr yr apelydd yn yr hysbysiad o apêl, anfon copi o'r hysbysiad o apêl at y person neu'r corff hwnnw; a
- (d) anfon copi o'r hysbysiad o apêl at bennaeth yr ysgol neu'r coleg AB lle y cyflogid yr apelydd pan gwblhawyd y cyfnod sefydlu.

(2) O fewn y cyfnod o ddeg diwrnod gwaith sy'n dechrau gyda'r dyddiad y cafodd y Cyngor gan yr apelydd unrhyw ddogfennau ychwanegol, seiliau diwygiedig dros apelio, dogfennau diwygiedig a gyflwynwyd i ategu'r apêl, neu hysbysiad bod apêl yn cael ei thynnu'n ôl, rhaid i'r swyddog priodol anfon copiâu at y corff priodol.

Cais am ragor o ddeunydd

6.—(1) Os yw'r Cyngor o'r farn y gellid penderfynu'r apêl yn decach ac yn fwy effeithlon pe bai'r apelydd yn darparu rhagor o ddeunydd, caiff anfon hysbysiad at yr apelydd sy'n ei wahodd i gyflenwi'r deunydd o fewn y cyfnod o ddeg diwrnod gwaith sy'n dechrau gyda dyddiad yr hysbysiad.

(2) Pan fo'r Cyngor yn anfon hysbysiad o dan is-baragraff (1) rhaid i'r swyddog priodol, ar yr un pryd, hysbysu'r corff priodol ei fod wedi gwneud hynny.

(3) O fewn y cyfnod o ddeg diwrnod gwaith sy'n dechrau gyda'r dyddiad y cafodd y Cyngor ragor o ddeunydd o dan is-baragraff (1) rhaid i'r swyddog priodol anfon copi ohono at y corff priodol.

Ateb gan y corff priodol

7.—(1) Rhaid i'r corff priodol anfon ateb at y swyddog priodol sy'n bodloni gofynion paragraff 8, fel bod yr ateb hwnnw'n cyrraedd o fewn y cyfnod o 20 diwrnod gwaith sy'n dechrau gyda'r dyddiad y cafodd y corff priodol gopi o'r hysbysiad o apêl.

(2) Caiff y Cyngor estyn y terfyn amser a bennir gan is-baragraff (1), pa un ai yw'r cyfnod a ganiateir wedi dod i ben ai peidio.

(3) Rhaid i'r Cyngor ganiatáu'r apêl os yw'r corff priodol yn datgan yn ei ateb, neu yn datgan yn ysgrifenedig ar unrhyw adeg, nad yw'n bwriadu cadarnhau'r penderfyniad a herir, a rhaid i'r Cyngor wneud hynny o fewn y cyfnod o ddeg diwrnod gwaith sy'n dechrau gyda'r dyddiad y cafodd y Cyngor hysbysiad nad oedd y corff priodol yn bwriadu cadarnhau'r penderfyniad a herir.

- (a) send an acknowledgement of its receipt to the appellant;
- (b) send a copy of the notice of appeal and any accompanying documents to the appropriate body;
- (c) if a person or body other than the appropriate body is named as the appellant's employer in the notice of appeal, send a copy of the notice of appeal to that person or body; and
- (d) send a copy of the notice of appeal to the head teacher of the school or FE college at which the appellant was employed at the completion of the induction period.

(2) Within the period of ten working days beginning with the date on which the Council received from the appellant any additional material, amended grounds of appeal, amended documents submitted in support of an appeal or notice of withdrawal of an appeal, the proper officer must send a copy to the appropriate body.

Request for further material

6.—(1) Where the Council considers that the appeal could be decided more fairly and efficiently if the appellant provided further material, it may send to the appellant a notice inviting the appellant to supply that material within the period of ten working days beginning with the date of the notice.

(2) Where the Council sends a notice under sub-paragraph (1) the proper officer must at the same time inform the appropriate body that it has done so.

(3) The proper officer must within the period of ten working days beginning with the date on which the council received further material under sub-paragraph (1) send a copy of it to the appropriate body.

Reply by the appropriate body

7.—(1) The appropriate body must send to the proper officer a reply fulfilling the requirements of paragraph 8 so that it is received within the period of 20 working days beginning with the date on which the appropriate body received a copy of the notice of appeal.

(2) The Council may extend the time limit imposed by sub-paragraph (1) whether or not it has already expired.

(3) The Council must allow the appeal where the appropriate body states in reply, or at any time states in writing, that it does not seek to uphold the disputed decision, and must do so within the period of ten working days beginning with the date on which the Council received notification that the appropriate body did not seek to uphold the disputed decision.

Cynnwys yr ateb

8.—(1) Rhaid i'r ateb ddatgan—

- (a) enw a chyfeiriad y corff priodol;
- (b) pa un ai yw'r corff priodol yn bwriadu cadarnhau'r penderfyniad a herir ai peidio; ac
- (c) mewn achosion pan fo'r corff priodol yn bwriadu cadarnhau'r penderfyniad a herir—
 - (i) ateb y corff priodol i bob un o'r seiliau dros yr apêl a roddwyd gan yr apelydd,
 - (ii) pa un ai yw'r corff priodol yn gwneud cais am wrandawriad llafar ai peidio, a
 - (iii) enw, cyfeiriad a phroffesiwn y person (os oes un) sy'n cynrychioli'r corff priodol, a pha un ai ddylai'r Cyngor anfon dogfennau sy'n ymwneud â'r apêl at y cynrychiolydd hwnnw yn hytrach nag at y corff priodol.

(2) Rhaid i'r corff priodol atodi copïau o'r canlynol ynghlwm wrth yr ateb—

- (a) unrhyw ddogfen y mae'n dymuno dibynnu arni at ddibenion gwrthwynebu'r apêl; a
- (b) os nad yw'r apelydd wedi anfon at y swyddog priodol gopi o ddatganiad ysgrifenedig a roddwyd i'r apelydd gan y corff priodol yn rhoi rhesymau dros benderfyniad y corff priodol, ddatganiad sy'n rhoi rhesymau dros y penderfyniad.

Dogfennau ychwanegol, diwygio'r ateb a thynnu'r ateb yn ôl

9.—(1) Ar unrhyw adeg cyn iddo gael hysbysiad o'r dyddiad a bennwyd ar gyfer y gwrandawriad o dan baragraff 13 neu hysbysiad o benderfyniad y Cyngor o dan baragraff 11, caiff y corff priodol—

- (a) anfon copïau o unrhyw ddogfennau ychwanegol y mae'n dymuno dibynnu arnynt at ddibenion gwrthwynebu'r apêl at y swyddog priodol;
- (b) diwygio ei ateb neu dynnu ei ateb, neu unrhyw ran ohono, yn ôl;
- (c) diwygio unrhyw ddeunydd a gyflwynwyd i ategu'r ateb neu ei dynnu yn ôl.

(2) Ar unrhyw adeg caiff y corff priodol gymryd unrhyw gam a grybwyllwyd yn is-baragraff (1) gyda chaniatâd y Cyngor.

(3) Ceir diwygio ateb neu dynnu yn ôl drwy anfon at y swyddog priodol ateb diwygiedig, neu hysbysiad sy'n datgan bod yr ateb yn cael ei dynnu yn ôl, yn ôl fel y digwydd.

Contents of the reply

8.—(1) The reply must state—

- (a) the name and address of the appropriate body;
- (b) whether the appropriate body seeks to uphold the disputed decision; and
- (c) in cases where the appropriate body seeks to uphold the disputed decision—
 - (i) the appropriate body's answer to each of the grounds of appeal supplied by the appellant,
 - (ii) whether or not the appropriate body requests an oral hearing, and
 - (iii) the name, address and profession of the person (if any) representing the appropriate body, and whether the Council should send documents concerning the appeal to that representative instead of to the appropriate body.

(2) The appropriate body must annex to the reply—

- (a) a copy of any document on which it wishes to rely for the purpose of opposing the appeal; and
- (b) where the appellant has not sent to the proper officer a copy of a written statement given to the appellant by the appropriate body giving reasons for its decision, a statement giving reasons for the decision.

Additional documents, amendment and withdrawal of the reply

9.—(1) The appropriate body may at any time before it receives notice of the date fixed for the hearing under paragraph 13 or of a decision of the Council under paragraph 11—

- (a) send copies of such additional documents on which it wishes to rely on for the purpose of opposing the appeal to the proper officer;
- (b) amend or withdraw its reply, or any part of it;
- (c) amend or withdraw any material submitted in support of the reply.

(2) The appropriate body may at any time take any step mentioned in sub-paragraph (1) with the permission of the Council.

(3) A reply may be amended or withdrawn by sending to the proper officer an amended reply or a notice stating that the reply is withdrawn, as the case may be.

Cydnabod yr ateb a hysbysu yn ei gylch

10.—(1) O fewn y cyfnod o ddeg diwrnod gwaith sy'n dechrau gyda'r dyddiad y cafodd y Cyngor yr ateb, rhaid i'r swyddog priodol—

- (a) anfon at y corff priodol gydnabyddiaeth o gael yr ateb; a
- (b) anfon copi o'r ateb ac unrhyw ddogfennau sydd ynghlwm wrtho at yr apelydd.

(2) O fewn y cyfnod o ddeg diwrnod gwaith sy'n dechrau gyda'r dyddiad y cafodd y Cyngor gan y corff priodol unrhyw ddogfennau ychwanegol, ateb diwygiedig, dogfennau diwygiedig a gyflwynwyd i ategu ateb, neu hysbysiad bod ateb yn cael ei dynnu'n ôl, rhaid i'r swyddog priodol anfon copïau at yr apelydd.

Pŵer i benderfynu'r apêl heb wrandawriad

11.—(1) Ar ôl diwedd y cyfnod pan yw'n ofynnol bod y corff priodol yn anfon ei ateb, os nad yw'r apelydd na'r corff priodol wedi gwneud cais am wrandawriad llafar ac nad yw'r Cyngor o'r farn bod angen gwrandawriad llafar, caiff y Cyngor benderfynu'r apêl heb wrandawriad llafar.

(2) Ar ôl diwedd y cyfnod pan yw'n ofynnol bod y corff priodol yn anfon ei ateb, os nad yw'r corff priodol wedi gwneud hynny, caiff y Cyngor ganiatáu'r apêl heb wrandawriad llafar.

(3) Os yw'r Cyngor yn penderfynu'r apêl heb wrandawriad llafar, rhaid iddo anfon hysbysiad o'i benderfyniad fel sy'n ofynnol gan baragraff 17, fel bod yr hysbysiad yn cyrraedd yr apelydd a'r corff priodol o fewn y cyfnod o 20 diwrnod gwaith sy'n dechrau gyda'r diwrnod sy'n dilyn y dyddiad y daeth y cyfnod a ganiateid ar gyfer anfon ateb i ben.

Gwrandawriad apêl

12. Mae paragraffau 13 i 16 yn gymwys os penderfynir apêl ar sail gwrandawriad llafar.

Pennu dyddiad ar gyfer y gwrandawriad

13.—(1) Rhaid i'r Cyngor bennu dyddiad ar gyfer y gwrandawriad—

- (a) o fewn y cyfnod o 20 diwrnod gwaith sy'n dechrau gyda'r diwrnod sy'n dilyn y dyddiad y daeth y cyfnod a ganiateid ar gyfer anfon ateb i ben; a
- (b) nid cyn y diwrnod yn dilyn y dyddiad y daeth y cyfnod ar gyfer anfon ateb i ben.

(2) Ar yr un diwrnod ag y pennir dyddiad gan y Cyngor ar gyfer y gwrandawriad, rhaid i'r swyddog priodol anfon at yr apelydd a'r corff priodol hysbysiad—

Acknowledgement and notification of the reply

10.—(1) The proper officer must within the period of ten working days beginning with the date on which the Council received the reply—

- (a) send an acknowledgement of its receipt to the appropriate body; and
- (b) send a copy of the reply and any accompanying documents to the appellant.

(2) Within the period of ten working days beginning with the date on which the Council received from the appropriate body any additional material, amended reply, amended documents submitted in support of a reply, or notice of withdrawal of a reply, the proper officer must send a copy to the appellant.

Power to decide the appeal without a hearing

11.—(1) Where following the expiry of the period within which the appropriate body is required to send its reply neither the appellant or the appropriate body has requested an oral hearing, and the Council does not consider an oral hearing is necessary, the Council may decide the appeal without an oral hearing.

(2) Where following the expiry of the period within which the appropriate body is required to send its reply the appropriate body has not done so, the Council may allow the appeal without an oral hearing.

(3) If the Council decides the appeal without an oral hearing, it must send notice of its decision as required by paragraph 17 so that it is received by the appellant and the appropriate body within the period of 20 working days beginning with the day following the day on which the time limit for sending a reply expired.

Appeal hearing

12. Paragraphs 13 to 16 apply where the appeal is to be decided on the basis of an oral hearing.

Fixing a date for the hearing

13.—(1) The Council must fix a date for the hearing—

- (a) within the period of 20 working days beginning with the day following the date on which the time sending a reply expired; and
- (b) not before the day following the date on which the time for sending a reply expired.

(2) The proper officer must on the same day as the Council fixes a date for the hearing send to the appellant and the appropriate body a notice—

- (a) yn eu hysbysu ynghylch amser a lleoliad gwrandawriad yr apêl;
- (b) yn rhoi canllawiau ynghylch y weithdrefn a fydd yn gymwys yn y gwrandawriad;
- (c) yn eu hysbysu ynghylch canlyniadau peidio â bod yn bresennol yn y gwrandawriad; a
- (d) yn eu hysbysu bod hawl ganddynt i gyflwyno sylwadau ysgrifenedig os na fyddant yn bresennol yn y gwrandawriad.

(3) Ni chaiff y dyddiad a bennir ar gyfer y gwrandawriad fod yn gynharach na 15 diwrnod gwaith ar ôl dyddiad yr hysbysiad.

Y camau sydd i'w cymryd gan yr apelydd a'r corff priodol ar ôl cael yr hysbysiad am y gwrandawriad

14.—(1) Rhaid i'r apelydd a'r corff priodol, ddim llai na deg diwrnod gwaith cyn y dyddiad a bennwyd ar gyfer y gwrandawriad—

- (a) rhoi gwybod i'r swyddog priodol pa un ai ydynt yn bwriadu ymddangos neu gael eu cynrychioli yn y gwrandawriad ai peidio;
- (b) rhoi gwybod i'r swyddog priodol pa dystion, os oes rhai, y bwriadant eu galw yn y gwrandawriad; ac
- (c) os nad ydynt yn bwriadu ymddangos neu gael eu cynrychioli yn y gwrandawriad, cânt anfon at y swyddog priodol unrhyw sylwadau ysgrifenedig i ategu'r deunydd a anfonwyd eisoes at y swyddog priodol.

(2) O fewn y cyfnod o dri diwrnod gwaith sy'n dechrau gyda'r dyddiad y mae'r swyddog priodol yn cael unrhyw sylwadau, rhaid iddo anfon, at bob parti neu'r llall, gopïau o unrhyw sylwadau a gaiff gan y parti arall o dan y paragraff hwn.

Newid lleoliad neu amser y gwrandawriad

15.—(1) Caiff y Cyngor newid lleoliad neu amser y gwrandawriad o dan unrhyw amgylchiadau sydd ym marn y Cyngor yn briodol, ar yr amod nad yw'r dyddiad newydd ar gyfer y gwrandawriad yn gynharach na'r dyddiad gwreiddiol.

(2) Os yw'r Cyngor yn newid lleoliad neu amser y gwrandawriad, rhaid i'r swyddog priodol, yn ddi-oed ond beth bynnag o fewn y cyfnod o dri diwrnod gwaith sy'n dechrau gyda'r dyddiad y gwnaed y newid, anfon hysbysiad o'r newid at yr apelydd a'r corff priodol.

Y weithdrefn yn y gwrandawriad

16.—(1) Yn ddarostyngedig i ddarpariaethau canlynol y paragraff hwn, rhaid i'r Cyngor benderfynu ar y weithdrefn yn ystod gwrandawriad yr apêl.

- (a) informing them of the time and place of the hearing of the appeal;
- (b) giving guidance regarding the procedure which will apply to the hearing;
- (c) advising them of the consequences of not attending the hearing; and
- (d) informing them of the right to submit written representations if they do not attend the hearing.

(3) The date fixed for the hearing must not be less than 15 working days after the date of the notice.

Action by the appellant and appropriate body on receiving notice of the hearing

14.—(1) Not less than ten working days before the date fixed for the hearing the appellant and the appropriate body—

- (a) must inform the proper officer whether or not they intend to appear or be represented at the hearing;
- (b) must inform the proper officer which, if any, witnesses they intend to call at the hearing;
- (c) may, if they do not intend to appear or be represented at the hearing send to the proper officer any written representations in support of the material already sent to the proper officer.

(2) The proper officer must within the period of three working days beginning with the date on which representations are received send to each party a copy of any representations received by the proper officer from the other party under this paragraph.

Alteration of place or time of the hearing

15.—(1) The Council may alter the place or time of the hearing in such circumstances as it considers appropriate, provided that the altered date of the hearing is not earlier than the original date.

(2) Where the Council alters the place or time of the hearing the proper officer must without delay and in any event within the period of three working days beginning with the date on which the alteration was made send a notice to the appellant and the appropriate body informing them of the alteration.

Procedure at the hearing

16.—(1) Subject to the following provisions of this paragraph, the Council must determine the procedure at the hearing of the appeal.

(2) Rhaid cynnal gwrandawriad yr apêl yn gyhoeddus oni fydd y Cyngor yn penderfynu ei bod yn deg a rhesymol cynnal y gwrandawriad neu unrhyw ran ohono yn breifat.

(3) Caiff yr apelydd a'r corff priodol ymddangos yn y gwrandawriad a gallant gael eu cynrychioli neu eu cynorthwyo gan unrhyw berson.

(4) Os yw'r apelydd neu'r corff priodol yn methu â bod yn bresennol yn y gwrandawriad, caiff y Cyngor glywed yr apêl yn absenoldeb y parti hwnnw ac, ar yr amod bod y Cyngor wedi ystyried unrhyw sylwadau a wnaed gan y parti hwnnw o dan baragraff 14, penderfynu'r apêl.

(5) Yn ddarostyngedig i is-baragraff (6), caiff yr apelydd a'r corff priodol roi tystiolaeth, galw tystion, holi unrhyw dystion ac annerch y Cyngor, ar y dystiolaeth ac yn gyffredinol ar bwnc yr apêl.

(6) Ar unrhyw adeg yn ystod y gwrandawriad, caiff y Cyngor gyfyngu ar hawliau'r naill barti neu'r llall o dan is-baragraff (5) ar yr amod y bodlonir y Cyngor na fydd gwneud hynny yn rhwystro penderfynu'r apêl yn deg.

(7) Caiff y Cyngor ohirio'r gwrandawriad, ond rhaid iddo beidio â gwneud hynny oni fydd wedi ei fodloni bod angen gwneud hynny er mwyn penderfynu'r apêl yn deg.

(8) Rhaid naill ai cyhoeddi amser a lleoliad gwrandawriad gohiriedig cyn ei ohirio neu rhaid i'r Cyngor, yn ddi-oed, ond beth bynnag o fewn y cyfnod o dri diwrnod gwaith sy'n dechrau gyda dyddiad y gohirio, anfon hysbysiad o amser a lleoliad y gwrandawriad gohiriedig at yr apelydd a'r corff priodol.

Penderfyniad y Cyngor

17.—(1) Ceir gwneud a chyhoeddi penderfyniad y Cyngor ar ddiwedd y gwrandawriad ond, ym mhob achos, pa un ai gynhaliwyd gwrandawriad ai peidio, rhaid cofnodi'r penderfyniad yn union ar ôl ei wneud, a hynny mewn dogfen y mae'n rhaid iddi gynnwys yn ogystal ddatganiad o'r rhesymau dros y penderfyniad ac y mae'n rhaid ei llofnodi a'i dyddio gan berson a awdurdodir gan y Cyngor.

(2) O fewn y cyfnod o bum diwrnod gwaith sy'n dechrau gyda'r dyddiad y gwnaed y penderfyniad, rhaid i'r Cyngor—

- (a) anfon copi o'r ddogfen y cyfeirir ati yn is-baragraff (1) at yr apelydd, y corff priodol a phennaeth yr ysgol neu'r coleg AB lle y cyflogid yr apelydd pan gwblhawyd y cyfnod sefydlu ei gwblhau; a
- (b) os enwyd person neu gorff ac eithrio'r corff priodol fel cyflogwr yr apelydd yn yr hysbysiad o apêl, hysbysu'r corff neu'r person hwnnw o'i benderfyniad.

(2) The hearing of the appeal must be in public unless the Council determines that it is fair and reasonable for the hearing or any part of it to be in private.

(3) The appellant and the appropriate body may appear at the hearing and may be represented or assisted by any person.

(4) If the appellant or the appropriate body fails to attend the hearing, the Council may hear, and provided it has considered any representations made by the party concerned under paragraph 14, determine, the appeal in that party's absence.

(5) Subject to sub-paragraph (6) the appellant and the appropriate body may give evidence, call witnesses, question any witnesses and address the Council both on the evidence and generally on the subject matter of the appeal.

(6) The Council may at any point in the hearing limit the rights of either party under sub-paragraph (5) provided it is satisfied that to do so will not prevent the appeal from being decided fairly.

(7) The Council may adjourn the hearing, but must not do so unless it is satisfied that it is necessary to do so in order for the appeal to be decided fairly.

(8) The time and place for an adjourned hearing must either be announced before the adjournment or the Council must without delay and in any event within the period of three working days beginning with the date of the adjournment send notice to the appellant and the appropriate body informing them of the time and place of the adjourned hearing.

Decision of the Council

17.—(1) The decision of the Council may be made and announced at the end of the hearing, but in any event, whether there has been a hearing or not, must be recorded immediately it is made in a document which must also contain a statement of the reasons for the decision and must be signed and dated by a person authorised by the Council.

(2) The Council must within the period of five working days beginning with the date on which it made its decision—

- (a) send a copy of the document referred to in sub-paragraph (1) to the appellant, the appropriate body and the head teacher of the school or FE college at which the appellant was employed at the completion of the induction period; and
- (b) if a person or body other than the appropriate body is named as the appellant's employer in the notice of appeal, notify that body or person of its decision.

Afreoleidd-dra

18.—(1) Ni fydd unrhyw afreoleidd-dra sy'n deillio o fethiant i gydymffurfio ag unrhyw un o ddarpariaethau'r Atodlen hon cyn bo'r Cyngor yn cyrraedd ei benderfyniad yn peri, ynddo'i hunan, nad yw'r achos apêl yn cael effaith.

(2) Os daw unrhyw afreoleidd-dra o'r fath i sylw'r Cyngor, caiff y Cyngor, cyn dod i'w benderfyniad, roi unrhyw gyfarwyddiadau sy'n gyfiawn ym marn y Cyngor er mwyn unioni neu ddiystyru'r afreoleidd-dra; a rhaid i'r Cyngor wneud hynny os yw o'r farn bod buddiant y naill barti neu'r llall wedi ei beryglu gan yr afreoleidd-dra.

Dogfennau

19.—(1) Ceir anfon unrhyw beth y mae'n ofynnol ei anfon at berson, at ddibenion apêl o dan yr Atodlen hon drwy—

- (a) ei drosglwyddo i'r person hwnnw yn bersonol; neu
- (b) ei anfon at y person hwnnw yn ei gyfeiriad priodol drwy'r post; neu
- (c) ei anfon ato drwy ffacs, y post electronig neu ddull cyffelyb arall sydd â chyfleuster i gynhyrchu dogfen sy'n cynnwys testun y cyfathrebiad, a rhaid ystyried bod hysbysiad a anfonir drwy ddull o'r fath wedi ei roi pan ddaw i law mewn ffurf ddarllenadwy.

(2) Cyfeiriad priodol person yw'r cyfeiriad a ddatganwyd yn yr hysbysiad o apêl neu'r ateb, neu unrhyw gyfeiriad arall yr hysbysir y swyddog priodol ohono yn ddiweddarach.

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Irregularities

18.—(1) Any irregularity resulting from failure to comply with any provision of this Schedule before the Council has reached its decision will not of itself render the proceedings of no effect.

(2) Where any such irregularity comes to the attention of the Council it may, and must if it considers either party may have been prejudiced by the irregularity, give such directions as it thinks just, before reaching its decision, to cure or waive the irregularity.

Documents

19.—(1) Anything required to be sent to a person for the purposes of an appeal under this Schedule may be—

- (a) delivered to that person personally; or
- (b) sent to that person at their appropriate address by post; or
- (c) sent to them by facsimile or electronic mail or other similar means which are capable of producing a document containing the text of the communication, in which case the document is to be regarded as sent when it is received in a legible form.

(2) A person's appropriate address is the address stated in the notice of appeal or reply, or such other address as may be subsequently notified to the proper officer.

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