OFFERYNNAU STATUDOL CYMRU

2021 Rhif 1012 (Cy. 238)

ADDYSG, CYMRU

Gorchymyn Cyflog ac Amodau Athrawon Ysgol (Cymru) 2021

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn gwneud darpariaeth ar gyfer penderfynu'r tâl ar gyfer athrawon ysgol (o fewn ystyr adran 122 o Ddeddf Addysg 2002 (p. 32)) yng Nghymru ac amodau cyflogaeth eraill ar gyfer athrawon ysgol yng Nghymru sy'n ymwneud â'u dyletswyddau proffesiynol a'u hamser gweithio.

Mae'r Gorchymyn yn gwneud y ddarpariaeth hon drwy gyfeirio at adran 2 o ddogfen o'r enw "Dogfen Cyflog ac Amodau Athrawon Ysgol (Cymru) 2021 a chanllawiau ar gyflog ac amodau athrawon ysgol" ("y Ddogfen"). Gellir canfod y Ddogfen ar wefan Llywodraeth Cymru: www.llyw.cymru.

Mae'r Gorchymyn yn gwneud darpariaeth ôl-weithredol, o dan adran 123(3) o Ddeddf Addysg 2002, er mwyn darparu bod y darpariaethau a nodir yn adran 2 o'r Ddogfen yn cael effaith ar ac ar ôl 1 Medi 2021 er bod y Gorchymyn yn dod i rym ar ôl y dyddiad hwnnw (erthygl 2).

Mae'r Gorchymyn yn dirymu Gorchymyn Cyflog ac Amodau Athrawon Ysgol (Cymru) 2020 (erthygl 3).

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Gorchymyn hwn. Gellir cael copi oddi wrth: Uned Strategaeth y Gweithlu, Yr Is-adran Effeithiolrwydd Ysgolion, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

WELSH STATUTORY INSTRUMENTS

2021 No. 1012 (W. 238)

EDUCATION, WALES

The School Teachers' Pay and Conditions (Wales) Order 2021

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for the determination of the remuneration of school teachers (within the meaning of section 122 of the Education Act 2002 (c. 32)) in Wales and other conditions of employment of school teachers in Wales which relate to their professional duties and working time.

The Order makes this provision by reference to section 2 of a document entitled "School Teachers' Pay and Conditions (Wales) Document 2021 and guidance on school teachers' pay and conditions" ("the Document"). It can be found on the Welsh Government website: www.gov.wales.

The Order makes retrospective provision, under section 123(3) of the Education Act 2002, to provide that the provisions set out in section 2 of the Document have effect on and after 1 September 2021 notwithstanding that the Order comes into force after that date (article 2).

The Order revokes the School Teachers' Pay and Conditions Order (Wales) 2020 (article 3).

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with this Order. A copy can be obtained from the Workforce Strategy Unit, Schools Effectiveness Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

OFFERYNNAU STATUDOL CYMRU

2021 Rhif 1012 (Cy. 238)

ADDYSG, CYMRU

Gorchymyn Cyflog ac Amodau Athrawon Ysgol (Cymru) 2021

Gwnaed	*8 Medi 2021*
Gosodwyd gerbron Senedd Cymru	*9 Medi 2021*
Yn dod i rym	*30 Medi 2021*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir i'r Ysgrifennydd Gwladol gan adrannau 122(1), 123 a 124 o Ddeddf Addysg 2002(**1**), ac a freiniwyd bellach ynddynt hwy(**2**), yn gwneud y Gorchymyn a ganlyn.

Mae Gweinidogion Cymru yn unol ag adran 126(**3**) o'r Ddeddf honno wedi ymgynghori â'r personau hynny a'r cyrff hynny y cyfeirir atynt yn yr adran honno yr oedd yn ymddangos i Weinidogion Cymru eu bod yn briodol.

Enwi, cychwyn, cymhwyso a dehongli

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Cyflog ac Amodau Athrawon Ysgol (Cymru) 2021 a daw i rym ar 30 Medi 2021.

(2) Mae'r Gorchymyn hwn yn gymwys i athrawon ysgol yng Nghymru.

(3) Yn y Gorchymyn hwn—

mae i "athro neu athrawes ysgol" yr ystyr a roddir i "school teacher" gan adran 122(3) i (6) o Ddeddf Addysg 2002;

(**1**) 2002 p. 32. Diwygiwyd adrannau 122 a 123 gan erthygl 5(1) o O.S. 2010/1158 a chan baragraff 11 o Ran 1 o Atodlen 2 iddo.

(**2**) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol i Weinidogion Cymru gan erthygl 39 o Orchymyn Gweinidogion Cymru (Trosglwyddo Swyddogaethau) 2018 (O.S. 2018/644).

(**3**) Trosglwyddwyd y swyddogaeth hon o'r Ysgrifennydd Gwladol i Weinidogion Cymru gan erthygl 39 o Orchymyn Gweinidogion Cymru (Trosglwyddo Swyddogaethau) 2018 (O.S. 2018/644).

WELSH STATUTORY INSTRUMENTS

2021 No. 1012 (W. 238)

EDUCATION, WALES

The School Teachers' Pay and Conditions (Wales) Order 2021

Made	*8 September 2021*
Laid before Senedd Cymru	*9 September 2021*
Coming into force	*30 September 2021*

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by sections 122(1), 123 and 124 of the Education Act 2002(**1**), and now vested in them(**2**), make the following Order.

The Welsh Ministers in accordance with section 126(**3**) of that Act have consulted such of the persons and bodies referred to in that section as appeared to the Welsh Ministers to be appropriate.

Title, commencement, application and interpretation

1.—(1) The title of this Order is the School Teachers' Pay and Conditions (Wales) Order 2021 and it comes into force on 30 September 2021.

(2) This Order applies to school teachers in Wales.

(3) In this Order—

"the Document" ("*y Ddogfen*") means the document entitled "School Teachers' Pay and Conditions (Wales) Document 2021 and guidance

(**1**) 2002 c. 32. Sections 122 and 123 were amended by article 5(1) of, and paragraph 11 of Part 1 of Schedule 2 to, S.I. 2010/1158.

(**2**) The functions of the Secretary of State were transferred to the Welsh Ministers by article 39 of the Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644).

(**3**) This function of the Secretary of State was transferred to the Welsh Ministers by article 39 of the Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644).

ystyr "y Ddogfen" ("*the Document*") yw'r ddogfen o'r enw "Dogfen Cyflog ac Amodau Athrawon Ysgol (Cymru) 2021 a chanllawiau ar gyflog ac amodau athrawon ysgol" ac a gyhoeddir ar wefan llyw.cymru(**1**).

Y Ddogfen

2. Mae'r darpariaethau a nodir yn adran 2 o'r Ddogfen yn cael effaith ar ac ar ôl 1 Medi 2021 at ddibenion penderfynu—

(a) y tâl ar gyfer athrawon ysgol, a

(b) amodau cyflogaeth eraill ar gyfer athrawon ysgol sy'n ymwneud â'u dyletswyddau proffesiynol a'u hamser gweithio.

Dirymu

3. Mae Gorchymyn Cyflog ac Amodau Athrawon Ysgol (Cymru) 2020(**2**)wedi ei ddirymu.

on school teachers' pay and conditions" and published on the gov.wales website(**1**);

"school teacher" ("*athro neu athrawes ysgol*") has the meaning given by section 122(3) to (6) of the Education Act 2002.

The Document

2. The provisions set out in section 2 of the Document have effect on and after 1 September 2021 for the purposes of determining—

(a) the remuneration of school teachers, and

(b) other conditions of employment of school teachers which relate to their professional duties and working time.

Revocations

3. The School Teachers' Pay and Conditions (Wales) Order 2020(**2**) is revoked.

Jeremy Miles

Gweinidog y Gymraeg ac Addysg, un o Weinidogion Cymru
8 Medi 2021

Minister for Education and Welsh Language, one of the Welsh Ministers
8 September 2021

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(**1**) https://llyw.cymru/addysgu-ac-arweinyddiaeth.
(**2**) O.S. 2020/1121 (Cy. 255).

(**1**) https://gov.wales/teaching-and-leadership.
(**2**) S.I. 2020/1121 (W. 255).

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