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INSTRUMENTS

2020 Rhif 1351 (Cy. 299)

2020 No. 1351 (W. 299)

ADDYSG, CYMRU

EDUCATION, WALES

**Rheoliadau Cydlynnydd Anghenion
Dysgu Ychwanegol (Cymru) 2020**

**The Additional Learning Needs Co-
ordinator (Wales) Regulations 2020**

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn ychwanegu at adran 60 o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 (dccc 2) sy'n ei gwneud yn ofynnol i gyrff llywodraethu ysgolion a gynhelir (ac eithrio ysgolion arbennig) a sefydliadau addysg bellach yng Nghymru ddynodi person (neu bersonau) yn gydlynnydd anghenion dysgu ychwanegol i fod yn gyfrifol am gydlynu darpariaeth ddysgu ychwanegol ar gyfer disgyblion neu fyfyrwyr ag anghenion dysgu ychwanegol.

Mae'r Rheoliadau hyn yn nodi'r cymwysterau neu'r profiad y mae rhaid i gydlynwyr anghenion dysgu ychwanegol feddu arnynt neu arno (rheoliadau 3 a 4) ac yn rhoi swyddogaethau i gydlynwyr anghenion dysgu ychwanegol sy'n ymwneud â'r ddarpariaeth ddysgu ychwanegol ar gyfer disgyblion neu fyfyrwyr ag anghenion dysgu ychwanegol (rheoliadau 5 a 6).

Nid yw'r Rheoliadau hyn yn effeithio ar allu'r corff llywodraethu i roi cyfrifoldebau pellach i'r cydlynnydd anghenion dysgu ychwanegol.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Llywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ ac ar wefan Llywodraeth Cymru ar www.llyw.cymru.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations supplement section 60 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (anaw 2) which requires governing bodies of maintained schools (except special schools) and further education institutions in Wales to designate a person (or persons) as the additional learning needs co-ordinator to be responsible for co-ordinating additional learning provision for pupils or students with additional learning needs.

These Regulations set out the qualifications or experience that additional learning needs co-ordinators must have (regulations 3 and 4) and confer functions on additional learning needs co-ordinators relating to the additional learning provision for pupils or students with additional learning needs (regulations 5 and 6).

These Regulations do not affect the governing body's ability to confer further responsibilities upon the additional learning needs co-ordinator.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Welsh Government at Cathays Park, Cardiff CF10 3NQ and on the Welsh Government website at www.gov.wales.

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Rheoliadau Cydlynnydd Anghenion
Dysgu Ychwanegol (Cymru) 2020

The Additional Learning Needs Co-
ordinator (Wales) Regulations 2020

Gwnaed 25 Tachwedd 2020

Made 25 November 2020

Yn dod i rym 4 Ionawr 2021

Coming into force 4 January 2021

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adrannau 60(4) a 98(2) o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018(1), yn gwneud y Rheoliadau a ganlyn.

The Welsh Ministers in exercise of the powers conferred on them by sections 60(4) and 98(2) of the Additional Learning Needs and Education Tribunal (Wales) Act 2018(1) make the following Regulations.

Yn unol ag adran 98(3) o'r Ddeddf honno, gosodwyd drafft o'r offeryn hwn gerbron Senedd Cymru ac fe'i cymeradwywyd ganddi drwy benderfyniad.

In accordance with section 98(3) of that Act, a draft of this instrument was laid before and approved by resolution of Senedd Cymru.

Enwi a chychwyn

Title and commencement

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cydlynnydd Anghenion Dysgu Ychwanegol (Cymru) 2020.

1.—(1) The title of these Regulations is the Additional Learning Needs Co-ordinator (Wales) Regulations 2020.

(2) Daw'r Rheoliadau hyn i rym ar 4 Ionawr 2021.

(2) These Regulations come into force on 4 January 2021.

Dehongli

Interpretation

2.—(1) Yn y Rheoliadau hyn—

2.—(1) In these Regulations—

ystyr “athro neu athrawes addysg bellach” (“*further education teacher*”) yw person sydd wedi ei gofrestru â Chyngor y Gweithlu Addysg yng nghategori athro neu athrawes addysg bellach fel y'i disgrifir yn nhabl 1 o Atodlen 2 i Ddeddf 2014;

“the 2014 Act” (“*Deddf 2014*”) means the Education (Wales) Act 2014(2);

ystyr “athro neu athrawes ysgol” (“*school teacher*”) yw person sydd wedi ei gofrestru â Chyngor y Gweithlu Addysg yng nghategori athro neu athrawes ysgol fel y'i disgrifir yn nhabl 1 o Atodlen 2 i Ddeddf 2014 ac nid yw'n cynnwys person sydd wedi ei gofrestru ar sail dros dro o dan adran 9(5) o'r Ddeddf honno;

“the Act” (“*y Ddeddf*”) means the Additional Learning Needs and Education Tribunal (Wales) Act 2018;

“further education learning support worker” (“*gweithiwr cymorth dysgu mewn addysg bellach*”) means a person who is registered with the Education Workforce Council in the category of further education learning support worker as described in table 1 of Schedule 2 to the 2014 Act;

(1) 2018 decc 2. *Gweler* adran 99(1) am y diffiniadau o “rhagnodedig” ac “a ragnodir” a “rheoliadau”.

(1) 2018 anaw 2. *See* section 99(1) for the definitions of “prescribed” and “regulations”.

(2) 2014 anaw 5.

ystyr “cydlynnydd anghenion addysgol arbennig” (“*special educational needs co-ordinator*”) yw person sydd â chyfrifoldeb am gydlynw'r ddarpariaeth ar gyfer disgyblion y nodir bod ganddynt anghenion addysgol arbennig o dan Ran 4 o Ddeddf Addysg 1996(1);

ystyr “Deddf 2014” (“*the 2014 Act*”) yw Deddf Addysg (Cymru) 2014(2);

ystyr “y Ddeddf” (“*the Act*”) yw Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018;

ystyr “gwasanaethau perthnasol” (“*relevant services*”) yw—

- (a) cyngor neu gymorth mewn perthynas â darpariaeth ddysgu ychwanegol,
- (b) rheoli darpariaeth ddysgu ychwanegol,
- (c) asesu anghenion dysgu ychwanegol,
- (d) cyngor neu gymorth mewn perthynas ag anghenion dysgu ychwanegol, ac
- (e) rheoli disgyblion neu fyfyrwyr (yn ôl y digwydd) ag anghenion dysgu ychwanegol;

ystyr “gweithiwr cymorth dysgu mewn addysg bellach” (“*further education learning support worker*”) yw person sydd wedi ei gofrestru â Chyngor y Gweithlu Addysg yng nghategori gweithiwr cymorth dysgu mewn addysg bellach fel y'i disgrifir yn nhabl 1 o Atodlen 2 i Ddeddf 2014;

ystyr “gweithiwr cymorth dysgu mewn ysgol” (“*school learning support worker*”) yw person sydd wedi ei gofrestru â Chyngor y Gweithlu Addysg yng nghategori gweithiwr cymorth dysgu mewn ysgol fel y'i disgrifir yn nhabl 1 o Atodlen 2 i Ddeddf 2014.

(2) Mae i'r geiriau a'r ymadroddion a ddefnyddir yn y Rheoliadau hyn yr un ystyr ag sydd iddynt yn y Ddeddf ac eithrio i'r graddau yr ymddengys bwriad i'r gwrthwyneb.

Cymhwyster neu brofiad rhagnodedig cydlynnydd anghenion dysgu ychwanegol mewn ysgol

3. Ni chaiff corff llywodraethu ysgol ddynodi person yn gydlynnydd anghenion dysgu ychwanegol o dan adran 60(2) o'r Ddeddf ond os yw'r person hwnnw—

- (a) yn athro neu athrawes ysgol, neu

“further education teacher” (“*athro neu athrawes addysg bellach*”) means a person who is registered with the Education Workforce Council in the category of further education teacher as described in table 1 of Schedule 2 to the 2014 Act;

“relevant services” (“*gwasanaethau perthnasol*”) means—

- (a) advice or assistance in relation to additional learning provision,
- (b) the management of additional learning provision,
- (c) the assessment of additional learning needs,
- (d) advice or assistance in relation to additional learning needs, and
- (e) the management of pupils or students (as the case may be) with additional learning needs;

“school learning support worker” (“*gweithiwr cymorth dysgu mewn ysgol*”) means a person who is registered with the Education Workforce Council in the category of school learning support worker as described in table 1 of Schedule 2 to the 2014 Act;

“school teacher” (“*athro neu athrawes ysgol*”) means a person who is registered with the Education Workforce Council in the category of school teacher as described in table 1 of Schedule 2 to the 2014 Act and does not include a person registered on a provisional basis under section 9(5) of that Act;

“special educational needs co-ordinator” (“*cydlynnydd anghenion addysgol arbennig*”) means a person having responsibility for co-ordinating the provision for pupils identified as having special educational needs under Part 4 of the Education Act 1996(1).

(2) Words and expressions used in these Regulations have the same meaning as they have in the Act except so far as a contrary intention appears.

Prescribed qualification or experience of an additional learning needs co-ordinator at a school

3. The governing body of a school may designate a person as an additional learning needs co-ordinator under section 60(2) of the Act only if that person is—

- (a) a school teacher, or

(1) 1996 p. 56.
(2) 2014 decc 5.

(1) 1996 c. 56.

- (b) yn gydlynnydd anghenion addysgol arbennig o fewn yr ysgol yn union cyn i'r Rheoliadau hyn ddod i rym.

Cymhwyster rhagnodedig cydlynnydd anghenion dysgu ychwanegol mewn sefydliad o fewn y sector addysg bellach

4. Ni chaiff corff llywodraethu sefydliad o fewn y sector addysg bellach ddynodi person yn gydlynnydd anghenion dysgu ychwanegol o dan adran 60(2) o'r Ddeddf ond os yw'r person hwnnw yn athro neu athrawes addysg bellach.

Swyddogaethau cydlynnydd anghenion dysgu ychwanegol mewn ysgol

5. Y tasgau y mae cydlynnydd anghenion dysgu ychwanegol mewn ysgol yn gyfrifol am eu cyflawni, neu am sicrhau eu bod yn cael eu cyflawni, yw—

- (a) nodi anghenion dysgu ychwanegol disgybl a chydlynnydd y gwaith o wneud darpariaeth ddysgu ychwanegol sy'n diwallu anghenion dysgu ychwanegol disgybl,
- (b) sicrhau gwasanaethau perthnasol a fydd yn cefnogi darpariaeth ddysgu ychwanegol disgybl fel y bo'n ofynnol,
- (c) cadw cofnodion o benderfyniadau ynghylch anghenion dysgu ychwanegol a chynlluniau datblygu unigol,
- (d) hybu cynhwysiant disgybl ag anghenion dysgu ychwanegol yn yr ysgol a'i fynediad at gwricwlwm, cyfleusterau a gweithgareddau allgyrsiol yr ysgol,
- (e) monitro effeithiolrwydd unrhyw ddarpariaeth ddysgu ychwanegol a wneir,
- (f) cynghori'r athrawon ysgol yn yr ysgol ynghylch y dulliau addysgu gwahaniaethol sy'n briodol ar gyfer disgyblion unigol ag anghenion dysgu ychwanegol,
- (g) goruchwyllo a hyfforddi gweithwyr cymorth dysgu mewn ysgol sy'n gweithio gyda disgyblion ag anghenion dysgu ychwanegol, ac
- (h) cyfrannu at hyfforddiant mewn swydd ar gyfer athrawon ysgol yn yr ysgol er mwyn cynorthwyo'r cydlynnydd anghenion dysgu ychwanegol i gyflawni'r tasgau y cyfeirir atynt ym mharagraffau (a) i (e).

- (b) a special educational needs co-ordinator within the school immediately prior to the coming into force of these Regulations.

Prescribed qualification of an additional learning needs co-ordinator at an institution within the further education sector

4. The governing body of an institution within the further education sector may designate a person as an additional learning needs co-ordinator under section 60(2) of the Act only if that person is a further education teacher.

Additional learning needs co-ordinator functions at a school

5. The tasks an additional learning needs co-ordinator at a school is responsible for carrying out, or ensuring are carried out, are—

- (a) identifying a pupil's additional learning needs and co-ordinating the making of additional learning provision that meets a pupil's additional learning needs,
- (b) securing relevant services that will support a pupil's additional learning provision as required,
- (c) keeping records of decisions about additional learning needs and individual development plans,
- (d) promoting a pupil with additional learning needs' inclusion in the school and access to the school's curriculum, facilities and extra-curricular activities,
- (e) monitoring the effectiveness of any additional learning provision made,
- (f) advising school teachers at the school about differentiated teaching methods appropriate for individual pupils with additional learning needs,
- (g) supervising and training school learning support workers who work with pupils with additional learning needs, and
- (h) contributing to in-service training for school teachers at the school to assist the additional learning needs co-ordinator in carrying out the tasks referred to in paragraphs (a) to (e).

Swyddogaethau cydlynedd anghenion dysgu ychwanegol mewn sefydliad o fewn y sector addysg bellach

6. Y tasgau y mae cydlynedd anghenion dysgu ychwanegol mewn sefydliad o fewn y sector addysg bellach yn gyfrifol am eu cyflawni, neu am sicrhau eu bod yn cael eu cyflawni, yw—

- (a) nodi anghenion dysgu ychwanegol myfyriwr a chydlynu'r gwaith o wneud darpariaeth ddysgu ychwanegol sy'n diwallu anghenion dysgu ychwanegol myfyriwr,
- (b) sicrhau gwasanaethau perthnasol a fydd yn cefnogi darpariaeth ddysgu ychwanegol myfyriwr fel y bo'n ofynnol,
- (c) cadw cofnodion o benderfyniadau ynghylch anghenion dysgu ychwanegol a chynlluniau datblygu unigol,
- (d) hybu cynhwysiant myfyriwr ag anghenion dysgu ychwanegol yn y sefydliad o fewn y sector addysg bellach a'i fynediad at gwricwlwm, cyfleusterau a gweithgareddau allgyrsiol y sefydliad o fewn y sector addysg bellach,
- (e) monitro effeithiolrwydd unrhyw ddarpariaeth ddysgu ychwanegol a wneir,
- (f) cynghori'r athrawon yn y sefydliad o fewn y sector addysg bellach ynghylch y dulliau addysgu gwahaniaethol sy'n briodol ar gyfer myfyrwyr unigol ag anghenion dysgu ychwanegol,
- (g) goruchwyllo a hyfforddi gweithwyr cymorth dysgu mewn addysg bellach sy'n gweithio gyda myfyrwyr ag anghenion dysgu ychwanegol, ac
- (h) cyfrannu at hyfforddiant ar gyfer athrawon addysg bellach yn y sefydliad o fewn y sector addysg bellach er mwyn cynorthwyo'r cydlynedd anghenion dysgu ychwanegol i gyflawni'r tasgau y cyfeirir atynt ym mharagraffau (a) i (e).

Additional learning needs co-ordinator functions at an institution within the further education sector

6. The tasks an additional learning needs co-ordinator at an institution within the further education sector is responsible for carrying out, or ensuring are carried out, are—

- (a) identifying a student's additional learning needs and co-ordinating the making of additional learning provision that meets a student's additional learning needs,
- (b) securing relevant services that will support a student's additional learning provision as required,
- (c) keeping records of decisions about additional learning needs and individual development plans,
- (d) promoting a student with additional learning needs' inclusion in the institution within the further education sector and access to the institution within the further education sector's curriculum, facilities and extra-curricular activities,
- (e) monitoring the effectiveness of any additional learning provision made,
- (f) advising teachers at the institution within the further education sector about differentiated teaching methods appropriate for individual students with additional learning needs,
- (g) supervising and training further education learning support workers who work with students with additional learning needs, and
- (h) contributing to training for further education teachers at the institution within the further education sector to assist the additional learning needs co-ordinator in carrying out the tasks referred to in paragraphs (a) to (e).

Kirsty Williams

Y Gweinidog Addysg, un o Weinidogion Cymru
25 Tachwedd 2020

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Minister for Education, one of the Welsh Ministers
25 November 2020

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