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INSTRUMENTS

2020 Rhif 848 (Cy. 187)

2020 No. 848 (W. 187)

ADDYSG, CYMRU

EDUCATION, WALES

Rheoliadau Addysg (Y Diwrnod
Ysgol a'r Flwyddyn Ysgol)
(Cymru) (Diwygio) (Coronafeirws)
2020

The Education (School Day and
School Year) (Wales) (Amendment)
(Coronavirus) Regulations 2020

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae Rheoliadau Addysg (Y Diwrnod Ysgol a'r Flwyddyn Ysgol) (Cymru) 2003 ("Rheoliadau 2003") yn gymwys i ysgolion a gynhelir gan awdurdodau lleol ac i ysgolion arbennig pa un a'u cynhelir felly ai peidio. Maent yn gwneud darpariaeth, ymhlith pethau eraill, ar gyfer diwrnod ysgol sydd fel arfer i'w rannu yn ddwy sesiwn gydag egwyl yn y canol, ac i ysgolion (ac eithrio ysgolion meithrin) gyfarfod am o leiaf 380 o sesiynau yn ystod unrhyw flwyddyn ysgol.

The Education (School Day and School Year) (Wales) Regulations 2003 ("the 2003 Regulations") apply to schools maintained by local authorities and to special schools whether or not so maintained. They make provision, among other things, for a school day which is ordinarily to be divided into two sessions with a break in the middle, and for schools (other than nursery schools) to meet for at least 380 sessions during any school year.

Mae'r Rheoliadau hyn yn diwygio Rheoliadau 2003 mewn dwy ffordd:

These Regulations amend the 2003 Regulations in two ways:

(1) Er mwyn caniatáu i ysgolion a agorodd am wythnos ychwanegol ar ddiwedd tymor yr haf yn y flwyddyn ysgol 2019-2020 gynnal o leiaf 370 o sesiynau yn ystod y flwyddyn ysgol 2020-2021 yn lle o leiaf 380 o sesiynau.

(1) To allow schools which opened for an additional week at the end of the summer term of the 2019-2020 school year to hold at least 370 sessions during the 2020-2021 school year instead of at least 380 sessions.

(2) Er mwyn caniatáu i hyd at bedair sesiwn gyfrif fel sesiynau pan gyfarfu'r ysgol os oeddent wedi eu neilltuo i baratoi ysgolion a chynllunio gan athrawon yn dilyn gostyngiad mewn gweithrediadau o ganlyniad i fynychder a throsglwyddiad y coronafeirws yn ystod y flwyddyn ysgol 2019-2020. Cynhelir y sesiynau hyn yn ystod dwy wythnos gyntaf tymor cyntaf y flwyddyn ysgol 2020-2021.

(2) To allow for up to four sessions to count as sessions on which the school met if they were devoted to the preparation of schools and planning by teachers following a reduction in operations as a result of the incidence and transmission of Coronavirus during the 2019-2020 school year. These sessions will be held during the first two weeks of the first term of the 2020-2021 school year.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd aseiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Y Gangen Llywodraethiant, Trefniadaeth a Derbyniadau i Ysgolion, Yr Is-adran Effeithiolrwydd Ysgolion, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

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 School Governance, School Organisation and Admissions Branch, the Schools Effectiveness Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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The Education (School Day and
School Year) (Wales) (Amendment)
(Coronavirus) Regulations 2020

Gwnaed 10 Awst 2020
Gosodwyd gerbron Senedd Cymru 11 Awst 2020
Yn dod i rym 1 Medi 2020

Made 10 August 2020
Laid before Senedd Cymru 11 August 2020
Coming into force 1 September 2020

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir i'r Ysgrifennydd Gwladol gan adrannau 551 a 569(4) a (5) o Ddeddf Addysg 1996(1), ac sydd bellach wedi eu breinio ynddynt hwy(2) yn gwneud y Rheoliadau a ganlyn.

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by sections 551 and 569(4) and (5) of the Education Act 1996(1), and now vested in them(2) make the following Regulations.

Enwi a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Y Diwrnod Ysgol a'r Flwyddyn Ysgol) (Cymru) (Diwygio) (Coronafeirws) 2020 a deuant i rym ar 1 Medi 2020.

Title and commencement

1. The title of these Regulations is the Education (School Day and School Year) (Wales) (Amendment) (Coronavirus) Regulations 2020 and they come into force on 1 September 2020.

(1) 1996 p. 56. Mewnosodwyd adran 551(1A) gan baragraff 39 o Atodlen 7 i Ddeddf Addysg 1997 (p. 44), a diwygiwyd adran 551(2) gan baragraff 166 o Atodlen 30 ac Atodlen 31 i Ddeddf Safonau a Fframwaith Ysgolion 1998 (p. 31). Am ystyr "regulations" a "prescribed gweler adran 579(1).
(2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac yna i Weindogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).

(1) 1996 c. 56. Section 551(1A) was inserted by paragraph 39 of Schedule 7 to the Education Act 1997 (c. 44), and section 551(2) was amended by paragraph 166 of Schedule 30 and Schedule 31 to the School Standards and Framework Act 1998 (c. 31). For the meaning of "regulations" and "prescribed" see section 579(1).
(2) The functions of the Secretary of State were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672) and then to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

Diwygio Rheoliadau Addysg (Y Diwrnod Ysgol a'r Flwyddyn Ysgol) (Cymru) 2003

2. Mae Rheoliadau Addysg (Y Diwrnod Ysgol a'r Flwyddyn Ysgol) (Cymru) 2003(1) wedi eu diwygio fel a ganlyn.

3. Yn rheoliad 4(2), ar y dechrau mewnosoder “Yn ddarostyngedig i baragraff (2A),”.

4. Ar ôl rheoliad 4(2) mewnosoder—

“(2A) Rhaid cynnal o leiaf 370 o sesiynau mewn ysgol a restrir ym mharagraff (2B) yn ystod y flwyddyn ysgol 2020-2021 ond er hynny nid oes dim yn y paragraff hwn sy'n ei gwneud yn ofynnol i ddsbarth meithrin yn yr ysgolion hynny gyfarfod am y nifer hwnnw o sesiynau.

(2B) Yr holl ysgolion a gynhelir yn yr ardaloedd awdurdod lleol a ganlyn—

- (i) Conwy;
- (ii) Sir Benfro ac eithrio Ysgol y Preseli, Crymych, Sir Benfro, SA41 3QH;
- (iii) Powys.”

5. Ar ôl rheoliad 5 mewnosoder—

“6.—(1) Mae'r paragraff hwn yn gymwys i unrhyw sesiwn ysgol sy'n dod o fewn y flwyddyn ysgol 2020-2021 sydd wedi ei neilltuo (yn llwyr neu'n bennaf) i baratoi ysgolion a chynllunio gan athrawon yn dilyn y gostyngiad mewn gweithrediadau oherwydd amgylchiadau sy'n ymwneud â mynychder neu drosglwyddiad coronafeirws syndrom anadlol aciwt difrifol 2 (SARS-CoV-2).

(2) Mae paragraff (1) i gael effaith mewn perthynas â dim mwy na phedair sesiwn ysgol yn nwy wythnos gyntaf tymor cyntaf y flwyddyn ysgol honno.

(3) Pan fo paragraff (1) yn gymwys, mae'r sesiwn honno i'w hystyried at ddibenion rheoliad 4 fel sesiwn pan gyfarfu'r ysgol.”

Amendment of the Education (School Day and School Year) (Wales) Regulations 2003

2. The Education (School Day and School Year) (Wales) Regulations 2003(1) are amended as follows.

3. In regulation 4(2), at the beginning insert “Subject to paragraph (2A),”.

4. After regulation 4(2) insert—

“(2A) At least 370 sessions must be held at a school listed in paragraph (2B) during the school year 2020-2021 save that nothing in this paragraph is to require a nursery class at those schools to meet for that number of sessions.

(2B) All maintained schools in the following local authority areas—

- (i) Conwy;
- (ii) Pembrokeshire except for Ysgol y Preseli, Crymych, Pembrokeshire, SA41 3QH;
- (iii) Powys.”

5. After regulation 5 insert—

“6.—(1) This paragraph applies to any school session falling within the school year 2020-2021 which is devoted (wholly or mainly) to the preparation of schools and planning by teachers following the reduction in operations due to circumstances relating to the incidence or transmission of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

(2) Paragraph (1) is to have effect in relation to no more than four school sessions in the first two weeks of the first term of that school year.

(3) Where paragraph (1) applies, that session is to be regarded for the purposes of regulation 4 as a session on which the school has met.”

(1) O.S. 2003/3231 (Cy. 311), a ddiwygiwyd gan O.S. 2006/1262 (Cy. 119), O.S. 2008/1739 (Cy. 171), O.S. 2011/149 (Cy. 33), O.S. 2012/248 (Cy. 41) ac O.S. 2019/1131 (Cy. 196).

(1) S.I. 2003/3231 (W. 311), amended by S.I. 2006/1262 (W. 119), S.I. 2008/1739 (W. 171), S.I. 2011/149 (W. 33), S.I. 2012/248 (W. 41) and S.I. 2019/1131 (W. 196).

Kirsty Williams

Y Gweinidog Addysg, un o Weinidogion Cymru
10 Awst 2020

Minister for Education, one of the Welsh Ministers
10 August 2020

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