



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2022 Rhif 17 (Cy. 9)

2022 No. 17 (W. 9)

ADDYSG, CYMRU

EDUCATION, WALES

Rheoliadau Addysg (Trefniadau ar gyfer Asesu yn y Cwricwlwm i Gymru) 2022

The Education (Arrangements for Assessing in the Curriculum for Wales) Regulations 2022

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae Deddf Cwricwlwm ac Asesu (Cymru) 2021 (“y Ddeddf”) yn sefydlu fframwaith newydd ar gyfer cwricwlwm ac yn gwneud darpariaeth ynghylch asesu ar gyfer disgyblion a phlant yng Nghymru. Mae adran 56 o'r Ddeddf yn darparu bod rhaid i Weinidogion Cymru wneud darpariaeth drwy reoliadau ar gyfer asesu mewn perthynas â'r cwricwlwm perthnasol. Mae i “cwricwlwm perthnasol” yr ystyr a roddir iddo yn adran 56(5) o'r Ddeddf.

The Curriculum and Assessment (Wales) Act 2021 (“the Act”) establishes a new framework for a curriculum and makes provision about assessment for pupils and children in Wales. Section 56 of the Act provides that the Welsh Ministers must make provision by way of regulations for assessing in relation to the relevant curriculum. “Relevant curriculum” has the meaning given to it in section 56(5) of the Act.

Mae rheoliad 1 yn darparu ar gyfer cychwyn y Rheoliadau hyn fesul grwpiau blwyddyn. Bydd hyn yn adlewyrchu'r dull arfaethedig o gyflwyno'r Cwricwlwm i Gymru a fydd hefyd yn cael ei gyflwyno'n raddol dros gyfnod o amser fesul grwpiau blwyddyn.

Regulation 1 provides for the commencement of these Regulations by year groups. This will mirror the planned roll out of the Curriculum for Wales (“CfW”) which will be also be phased in over a period of time by year groups.

Daw'r Cwricwlwm i Gymru a'r Rheoliadau hyn yn fandadol ar gyfer y grwpiau blwyddyn mewn ysgolion a lleoliadau eraill fel a ganlyn—

The CfW and these Regulations will become mandatory for the year groups in schools and other settings as follows—

- (a) ar 1 Medi 2022 ar gyfer—
 - (i) plant sy'n cael addysg feithrin,
 - (ii) disgyblion yn eu blwyddyn derbyn,
 - (iii) disgyblion ym mlynnyddoedd 1 i 6,
- (b) ar 1 Medi 2022 ar gyfer disgyblion ym mlwyddyn 7 mewn ysgolion a lleoliadau eraill pan fo cwricwlwm wedi ei fabwysiadu neu wedi ei ddarparu fel arall yn unol â'r Ddeddf,

- (a) on 1 September 2022 for—
 - (i) children receiving nursery education,
 - (ii) pupils in their reception year,
 - (iii) pupils in years 1 to 6,
- (b) on 1 September 2022 for pupils in year 7 in schools and other settings where there is a curriculum adopted or otherwise provided in accordance with the Act,

- (c) ar 1 Medi 2023 ar gyfer disgyblion ym mlwyddyn 7 nad ydynt o fewn paragraff (b),
- (d) ar 1 Medi 2023 ar gyfer disgyblion ym mlwyddyn 8,
- (e) ar 1 Medi 2024 ar gyfer disgyblion ym mlwyddyn 9,
- (f) ar 1 Medi 2025 ar gyfer disgyblion ym mlwyddyn 10, ac
- (g) ar 1 Medi 2026 ar gyfer disgyblion ym mlwyddyn 11.

Bydd y Rheoliadau hyn yn gymwys i'r lleoliadau a ganlyn—

- (a) ysgolion a gynhelir,
- (b) ysgolion meithrin a gynhelir,
- (c) darparwyr addysg feithrin a gyllidir ond nas cynhelir,
- (d) unedau cyfeirio disgyblion, ac
- (e) person sy'n trefnu neu'n darparu addysgu a dysgu ar gyfer plentyn ac eithrio mewn ysgol a gynhelir, ysgol feithrin a gynhelir neu uned cyfeirio disgyblion, yn rhinwedd trefniadau a wneir o dan adran 19A o Ddeddf Addysg 1996 (“asesiadau parhaus”).

Mae rheoliad 3(1) yn ei gwneud yn ofynnol i'r personau a ragnodir wneud trefniadau ar gyfer asesu disgyblion a phlant yn barhaus yn unol â'r gofynion a nodir ym mharagraffau (3) i (5) o reoliad 3 (“asesiadau parhaus”).

Mae rheoliad 3(6) yn darparu y caiff darparwr addysg feithrin a gyllidir ond nas cynhelir fabwysiadu at ddibenion rheoliad 3(1) y trefniadau asesu a gyhoeddir gan Weinidogion Cymru o dan reoliad 9 yn hytrach na chynllunio ei asesiadau parhaus ei hun. Mae i'r term “darparwr addysg feithrin a gyllidir ond nas cynhelir” yr ystyr a roddir iddo gan adran 80(2) o'r Ddeddf. Mae hyn yn golygu bod rhaid i ddarparwr o'r fath naill ai cynllunio ei drefniadau asesu ei hun neu fabwysiadu'r rheini a gyhoeddir gan Weinidogion Cymru o dan reoliad 9.

Nid yw'r Rheoliadau hyn yn ei gwneud yn ofynnol i'r asesiadau parhaus gael eu cynnal ar adegau rhagnodedig. Fodd bynnag, mae rheoliad 3(1) yn ei gwneud yn ofynnol i'r asesiadau fod yn barhaus ac iddynt gael eu cynnal drwy gydol y flwyddyn ysgol. Bydd ffurf y trefniadau asesu yn amrywio a byddant yn defnyddio ystod o ddulliau asesu.

Mae rheoliad 4 yn gwneud darpariaeth ar gyfer gweithredu'r asesiadau parhaus. Mae gweithredu'r asesiadau parhaus yn golygu gweinyddu'r asesiadau hynny.

- (c) on 1 September 2023 for pupils in year 7 who are not within paragraph (b),
- (d) on 1 September 2023 for pupils in year 8,
- (e) on 1 September 2024 for pupils in year 9,
- (f) on 1 September 2025 for pupils in year 10, and
- (g) on 1 September 2026 for pupils in year 11.

These Regulations will apply to the following settings—

- (a) maintained schools,
- (b) maintained nursery schools,
- (c) funded non-maintained nursery education providers,
- (d) pupil referral units, and
- (e) a person who arranges or provides teaching and learning for a child otherwise than at a maintained school, maintained nursery school or pupil referral unit, by virtue of arrangements made under section 19A of the Education Act 1996.

Regulation 3(1) requires the persons prescribed to make arrangements for the ongoing assessment of pupils and children in accordance with the requirements set out in paragraphs (3) to (5) of regulation 3 (“ongoing assessments”).

Regulation 3(6) provides that a provider of funded non-maintained nursery education may adopt for the purposes of regulation 3(1) the assessment arrangements published by the Welsh Ministers under regulation 9 instead of designing the provider's own ongoing assessments. The term “a provider of funded non-maintained nursery education” has the meaning given to it by section 80(2) of the Act. This means that such a provider must either design the provider's own assessment arrangements or adopt those published by the Welsh Ministers under regulation 9.

These Regulations do not require the ongoing assessments to be carried out at prescribed times. However, regulation 3(1) does require that assessments be ongoing and be carried out throughout the school year. The form of the assessment arrangements will vary and will draw on a range of assessment methods.

Regulation 4 makes provision for the implementation of the ongoing assessments. The implementation of the ongoing assessments involves the administration of those assessments.

Mae rheoliad 5 yn gwneud darpariaeth ar gyfer adolygu a diwygio'r asesiadau parhaus.

Mae rheoliad 6 yn ei gwneud yn ofynnol i'r personau a ragnodir yn y rheoliad hwnnw wneud trefniadau ar gyfer asesu disgyblion a phlant yn unol â gofynion paragraffau (4) a (5) o reoliad 6 ("asesiadau dechreuol").

Mae diben y trefniadau ar gyfer asesu dechreuol wedi ei nodi ym mharagraff (3) o reoliad 6.

Mae rheoliad 6(5) yn darparu bod rhaid cynnal yr asesiadau dechreuol o fewn 6 wythnos i'r digwyddiadau a nodir yn y paragraff hwnnw.

Mae rheoliad 6(6) yn darparu y caiff darparwr addysg feithrin a gyllidir ond nas cynhelir fabwysiadu at ddibenion rheoliad 6(1) y trefniadau asesu a gyhoeddir gan Weinidogion Cymru o dan reoliad 9 yn hytrach na chynllunio ei asesiadau ei hun ar gyfer asesu dechreuol. Mae hyn yn golygu bod rhaid i ddarparwr o'r fath naill ai cynllunio ei drefniadau asesu ei hun neu fabwysiadu'r rheini a gyhoeddir gan Weinidogion Cymru o dan reoliad 9.

Mae rheoliad 7 yn gwneud darpariaeth ar gyfer gweithredu'r asesiadau dechreuol. Mae gweithredu'r asesiadau dechreuol yn golygu gweinyddu'r asesiadau hynny.

Mae rheoliad 8 yn gwneud darpariaeth ar gyfer adolygu a diwygio'r trefniadau ar gyfer asesu dechreuol.

Mae rheoliad 9 yn ei gwneud yn ofynnol i Weinidogion Cymru gyhoeddi trefniadau asesu y caiff darparwr addysg feithrin a gyllidir ond nas cynhelir eu mabwysiadu at ddibenion rheoliad 3(1) a 6(1) ("trefniadau asesu rheoliad 9"). Bydd Gweinidogion Cymru yn cyhoeddi'r set gyntaf o drefniadau asesu rheoliad 9 heb fod yn hwyrach na 1 Medi 2023.

Mae rheoliad 10 yn gwneud darpariaeth ar gyfer adolygu a diwygio'r trefniadau asesu rheoliad 9.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau 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.

Regulation 5 makes provision for the review and revision of the ongoing assessments.

Regulation 6 requires the persons prescribed in that regulation to make arrangements for the assessment of pupils and children in accordance with the requirements of paragraphs (4) and (5) of regulation 6 ("on-entry assessments").

The purpose of the arrangements for assessing on-entry is set out paragraph (3) of regulation 6.

Regulation 6(5) provides that the on-entry assessments must be carried out within 6 weeks of the events set out in that paragraph.

Regulation 6(6) provides that a provider of funded non-maintained nursery education may adopt for the purposes of regulation 6(1) the assessment arrangements published by the Welsh Ministers under regulation 9 instead of designing their own assessments for assessing on-entry. This means that such a provider must either design their own assessment arrangements or adopt those published by the Welsh Ministers under regulation 9.

Regulation 7 makes provision for the implementation of the on-entry assessments. The implementation of the on-entry assessments involves the administration of those assessments.

Regulation 8 makes provision for the review and revision of the arrangements for assessing on-entry.

Regulation 9 requires the Welsh Ministers to publish assessment arrangements which may be adopted by a provider of funded non-maintained nursery education for the purposes of regulation 3(1) and 6(1) ("regulation 9 assessment arrangements"). The Welsh Ministers will publish the first set of regulation 9 assessment arrangements no later than 1 September 2023.

Regulation 10 makes provision for the review and revision of the regulation 9 assessment arrangements.

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.

2022 Rhif 17 (Cy. 9)

ADDYSG, CYMRU

Rheoliadau Addysg (Trefniadau ar gyfer Asesu yn y Cwricwlwm i Gymru) 2022

Gwnaed 7 Ionawr 2022

Gosodwyd gerbron Senedd Cymru 11 Ionawr 2022

Yn dod i rym yn unol â rheoliad 1(2) i (6)

2022 No. 17 (W. 9)

EDUCATION, WALES

The Education (Arrangements for Assessing in the Curriculum for Wales) Regulations 2022

Made 7 January 2022

Laid before Senedd Cymru 11 January 2022

Coming into force in accordance with regulation 1(2) to (6)

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adrannau 56 a 75(1) o Ddeddf Cwricwlwm ac Asesu (Cymru) 2021(1), yn gwneud y Rheoliadau a ganlyn:

Enwi a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Trefniadau ar gyfer Asesu yn y Cwricwlwm i Gymru) 2022.

(2) Daw'r Rheoliadau hyn i rym ar 1 Medi 2022—

- (a) ar gyfer disgyblion a phlant y darperir addysg feithrin(2) ar eu cyfer,
- (b) ar gyfer disgyblion mewn blwyddyn derbyn mewn ysgol a gynhelir,
- (c) ar gyfer disgyblion ym mlynnyddoedd 1 i 6 mewn ysgol a gynhelir(3),
- (d) ar gyfer disgyblion ym mlwyddyn 7 mewn ysgol a gynhelir pan fo'r pennaeth a'r corff llywodraethu wedi mabwysiadu cwricwlwm perthnasol(4) o dan Ran 2 o Ddeddf 2021,
- (e) ar gyfer disgyblion ym mlynnyddoedd 1 i 6 mewn uned cyfeirio disgyblion(5),

The Welsh Ministers, in exercise of the powers conferred on them by sections 56 and 75(1) of the Curriculum and Assessment (Wales) Act 2021(1), make the following Regulations:

Title and commencement

1.—(1) The title of these Regulations is the Education (Arrangements for Assessing in the Curriculum for Wales) Regulations 2022.

(2) These Regulations come into force on 1 September 2022—

- (a) for pupils and children for whom nursery education(2) is provided,
- (b) for pupils in a reception year at a maintained school,
- (c) for pupils in years 1 to 6 at a maintained school(3),
- (d) for pupils in year 7 at a maintained school where the head teacher and governing body have adopted a relevant curriculum(4) under Part 2 of the 2021 Act,
- (e) for pupils in years 1 to 6 at a pupil referral unit(5),

(1) 2021 dsc 4.

(2) Gweler rheoliad 2 am y diffiniad o "addysg feithrin".

(3) Gweler rheoliad 2 am y diffiniad o "ysgol a gynhelir".

(4) Gweler rheoliad 2 am y diffiniad o "cwricwlwm perthnasol".

(5) Gweler rheoliad 2 am y diffiniad o "uned cyfeirio disgyblion".

(1) 2021 asc 4.

(2) See regulation 2 for the definition of "nursery education".

(3) See regulation 2 for the definition of "maintained school".

(4) See regulation 2 for the definition of "relevant curriculum".

(5) See regulation 2 for the definition of "pupil referral unit".

- (f) ar gyfer disgyblion ym mlwyddyn 7 mewn uned cyfeirio disgyblion pan fo gan yr awdurdod lleol, y pwyllgor rheoli (os oes un) a'r athro neu'r athrawes sydd â chyfrifoldeb gwricwlwm perthnasol ar gyfer yr uned honno sy'n bodloni gofynion adran 50 o Ddeddf 2021, ac
- (g) ar gyfer disgyblion a phlant ym mlwyddyn 7 ac y darperir addysg ac eithrio yn yr ysgol nad yw mewn UCD(1) iddynt pan fo gan yr awdurdod lleol gwricwlwm perthnasol sy'n bodloni gofynion adran 53 o Ddeddf 2021.
- (3) Daw'r Rheoliadau hyn i rym ar 1 Medi 2023—
- (a) ar gyfer disgyblion ym mlwyddyn 7 mewn ysgol a gynhelir ac nad ydynt, ar 1 Medi 2022, o fewn paragraff (2)(d),
- (b) ar gyfer disgyblion ym mlwyddyn 7 mewn uned cyfeirio disgyblion ac nad ydynt o fewn paragraff (2)(f),
- (c) ar gyfer disgyblion a phlant ym mlwyddyn 7 ac y darperir addysg ac eithrio yn yr ysgol nad yw mewn UCD iddynt ac nad ydynt o fewn paragraff (2)(f),
- (d) ar gyfer disgyblion ym mlwyddyn 8 mewn ysgol a gynhelir,
- (e) ar gyfer disgyblion ym mlwyddyn 8 mewn uned cyfeirio disgyblion, ac
- (f) ar gyfer disgyblion a phlant ym mlwyddyn 8 ac y darperir addysg ac eithrio yn yr ysgol nad yw mewn UCD iddynt.
- (4) Daw'r Rheoliadau hyn i rym ar 1 Medi 2024—
- (a) ar gyfer disgyblion ym mlwyddyn 9 mewn ysgol a gynhelir,
- (b) ar gyfer disgyblion ym mlwyddyn 9 mewn uned cyfeirio disgyblion, ac
- (c) ar gyfer disgyblion a phlant ym mlwyddyn 9 ac y darperir addysg ac eithrio yn yr ysgol nad yw mewn UCD iddynt.
- (5) Daw'r Rheoliadau hyn i rym ar 1 Medi 2025—
- (a) ar gyfer disgyblion ym mlwyddyn 10 mewn ysgol a gynhelir,
- (b) ar gyfer disgyblion ym mlwyddyn 10 mewn uned cyfeirio disgyblion, ac
- (c) ar gyfer disgyblion a phlant ym mlwyddyn 10 ac y darperir addysg ac eithrio yn yr ysgol nad yw mewn UCD iddynt.
- (f) for pupils in year 7 at a pupil referral unit where the local authority, the management committee (if any) and the teacher in charge have a relevant curriculum for that unit which meets the requirements of section 50 of the 2021 Act, and
- (g) for pupils and children in year 7 and who are provided with non-PRU EOTAS(1) where the local authority has a relevant curriculum which meets the requirements of section 53 of the 2021 Act.
- (3) These Regulations come into force on 1 September 2023—
- (a) for pupils in year 7 at a maintained school and who, on 1 September 2022, are not within paragraph (2)(d),
- (b) for pupils in year 7 at a pupil referral unit and who are not within paragraph (2)(f),
- (c) for pupils and children in year 7 and who are provided with non-PRU EOTAS and who are not within paragraph (2)(f),
- (d) for pupils in year 8 at a maintained school,
- (e) for pupils in year 8 at a pupil referral unit, and
- (f) for pupils and children in year 8 and who are provided with non-PRU EOTAS.
- (4) These Regulations come into force on 1 September 2024—
- (a) for pupils in year 9 at a maintained school,
- (b) for pupils in year 9 at a pupil referral unit, and
- (c) for pupils and children in year 9 and who are provided with non-PRU EOTAS.
- (5) These Regulations come into force on 1 September 2025—
- (a) for pupils in year 10 at a maintained school,
- (b) for pupils in year 10 at a pupil referral unit, and
- (c) for pupils and children in year 10 and who are provided with non-PRU EOTAS.

(1) Gweler rheoliad 2 am y diffiniad o "addysg ac eithrio yn yr ysgol nad yw mewn UCD".

(1) See regulation 2 for the definition of "non-PRU EOTAS".

(6) Daw'r Rheoliadau hyn i rym ar 1 Medi 2026—

- (a) ar gyfer disgyblion ym mlwyddyn 11 mewn ysgol a gynhelir,
- (b) ar gyfer disgyblion ym mlwyddyn 11 mewn uned cyfeirio disgyblion, ac
- (c) ar gyfer disgyblion a phlant ym mlwyddyn 11 ac y darperir addysg ac eithrio yn yr ysgol nad yw mewn UCD iddynt.

Dehongli

2. Yn y Rheoliadau hyn—

ystyr “addysg ac eithrio yn yr ysgol nad yw mewn UCD” (“*non-PRU EOTAS*”) yw addysg a drefnir neu a ddarperir gan awdurdod lleol o dan adran 19A o Ddeddf 1996(1) ac eithrio mewn uned cyfeirio disgyblion ac sy'n bodloni gofynion adran 53 o Ddeddf 2021;

ystyr “addysg feithrin” (“*nursery education*”) yw addysg a ddarperir i blant a disgyblion sy'n iau na'r oedran ysgol gorfodol—

- (a) mewn ysgol a gynhelir neu ysgol feithrin a gynhelir, neu
- (b) gan ddarparwr addysg feithrin a gyllidir ond nas cynhelir;

mae i “addysg feithrin a gyllidir ond nas cynhelir” (“*funded non-maintained nursery education*”) yr ystyr a roddir iddo yn adran 80(1)(a) o Ddeddf 2021;

ystyr “blwyddyn 1” (“*year 1*”) yw grŵp blwyddyn y mae'r rhan fwyaf o'r disgyblion yn cyrraedd 6 oed ynddo;

ystyr “blwyddyn 2” (“*year 2*”) yw grŵp blwyddyn y mae'r rhan fwyaf o'r disgyblion yn cyrraedd 7 oed ynddo;

ystyr “blwyddyn 3” (“*year 3*”) yw grŵp blwyddyn y mae'r rhan fwyaf o'r disgyblion yn cyrraedd 8 oed ynddo;

ystyr “blwyddyn 4” (“*year 4*”) yw grŵp blwyddyn y mae'r rhan fwyaf o'r disgyblion yn cyrraedd 9 oed ynddo;

ystyr “blwyddyn 5” (“*year 5*”) yw grŵp blwyddyn y mae'r rhan fwyaf o'r disgyblion yn cyrraedd 10 oed ynddo;

ystyr “blwyddyn 6” (“*year 6*”) yw grŵp blwyddyn y mae'r rhan fwyaf o'r disgyblion yn cyrraedd 11 oed ynddo;

(1) Mewnosodwyd adran 19A gan adran 73 o Ddeddf 2021 a pharagraff 4 o Atodlen 2 iddi.

(6) These Regulations come into force on 1 September 2026—

- (a) for pupils in year 11 at a maintained school,
- (b) for pupils in year 11 at a pupil referral unit, and
- (c) for pupils and children in year 11 and who are provided with non-PRU EOTAS.

Interpretation

2. In these Regulations—

“the 1996 Act” (“*Deddf 1996*”) means the Education Act 1996(1);

“the 2021 Act” (“*Deddf 2021*”) means the Curriculum and Assessment (Wales) Act 2021;

“child” (“*plentyn*”) has the meaning given to it in section 579(1) of the 1996 Act;

“compulsory school age” (“*oedran ysgol gorfodol*”) has the meaning given to it in section 8 of the 1996 Act(2);

“funded non-maintained nursery education” (“*addysg feithrin a gyllidir ond nas cynhelir*”) has the meaning given to it in section 80(1)(a) of the 2021 Act;

“maintained school” (“*ysgol a gynhelir*”) has the meaning given to it in section 79(1)(a) of the 2021 Act;

“maintained nursery school” (“*ysgol feithrin a gynhelir*”) has the meaning given to it in section 79(1)(b) of the 2021 Act;

“nursery education” (“*addysg feithrin*”) means education provided to children and pupils below compulsory school age—

- (a) in a maintained school or a maintained nursery school, or
- (b) by the provider of funded non-maintained nursery education;

“non-PRU EOTAS” (“*addysg ac eithrio yn yr ysgol nad yw mewn UCD*”) means education arranged or provided by a local authority under section 19A of the 1996 Act(3) otherwise than at a pupil referral unit and which meets the requirements of section 53 of the 2021 Act;

(1) 1996 c. 56.

(2) Subsection (2) was substituted by section 52(2) of the Education Act 1997 (c. 44). Subsection (4) was substituted by section 53(3) of the Education Act 1997.

(3) Section 19A was inserted by section 73 and paragraph 4 of Schedule 2 to the 2021 Act.

ystyr “blwyddyn 7” (“*year 7*”) yw grŵp blwyddyn y mae’r rhan fwyaf o’r disgyblion yn cyrraedd 12 oed ynddo;

ystyr “blwyddyn 8” (“*year 8*”) yw grŵp blwyddyn y mae’r rhan fwyaf o’r disgyblion yn cyrraedd 13 oed ynddo;

ystyr “blwyddyn 9” (“*year 9*”) yw grŵp blwyddyn y mae’r rhan fwyaf o’r disgyblion yn cyrraedd 14 oed ynddo;

ystyr “blwyddyn 10” (“*year 10*”) yw grŵp blwyddyn y mae’r rhan fwyaf o’r disgyblion yn cyrraedd 15 oed ynddo;

ystyr “blwyddyn 11” (“*year 11*”) yw grŵp blwyddyn y mae’r rhan fwyaf o’r disgyblion yn cyrraedd 16 oed ynddo;

ystyr “blwyddyn derbyn” (“*reception year*”) yw grŵp blwyddyn y mae’r rhan fwyaf o’r disgyblion yn cyrraedd 5 oed ynddo;

ystyr “blwyddyn ysgol” (“*school year*”) yw’r cyfnod sy’n dechrau â’r tymor ysgol cyntaf i ddechrau ar ôl mis Gorffennaf ac sy’n dod i ben â dechrau’r tymor cyntaf o’r fath i ddechrau ar ôl y mis Gorffennaf canlynol;

mae i “*cwricwlwm perthnasol*” (“*relevant curriculum*”) yr ystyr a roddir iddo yn adran 56(5) o Ddeddf 2021;

ystyr “Deddf 1996” (“*the 1996 Act*”) yw Deddf Addysg 1996(1);

ystyr “Deddf 2021” (“*the 2021 Act*”) yw Deddf Cwricwlwm ac Asesu (Cymru) 2021;

mae i “disgybl” yr ystyr a roddir i “pupil” yn adran 3 o Ddeddf 1996(2);

mae i “disgybl cofrestredig” yr ystyr a roddir i “registered pupil” gan adran 434(5) o Ddeddf 1996;

mae i “oedran ysgol gorfodol” yr ystyr a roddir i “compulsory school age” yn adran 8 o Ddeddf 1996(3);

ystyr “person perthnasol” (“*relevant person*”) yw—

- (a) mewn perthynas ag ysgol a gynhelir neu ysgol feithrin a gynhelir, pennaeth a chorff llywodraethu’r ysgol honno,

“practitioner” (“*ymarferydd*”) means a person who provides teaching and learning in respect of the relevant curriculum;

“pupil” (“*disgybl*”) has the meaning given to it in section 3 of the 1996 Act(1);

“pupil referral unit” (“*uned cyfeirio disgyblion*”) has the meaning given to it in section 81(1) of the 2021 Act;

“reception year” (“*blwyddyn derbyn*”) means a year group in which the majority of the pupils attain the age of 5;

“registered pupil” (“*disgybl cofrestredig*”) has the meaning given to it by section 434(5) of the 1996 Act;

“relevant curriculum” (“*cwricwlwm perthnasol*”) has the meaning given to it in section 56(5) of the 2021 Act;

“relevant person” (“*person perthnasol*”) means—

- (a) in relation to a maintained school or a maintained nursery school, the head teacher and the governing body of that school,
- (b) in relation to funded non-maintained nursery education, the provider of that education,
- (c) in relation to a pupil referral unit the teacher in charge, the management committee and the local authority which maintains that pupil referral unit, and
- (d) in relation to non-PRU EOTAS, the local authority arranging or providing the education under section 19A of the 1996 Act;

“school term” (“*tymor ysgol*”) means the dates on which the school terms and holidays are to begin and end;

“school year” (“*blwyddyn ysgol*”) means the period beginning with the first school term to begin after July and ending with the beginning of the first such term to begin after the following July;

“year 1” (“*blwyddyn 1*”) means a year group in which the majority of pupils attain the age of 6;

“year 2” (“*blwyddyn 2*”) means a year group in which the majority of pupils attain the age of 7;

“year 3” (“*blwyddyn 3*”) means a year group in which the majority of pupils attain the age of 8;

“year 4” (“*blwyddyn 4*”) means a year group in which the majority of pupils attain the age of 9;

(1) 1996 p. 56.

(2) Diwygiwyd is-adran (1) gan adran 57(1) o Ddeddf Addysg 1997 a pharagraff 9 o Atodlen 7 iddi a diwygiwyd is-adran (1) ac (1A) ymhellach gan adran 215(1) o Ddeddf Addysg 2002 (p. 32) a pharagraff 34 o Atodlen 21 iddi.

(3) Amnewidiwyd is-adran (2) gan adran 52(2) o Ddeddf Addysg 1997 (p. 44). Amnewidiwyd is-adran (4) gan adran 53(3) o Ddeddf Addysg 1997.

(1) Subsection (1) was amended by section 57(1) and paragraph 9 of Schedule 7 to the Education Act 1997 and subsection (1) and (1A) were further amended by section 215(1) and paragraph 34 of Schedule 21 to the Education Act 2002 (c. 32).

- (b) mewn perthynas ag addysg feithrin a gyllidir ond nas cynhelir, darparwr yr addysg honno,
- (c) mewn perthynas ag uned cyfeirio disgyblion, yr athro neu'r athrawes sydd â chyfrifoldeb, y pwyllgor rheoli a'r awdurdod lleol sy'n cynnal yr uned cyfeirio disgyblion honno, a
- (d) mewn perthynas ag addysg ac eithrio yn yr ysgol nad yw mewn UCD, yr awdurdod lleol sy'n trefnu neu'n darparu'r addysg o dan adran 19A o Ddeddf 1996;

mae i "plentyn" yr ystyr a roddir i "child" yn adran 579(1) o Ddeddf 1996;

ystyr "tymor ysgol" ("*school term*") yw'r dyddiadau y mae tymhorau a gwyliau ysgol i ddechrau a gorffen amynt;

mae i "uned cyfeirio disgyblion" ("*pupil referral unit*") yr ystyr a roddir iddo yn adran 81(1) o Ddeddf 2021;

ystyr "ymarferydd" ("*practitioner*") yw person sy'n darparu addysgu a dysgu mewn cysylltiad â'r cwricwlwm perthnasol;

mae i "ysgol a gynhelir" ("*maintained school*") yr ystyr a roddir iddo yn adran 79(1)(a) o Ddeddf 2021;

mae i "ysgol feithrin a gynhelir" ("*maintained nursery school*") yr ystyr a roddir iddo yn adran 79(1)(b) o Ddeddf 2021.

"year 5" ("*blwyddyn 5*") means a year group in which the majority of pupils attain the age of 10;

"year 6" ("*blwyddyn 6*") means a year group in which the majority of pupils attain the age of 11;

"year 7" ("*blwyddyn 7*") means a year group in which the majority of pupils attain the age of 12;

"year 8" ("*blwyddyn 8*") means a year group in which the majority of pupils attain the age of 13;

"year 9" ("*blwyddyn 9*") means a year group in which the majority of pupils attain the age of 14;

"year 10" ("*blwyddyn 10*") means a year group in which the majority of pupils attain the age of 15;

"year 11" ("*blwyddyn 11*") means a year group in which the majority of pupils attain the age of 16.

Gwneud asesiadau parhaus drwy gydol y flwyddyn ysgol

3.—(1) Rhaid i'r personau a nodir ym mharagraff (2) wneud trefniadau ar gyfer asesu pob disgybl a phlentyn yn barhaus drwy gydol y flwyddyn ysgol gan ymarferydd yn unol â'r rheoliad hwn.

(2) Y personau y cyfeirir atynt ym mharagraff (1) yw—

- (a) mewn perthynas ag ysgol a gynhelir neu ysgol feithrin a gynhelir, pennaeth yr ysgol honno,
- (b) mewn perthynas ag addysg feithrin a gyllidir ond nas cynhelir, darparwr yr addysg honno,
- (c) mewn perthynas ag uned cyfeirio disgyblion, yr athro neu'r athrawes sydd â chyfrifoldeb, y pwyllgor rheoli a'r awdurdod lleol sy'n cynnal yr uned cyfeirio disgyblion honno, a
- (d) mewn perthynas ag addysg ac eithrio yn yr ysgol nad yw mewn UCD, yr awdurdod lleol sy'n trefnu neu'n darparu'r addysg o dan adran 19A o Ddeddf 1996.

Making of ongoing assessments throughout the school year

3.—(1) The persons set out in paragraph (2) must make arrangements for the ongoing assessment of every pupil and child throughout the school year by a practitioner in accordance with this regulation.

(2) The persons referred to in paragraph (1) are—

- (a) in relation to a maintained school or a maintained nursery school, the head teacher of that school,
- (b) in relation to funded non-maintained nursery education, the provider of that education,
- (c) in relation to a pupil referral unit, the teacher in charge, the management committee and the local authority which maintains that pupil referral unit, and
- (d) in relation to non-PRU EOTAS, the local authority arranging or providing the education under section 19A of the 1996 Act.

(3) Diben y trefniadau asesu yw asesu, mewn perthynas â'r cwricwlwm perthnasol—

- (a) y cynnydd a wneir gan ddisgyblion a phlant,
- (b) y camau nesaf yn eu cynnydd, ac
- (c) yr addysgu a dysgu y mae ei angen i wneud y cynnydd hwnnw.

(4) Rhaid i'r trefniadau asesu fod yn addas ar gyfer disgyblion a phlant o oeddrannau, galluoedd a doniau gwahanol.

(5) Rhaid i'r personau a nodir ym mharagraff (2) wneud y trefniadau asesu yr un pryd â chynllunio'r cwricwlwm perthnasol.

(6) Caiff darparwr addysg feithrin a gyllidir ond nas cynhelir fabwysiadu at ddibenion paragraff (1) y trefniadau asesu a gyhoeddir gan Weinidogion Cymru o dan reoliad 9.

Gweithredu asesiadau parhaus drwy gydol y flwyddyn ysgol

4. Rhaid i'r trefniadau asesu yn rheoliad 3 gael eu gweithredu gan y person perthnasol.

Adolygu a diwygio trefniadau asesu parhaus

5.—(1) Rhaid i'r person perthnasol gadw'r trefniadau asesu yn rheoliad 3 o dan adolygiad.

(2) Rhaid i'r person perthnasol ddiwygio'r trefniadau asesu yn rheoliad 3—

- (a) os yw'r person hwnnw yn ystyried nad yw'r trefniadau asesu yn bodloni gofynion rheoliadau 3 mwyach,
- (b) os yw'r person hwnnw yn diwygio'r cwricwlwm o dan adran 12, 16, 51 neu 54 o Ddeddf 2021,
- (c) mewn perthynas â darparwr sydd wedi mabwysiadu'r trefniadau asesu a gyhoeddir gan Weinidogion Cymru o dan reoliad 9, os yw Gweinidogion Cymru wedi diwygio'r trefniadau asesu a gyhoeddir o dan reoliad 10, neu
- (d) os yw'r person hwnnw yn ystyried ei bod yn briodol gwneud hynny ar unrhyw adeg.

Gwneud trefniadau ar gyfer asesu dechreuol

6.—(1) Rhaid i'r personau a nodir ym mharagraff (2) wneud trefniadau i bob disgybl a phlentyn gael eu hasesu gan ymarferydd yn unol â'r rheoliad hwn.

(3) The purpose of the assessment arrangements is to assess, in relation to the relevant curriculum—

- (a) the progress made by pupils and children,
- (b) the next steps in their progression, and
- (c) the teaching and learning needed to make that progress.

(4) The assessment arrangements must be suitable for pupils and children of differing ages, abilities and aptitudes.

(5) The persons set out in paragraph (2) must make the assessment arrangements at the same time as designing the relevant curriculum.

(6) A provider of funded non-maintained nursery education may adopt for the purposes of paragraph (1) the assessment arrangements published by the Welsh Ministers under regulation 9.

Implementation of ongoing assessments throughout the school year

4. The assessment arrangements in regulation 3 must be implemented by the relevant person.

Review and revision of ongoing assessment arrangements

5.—(1) The relevant person must keep the assessment arrangements in regulation 3 under review.

(2) The relevant person must revise the assessment arrangements in regulation 3—

- (a) if that person considers the assessment arrangements no longer meet the requirements of regulation 3,
- (b) if that person revises the curriculum under section 12, 16, 51 or 54 of the 2021 Act,
- (c) in relation to a provider who has adopted the assessment arrangements published by the Welsh Ministers under regulation 9, if the Welsh Ministers have revised the assessment arrangements published under regulation 10, or
- (d) if that person considers it appropriate to do so at any time.

Making of arrangements for assessing on entry

6.—(1) The persons set out in paragraph (2) must make arrangements for every pupil and child to be assessed by a practitioner in accordance with this regulation.

(2) Y personau y cyfeirir atynt ym mharagraff (1) yw—

- (a) mewn perthynas ag ysgol a gynhelir neu ysgol feithrin a gynhelir, pennaeth yr ysgol honno,
- (b) mewn perthynas ag addysg feithrin a gyllidir ond nas cynhelir, darparwr yr addysg honno,
- (c) mewn perthynas ag uned cyfeirio disgyblion, yr athro neu'r athrawes sydd â chyfrifoldeb, y pwyllgor rheoli a'r awdurdod lleol sy'n cynnal yr uned cyfeirio disgyblion honno, a
- (d) mewn perthynas ag addysg ac eithrio yn yr ysgol nad yw mewn UCD, yr awdurdod lleol sy'n trefnu neu'n darparu'r addysg o dan adran 19A o Ddeddf 1996.

(3) Diben y trefniadau asesu yw asesu, mewn perthynas â'r cwricwlwm perthnasol, alluoedd a doniau disgyblion a phlant er mwyn pennu—

- (a) y camau nesaf yn eu cynnydd, a
- (b) yr addysgu a dysgu y mae ei angen i wneud y cynnydd hwnnw.

(4) Rhaid i'r trefniadau asesu—

- (a) bod yn addas ar gyfer disgyblion a phlant o oeddrannau, galluoedd a doniau gwahanol, a
- (b) cynnwys trefniadau ar gyfer asesu—
 - (i) sgiliau rhifedd a llythrennedd disgyblion a phlant, a
 - (ii) datblygiad corfforol, cymdeithasol ac emosïynol disgyblion a phlant.

(5) Rhaid i'r asesiadau gael eu cynnal—

- (a) o fewn 6 wythnos i addysg feithrin gael ei darparu gyntaf i'r plentyn neu'r disgybl,
- (b) o fewn 6 wythnos i'r disgybl ddechrau gyntaf yn y flwyddyn derbyn mewn ysgol a gynhelir pan nad oedd yn ddisgybl cofrestredig yn yr ysgol honno yn flaenorol,
- (c) o fewn 6 wythnos i'r disgybl ddechrau gyntaf ym mlwyddyn 1 mewn ysgol a gynhelir,
- (d) o fewn 6 wythnos i'r disgybl gofrestru gyntaf fel disgybl mewn uned cyfeirio disgyblion,
- (e) o fewn 6 wythnos i'r disgybl gofrestru fel disgybl mewn ysgol a gynhelir neu uned cyfeirio disgyblion o dan unrhyw amgylchiadau eraill nad ydynt wedi eu nodi ym mharagraffau (b) i (d), ac
- (f) o fewn 6 wythnos i addysg gael ei darparu i'r plentyn o dan adran 19A o Ddeddf 1996 ac eithrio mewn uned cyfeirio disgyblion.

(2) The persons referred to in paragraph (1) are—

- (a) in relation to a maintained school or a maintained nursery school, the head teacher of that school,
- (b) in relation to funded non-maintained nursery education, the provider of that education,
- (c) in relation to a pupil referral unit, the teacher in charge, the management committee and the local authority which maintains that pupil referral unit, and
- (d) in relation to non-PRU EOTAS, the local authority arranging or providing the education under section 19A of the 1996 Act.

(3) The purpose of the assessment arrangements is to assess, in relation to the relevant curriculum the abilities and aptitudes of pupils and children in order to determine—

- (a) the next steps in their progression, and
- (b) the teaching and learning needed to make that progress.

(4) The assessment arrangements must—

- (a) be suitable for pupils and children of differing ages, abilities and aptitudes, and
- (b) include arrangements for assessing—
 - (i) the numeracy and literacy skills of pupils and children, and
 - (ii) the physical, social and emotional development of pupils and children.

(5) The assessments must take place—

- (a) within 6 weeks of the child or pupil first being provided with nursery education,
- (b) within 6 weeks of the pupil first beginning in the reception year in a maintained school when they were not previously a registered pupil at that school,
- (c) within 6 weeks of the pupil first beginning in year 1 in a maintained school,
- (d) within 6 weeks of the pupil first registering as a pupil in a pupil referral unit,
- (e) within 6 weeks of the pupil registering as a pupil at a maintained school or a pupil referral unit in any other circumstance not set out in paragraphs (b) to (d), and
- (f) within 6 weeks of the child being provided with education under section 19A of the 1996 Act other than in a pupil referral unit.

(6) Caiff darparwr addysg feithrin a gyllidir ond nas cynhelir fabwysiadu at ddibenion paragraff (1) y trefniadau asesu a gyhoeddir gan Weinidogion Cymru o dan reoliad 9.

Gweithredu trefniadau ar gyfer asesu dechreuol

7. Rhaid i'r trefniadau asesu yn rheoliad 6 gael eu gweithredu gan y person perthnasol.

Adolygu a diwygio'r trefniadau ar gyfer asesu dechreuol

8.—(1) Rhaid i'r person perthnasol gadw'r trefniadau asesu yn rheoliad 6 o dan adolygiad.

(2) Rhaid i'r person perthnasol ddiwygio'r trefniadau asesu a wneir o dan reoliad 6—

- (a) os yw'r person hwnnw yn ystyried nad yw'r trefniadau asesu yn bodloni gofynion rheoliadau 6 mwyach,
- (b) os yw'r person hwnnw yn diwygio'r cwricwlwm o dan adran 12, 16, 51 neu 54 o Ddeddf 2021,
- (c) mewn perthynas â darparwr sydd wedi mabwysiadu'r trefniadau asesu a gyhoeddir gan Weinidogion Cymru o dan reoliad 9, os yw Gweinidogion Cymru wedi diwygio'r trefniadau asesu a gyhoeddir o dan reoliad 10, neu
- (d) os yw'r person hwnnw yn ystyried ei bod yn briodol gwneud hynny ar unrhyw adeg.

Dyletswydd Gweinidogion Cymru i gyhoeddi trefniadau asesu

9.—(1) Yn ddarostyngedig i baragraff (2) rhaid i Weinidogion Cymru gyhoeddi trefniadau asesu ar gyfer plant y darperir addysg feithrin a gyllidir ond nas cynhelir iddynt (“trefniadau asesu rheoliad 9”).

(2) Rhaid i Weinidogion Cymru gyhoeddi'r trefniadau asesu rheoliad 9 am y tro cyntaf heb fod yn hwyrach na 1 Medi 2023.

(3) Rhaid i'r trefniadau asesu fodloni gofynion rheoliadau 3 a 6.

Adolygu a diwygio trefniadau asesu a gyhoeddir gan Weinidogion Cymru

10.—(1) Rhaid i Weinidogion Cymru—

- (a) cadw'r trefniadau asesu rheoliad 9 o dan adolygiad, a
- (b) adolygu'r trefniadau asesu rheoliad 9 pan fyddant yn adolygu'r cwricwlwm perthnasol o dan adran 14 o Ddeddf 2021.

(6) A provider of funded non-maintained nursery education may adopt for the purposes of paragraph (1) the assessment arrangements published by the Welsh Ministers under regulation 9.

Implementation of arrangements for assessing on-entry

7. The assessment arrangements in regulation 6 must be implemented by the relevant person.

Review and revision of the arrangements for assessing on-entry

8.—(1) The relevant person must keep the assessment arrangements in regulation 6 under review.

(2) The relevant person must revise the assessment arrangements made under regulation 6—

- (a) if that person considers the assessment arrangements no longer meet the requirements of regulation 6,
- (b) if that person revises the curriculum under section 12, 16, 51 or 54 of the 2021 Act,
- (c) in relation to a provider who has adopted the assessment arrangements published by the Welsh Ministers under regulation 9, if the Welsh Ministers have revised the assessment arrangements published under regulation 10, or
- (d) if that person considers it appropriate to do so at any time.

Welsh Ministers' duty to publish assessment arrangements

9.—(1) Subject to paragraph (2) the Welsh Ministers must publish assessment arrangements for children provided with funded non-maintained nursery education (“regulation 9 assessment arrangements”).

(2) The Welsh Ministers must publish the regulation 9 assessment arrangements for the first time no later than 1 September 2023.

(3) The assessment arrangements must meet the requirements of regulations 3 and 6.

Review and revision of assessment arrangements published by the Welsh Ministers

10.—(1) The Welsh Ministers must—

- (a) keep the regulation 9 assessment arrangements under review, and
- (b) review the regulation 9 assessment arrangements when they review the relevant curriculum under section 14 of the 2021 Act.

(2) Rhaid i Weinidogion Cymru ddiwygio'r trefniadau asesu rheoliad 9—

- (a) os ydynt yn ystyried nad yw'r trefniadau asesu hynny yn bodloni'r gofynion yn rheoliad 3(1) i (5) neu 6(1) i (5) mwyach,
- (b) os ydynt yn diwygio'r cwricwlwm o dan adran 16 o Ddeddf 2021, neu
- (c) os ydynt yn ystyried ei bod yn briodol gwneud hynny ar unrhyw adeg.

(2) The Welsh Ministers must revise the regulation 9 assessment arrangements if they—

- (a) consider those assessment arrangements no longer meet the requirements in regulation 3(1) to (5) or 6(1) to (5),
- (b) revise the curriculum under section 16 of the 2021 Act, or
- (c) consider it appropriate to do so at any time.

Jeremy Miles

Gweinidog y Gymraeg ac Addysg, un o Weinidogion Cymru
7 Ionawr 2022

Minister for Education and Welsh Language, one of the Welsh Ministers
7 January 2022

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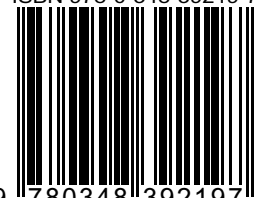
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