



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2003 Rhif 2909 (Cy.275)

2003 No. 2909 (W.275)

ADDYSG, CYMRU

EDUCATION, WALES

**Rheoliadau Fforymau Ysgolion
(Cymru) 2003**

**The Schools Forums (Wales)
Regulations 2003**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn rhagnodi amryw faterion sy'n ymwneud â sefydlu fforymau ysgolion a'u swyddogaethau.

These Regulations prescribe various matters relating to the establishment and functions of schools forums.

Mae rheoliad 2 yn darparu bod rhaid i bob awdurdod addysg lleol sefydlu fforwm ysgolion erbyn 30 Tachwedd 2003.

Regulation 2 provides that each local education authority must establish a schools forum by 30th November 2003.

Mae rheoliad 3 yn pennu'r isafswm o aelodau'r fforwm ysgolion a chyfran uchaf yr aelodau sy'n dod o'r tu allan i'r ysgolion. Mae hefyd yn cynnwys darpariaethau ynghylch amodau aelodaeth ac ar gyfer dod ag aelodaeth i ben yn gynnar mewn amgylchiadau penodedig.

Regulation 3 prescribes the minimum number of members of the schools forum and the maximum proportion of non-schools members. It also contains provisions as to members terms of office and for premature termination in specified circumstances.

Mae rheoliad 4 yn darparu ar gyfer penodi penaeithiaid a llywodraethwyr ysgolion a gynhelir, sydd wedi cael eu hethol yn unol â'r gweithdrefnau y penderfynwyd arnynt gan yr awdurdod addysg lleol, i fod yn aelodau ysgolion, a hynny i sicrhau bod ysgolion cynradd, ysgolion uwchradd, ysgolion arbennig, a gwahanol gategoriâu o ysgolion yn cael eu cynrychioli'n briodol.

Regulation 4 provides for the appointment as schools members of head teachers and governors of maintained schools who have been elected in accordance with procedures determined by the local education authority, so as to secure that primary and secondary schools, special schools and different school categories are appropriately represented.

Mae rheoliad 5 yn gwneud darpariaeth bod yr awdurdod addysg lleol yn penodi aelodau o'r tu allan i'r ysgolion a hynny i gynrychioli cyrff perthnasol, a allai gynnwys cyrff esgobaethol ac Undebau Llafur.

Regulation 5 provides for the appointment by the local education authority of non-schools members to represent relevant organisations, which may include diocesan bodies and Trade Unions.

Mae rheoliad 6 yn darparu ar gyfer cyfarfodydd a thrafodion y fforymau.

Regulation 6 makes provision for the meetings and proceedings of forums.

Mae rheoliad 7 yn darparu i'r awdurdod ymgynghori â'r fforwm yn flynyddol ar arfer ei swyddogaethau o ran ei gyllideb ysgolion a newidiadau i'w gynllun ariannu.

Regulation 7 provides for the authority to consult the forum annually on the exercise of their functions in relation to their schools budget and changes to their financial scheme.

Mae rheoliad 8 yn gwneud darpariaeth bod yr awdurdod addysg lleol yn ymgynghori â'r fforwm ysgolion ynghylch newidiadau i fformiwla ariannu ysgolion yr awdurdod.

Mae rheoliad 9 yn darparu yr ymgynghorir â'r fforwm ynghylch contractau cyflenwi a gwasanaethau cyhoeddus os yw'r pris yn mynd y tu hwnt i'r trothwy caffael a ragnodwyd ac ynghylch cytundebau lefel gwasanaeth ar gyfer cyflenwi nwyddau a gwasanaethau i'r ysgolion gan yr awdurdod.

Mae rheoliadau 10, 11 a 12 yn darparu bod y fforwm yn rhoi gwybod i'r ysgolion am bob ymgynghoriad a wnaethpwyd, bod costau'r fforwm yn cael eu talu o gyllideb yr AALL, a bod yr awdurdod addysg lleol yn talu costau rhesymol aelodau'r fforwm.

Regulation 8 provides for the local education authority to consult the schools forum in relation to changes to the authority's school funding formula.

Regulation 9 provides for the forum to be consulted on public supply or services contracts where the value exceeds the prescribed threshold for procurement and on service level agreements for the supply of goods and services by the authority to schools.

Regulations 10, 11 and 12 provide for the forum to inform the schools of all consultations carried out, for the forum's expenses to be charged to the LEA budget, and for the local education authority to reimburse the reasonable expenses of members of the forum.

2003 Rhif 2909 (Cy.275)

ADDYSG, CYMRU

**Rheoliadau Fforymau Ysgolion
(Cymru) 2003**

Wedi'u gwneud *12 Tachwedd 2003*

Yn dod i rym *13 Tachwedd 2003*

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2003 No. 2909 (W.275)

EDUCATION, WALES

**The Schools Forums (Wales)
Regulations 2003**

Made *12th November 2003*

Coming into force *13th November 2003*

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Mae Cynulliad Cenedlaethol Cymru yn gwneud y rheoliadau canlynol drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 47A o Ddeddf Safonau a Fframwaith Ysgolion 1998(a) ac sydd bellach wedi'u breinio yn y Cynulliad Cenedlaethol(b).

RHAN 1

CYFLWYNIAD

Enw, cychwyn, cymhwyso a dehongli

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Fforymau Ysgolion (Cymru) 2003 a deuant i rym ar 13 Tachwedd 2003.

(2) Mae'r Rheoliadau hyn yn gymwys mewn perthynas â Chymru yn unig.

(3) Yn y Rheoliadau hyn -

ystyr "aelod o'r tu allan i'r ysgolion" ("*non-schools member*"), o ran fforwm ysgolion, yw aelod nad yw'n aelod ysgolion;

ystyr "aelod ysgolion" ("*schools member*"), o ran fforwm ysgolion, yw aelod a etholir i gynrychioli cyrff llywodraethu neu benaethiaid ysgolion a gynhelir gan yr awdurdod perthnasol;

ystyr "awdurdod perthnasol" ("*relevant authority*"), o ran fforwm ysgolion, yw'r awdurdod addysg lleol sydd yn sefydlu'r fforwm;

ystyr "corff perthnasol" ("*relevant body*") yw unrhyw gorff (gan gynnwys unrhyw gorff neu berson y cyfeirir atynt yn rheoliad 5(4)(a), (b) ac (c) a'r awdurdod ei hunan ond heb gynnwys Cyngor Cenedlaethol Cymru dros Addysg a Hyfforddiant) a enwir gan yr awdurdod perthnasol fel un y mae'n briodol ei gynrychioli yn y fforwm;

(a) 1998 p.31. Mewnosodwyd adran 47A gan adran 43 o Ddeddf Addysg 2002 (p.32), a chaiff ei dwyn i rym ar 1 Tachwedd 2003 gan Ran III o'r Atodlen i Orchymyn Deddf Addysg 2002 (Cychwyn Rhif 2) (Cymru) 2003 (O.S. 2003/1718).

(b) *Gweler* Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac adran 211 o Ddeddf Addysg 2002.

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The National Assembly for Wales makes the following regulations in exercise of the powers conferred upon the Secretary of State by section 47A of the School Standards and Framework Act 1998(a) and now vested in the National Assembly(b).

PART 1

INTRODUCTION

Name, commencement, application and interpretation

1.-(1) These regulations are called the Schools Forums (Wales) Regulations 2003 and come into force on 13th November 2003.

(2) These Regulations apply only to Wales.

(3) In these Regulations -

"the 1998 Act" ("*Deddf 1998*") means the Schools Standards and Framework Act 1998;

"the eligibility criteria" ("*y meini prawf cymhwyso*") means the criteria determined by the relevant authority as the criteria which a person must meet to be eligible to be nominated, by the relevant body concerned, for appointment to the schools forum established by that authority.

"non-schools member" ("*aelod o'r tu allan i'r ysgolion*"), in relation to a schools forum, means a member other than a schools member;

"relevant authority" ("*awdurdod perthnasol*"), in relation to a schools forum, means the local education authority by whom the forum is established;

"relevant body" ("*corff perthnasol*") means any body (including any body or person referred to in regulation 5(4)(a), (b) and (c) and the authority itself but excluding the National

(a) 1998 c.31. Section 47A was inserted by section 43 of the Education Act 2002 (c.32) and will be brought into force on 1st November 2003 by Part III of the Schedule to the Education Act 2002 (Commencement No 2) (Wales) Order 2003 (S.I.2003/1718).

(b) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and section 211 of the Education Act 2002.

ystyr "Deddf 1998" ("*the 1998 Act*") yw Deddf Safonau a Fframwaith Ysgolion 1998;

ystyr "y meini prawf cymhwyso" ("*the eligibility criteria*") yw'r meini prawf a bennir gan yr awdurdod perthnasol yn feini prawf y mae'n rhaid i rywun eu bodloni os yw am fod yn gymwys i gael ei enwebu gan y corff perthnasol dan sylw ar gyfer cael ei benodi i'r fforwm ysgolion a sefydlir gan yr awdurdod hwnnw; ac

ystyr "ysgolion a gynhelir gan yr awdurdod perthnasol" ("*schools maintained by the relevant authority*") yw pob ysgol gymunedol, ysgol arbennig gymunedol, ysgol sefydledig, ysgol arbennig sefydledig, ac ysgol wirfoddol a gynhelir gan yr awdurdod perthnasol.

(4) Yn y Rheoliadau hyn, nid yw cyfeiriad at gorff llywodraethu yn cynnwys cyfeiriad at gorff llywodraethu dros dro ysgol newydd (o fewn ystyr adran 72(3) o Ddeddf 1998) ac nid yw cyfeiriad at lywodraethwr yn cynnwys cyfeiriad at aelod o gorff llywodraethu dros dro ysgol newydd.

Council for Education and Training for Wales) which is identified by a relevant authority as appropriate for representation on a forum;

"schools maintained by the relevant authority" ("*ysgolion a gynhelir gan yr ysgolion perthnasol*") means all community, community special, foundation, foundation special and voluntary schools maintained by the relevant authority; and

"schools member" ("*aelod ysgolion*"), in relation to a schools forum, means a member elected to represent governing bodies or head teachers of schools maintained by the relevant authority.

(4) In these Regulations, a reference to a governing body does not include a reference to the temporary governing body of a new school (within the meaning of section 72(3) of the 1998 Act) and a reference to a governor does not include a reference to a member of the temporary governing body of a new school.

RHAN 2

SEFYDLU, CYFANSODDIAD, CYFARFODYDD A THRAFODION

Sefydlu fforwm ysgolion

2. Rhaid i bob awdurdod addysg lleol, yn unol â'r Rheoliadau hyn, sefydlu fforwm ysgolion i'w ardal erbyn 15 Rhagfyr 2003.

Aelodau: cyffredinol

3.-(1) Rhaid bod o leiaf 15 o aelodau mewn fforwm wedi eu penodi gan yr awdurdod perthnasol.

(2) Ni chaiff yr awdurdod perthnasol benodi mwy na chwarter holl aelodau'r fforwm yn aelodau o'r tu allan i'r ysgolion i gynrychioli cyrff perthnasol.

(3) Yn ddarostyngedig i baragraff (2), rhaid i'r fforwm gynnwys aelodau ysgolion yn unig.

(4) Rhaid i aelodau ysgolion ac aelodau o'r tu allan i'r ysgolion gael eu penodi drwy offeryn ysgrifenedig i fod yn aelod am dymor a bennir yn yr offeryn hwnnw.

(5) Caiff yr awdurdod perthnasol ddod ag aelodaeth unrhyw aelod ysgolion i ben cyn i'w dymor aelodaeth ddod i ben os nad yw'r aelod dan sylw bellach yn bennaeth neu yn llywodraethwr yr ysgol a gynhelir gan yr awdurdod perthnasol y bu'n gymwys i gael ei benodi i'r fforwm o'i herwydd.

PART 2

ESTABLISHMENT, CONSTITUTION, MEETINGS AND PROCEEDINGS

Establishment of schools forum

2. Each local education authority must, in accordance with these Regulations, establish a schools forum for their area by 15th December 2003.

Membership : general

3.-(1) A forum must have at least 15 members appointed by the relevant authority.

(2) The relevant authority may appoint not more than one quarter of the total membership of the forum as non-schools members to represent relevant bodies.

(3) Subject to paragraph (2), the forum must consist of schools members only.

(4) Schools members and non-schools members must be appointed by an instrument in writing to hold office for a term specified therein.

(5) The relevant authority may end the appointment of any schools member before the expiry of his or her term of membership if the member concerned ceases to hold the position of head teacher or governor of the school maintained by the relevant authority by virtue of which he or she became eligible for appointment to the forum.

(6) Caiff yr awdurdod perthnasol ddod ag aelodaeth unrhyw aelod o'r tu allan i'r ysgolion i ben os nad yw bellach yn bodloni'r meini prawf cymhwys y bu'n gymwys i gael ei enwebu ar gyfer ei benodi i'r fforwm o'u herwydd.

Ethol a phenodi'r aelodau ysgolion

4.-(1) Rhaid i'r awdurdod perthnasol benodi, i fod yn aelodau ysgolion, gynrychiolwyr ysgolion a gynhelir gan yr awdurdod perthnasol sydd wedi eu hethol yn unol â gweithdrefnau a bennir gan yr awdurdod perthnasol.

(2) Wrth bennu'r gweithdrefnau y cyfeirir atynt ym mharagraff (1) -

- (a) rhaid i'r awdurdod perthnasol wneud trefniadau er mwyn sicrhau bod aelodau ysgolion yn cynnwys nifer gyfatebol o gynrychiolwyr ysgolion cynradd ac o gynrychiolwyr ysgolion uwchradd, wedi ystyried cyfanswm y disgyblion sydd yn yr ysgolion cynradd, cyfanswm y disgyblion sydd yn yr ysgolion uwchradd a chyfanswm yr aelodau ysgolion sydd i gael eu hethol o dan y gweithdrefnau hynny sydd i fod yn gynrychiolwyr ysgolion cynradd ac uwchradd;
- (b) os yw'r awdurdod perthnasol yn cynnal un neu fwy o ysgolion arbennig, rhaid iddo sicrhau bod o leiaf un aelod ysgolion yn cynrychioli ysgol o'r fath; ac
- (c) os yw'r awdurdod perthnasol yn cynnal ysgolion o wahanol gategoriâu ysgol, rhaid i'r trefniadau a wneir gan yr awdurdod yn rhinwedd is-baragraff (a) sicrhau bod y cynrychiolwyr ysgolion cynradd ac ysgolion uwchradd a benodir ganddo yn cynnwys o leiaf un person sy'n gynrychiolydd ysgol ym mhob categori ysgol o'r fath.

(3) At ddibenion paragraff 2(c), mae'r canlynol yn gategoriâu ysgol -

- (a) ysgolion cymunedol;
- (b) ysgolion sefydledig; ac
- (c) ysgolion gwirfoddol.

(4) Rhaid i'r awdurdod perthnasol sicrhau i'r graddau y mae'n ymarferol bod o leiaf un aelod ysgolion yn rhiant-lywodraethwr.

(5) Yn y rheoliad hwn -

- (a) ystyr "ysgol gynradd" ("*primary school*") yw ysgol gynradd a gynhelir gan yr awdurdod perthnasol ond heb gynnwys ysgol feithrin;
- (b) ystyr "ysgol uwchradd" ("*secondary school*") yw ysgol uwchradd a gynhelir gan yr awdurdod perthnasol;
- (c) ystyr "cynrychiolwr" ("*representative*") yw pennaeth neu lywodraethwr ysgol a gynhelir gan yr awdurdod perthnasol;

(6) The relevant authority may end the appointment of any non-schools member who ceases to meet the eligibility criteria by virtue of which he or she became eligible to be nominated for appointment to the forum.

Election and appointment of schools members

4.-(1) The relevant authority must appoint as schools members representatives of schools maintained by the relevant authority who have been elected in accordance with procedures determined by the relevant authority.

(2) In determining the procedures referred to in paragraph (1) -

- (a) the relevant authority must make arrangements with a view to securing that schools members include a proportionate number both of representatives of primary schools and of representatives of secondary schools, having regard to the total number of pupils at primary schools, the total number of pupils at secondary schools and the total number of schools members to be elected under those procedures who are to be representatives of primary and secondary schools;
- (b) where the relevant authority maintain one or more special schools, they must secure that at least one schools member is a representative of such a school; and
- (c) where the relevant authority maintain schools of different school categories, the arrangements made by them by virtue of sub-paragraph (a) must secure that the representatives of primary and secondary schools appointed by them include at least one person who is a representative of a school in each such school category.

(3) For the purposes of paragraph (2)(c), the following are school categories -

- (a) community schools;
- (b) foundation schools; and
- (c) voluntary schools.

(4) The relevant authority must secure that so far as practicable at least one schools member is a parent governor.

(5) In this regulation -

- (a) "primary school" ("*ysgol gynradd*") means a primary school maintained by the relevant authority but excludes a nursery school;
- (b) "secondary school" ("*ysgol uwchradd*") means a secondary school maintained by the relevant authority;
- (c) "representative" ("*cynrychiolwr*") means either a head teacher or a governor of a school maintained by the relevant authority;

(ch) ystyr "ysgol arbennig" ("*special school*") yw ysgol arbennig gymunedol neu ysgol arbennig sefydledig.

Penodi'r aelodau o'r tu allan i'r ysgolion

5.-(1) Os yw'r awdurdod perthnasol yn penderfynu penodi aelodau o'r tu allan i'r ysgolion yn aelodau'r fforwm, rhaid iddo ofyn i gyrff perthnasol am enwebiadau ar gyfer yr aelodau hynny.

(2) Ni chaiff corff perthnasol enwebu rhywun os nad yw'n bodloni'r meini prawf cymhwyso.

(3) O fewn mis ar ôl penodi unrhyw aelod a enwebwyd o dan baragraff (1), rhaid i'r awdurdod perthnasol roi gwybod i gorff llywodraethu pob ysgol y mae yn ei chynnal am enw'r aelod a'r corff perthnasol mewn cysylltiad â'r penodiad hwnnw.

(4) Wrth benodi aelodau o'r tu allan i'r ysgolion o dan baragraff (1), rhaid i'r awdurdod perthnasol, os yw o'r farn y byddai'n briodol, ofyn am enwebiadau -

- (a) gan Fwrdd Addysg Esgobaethol unrhyw esgobaeth yr Eglwys yng Nghymru y mae unrhyw ran ohoni yn ardal yr awdurdod perthnasol;
- (b) gan esgob unrhyw esgobaeth yr Eglwys Gatholig Rufeinig y mae unrhyw ran ohoni yn ardal yr awdurdod perthnasol; ac
- (c) gan undebau athrawon ac undebau llafur eraill y mae ganddynt aelodau sy'n gweithio yng Nghymru.

Cyfarfodydd a thrafodion y fforwm ysgolion

6.-(1) Mae'r fforwm â chworwm os yw o leiaf deugain y cant o'i holl aelodau yn bresennol mewn cyfarfod.

(2) Y fforwm sydd i ethol ei gadeirydd cyntaf a'i olynwyr.

(3) Bydd y cadeirydd yn dal y swydd am flwyddyn (ond ceir ei ailbenodi).

(4) Caiff Gyngor Cenedlaethol Cymru dros Addysg a Hyfforddiant(a) enwebu arsylwr a bydd yr hawl ganddo i fynychu holl gyfarfodydd y fforwm.

(5) Caiff yr awdurdod perthnasol os yw o'r farn y byddai'n briodol i gorff penodol gael yr hawl i fynychu cyfarfodydd y fforwm fel arsylwr, wahodd y corff hwnnw i enwebu person i fynychu cyfarfodydd y fforwm i'r diben hwnnw.

(d) "special school" ("*ysgol arbennig*") means a community special school or a foundation special school.

Appointment of non-schools members

5.-(1) Where the relevant authority decide to appoint non-schools members to the forum, they must seek nominations for such members from relevant bodies.

(2) A relevant body may nominate a person only if he or she meets the eligibility criteria.

(3) Within one month following the appointment of any member nominated under paragraph (1), the relevant authority must inform the governing bodies of all the schools maintained by them of the name of the member and of the relevant body in respect of that appointment.

(4) In appointing non-schools members under paragraph (1), the relevant authority must, if it considers that it would be appropriate to do so, seek nominations from -

- (a) the Diocesan Board of Education for any diocese of the Church in Wales any part of which is comprised in the relevant authority's area;
- (b) the bishop of any Roman Catholic Church diocese any part of which is comprised in the relevant authority's area; and
- (c) teaching and other trade unions with members working in Wales.

Meetings and proceedings of schools forum

6.-(1) The forum is quorate if at least forty per cent of the total membership is present at a meeting.

(2) The first and subsequent chairs of the forum are to be elected by the forum.

(3) Chairs are to hold office for a period of one year (but may be reappointed).

(4) The National Council for Education and Training for Wales(a) may nominate an observer who is to be entitled to attend all meetings of the forum.

(5) The relevant authority may if it considers that it would be appropriate for a particular body to be entitled to attend the meetings of the forum as an observer, invite that body to nominate a person to attend meetings of the forum for that purpose.

(a) Sefydlwyd Cyngor Cenedlaethol Cymru dros Addysg a Hyfforddiant o dan adran 30 o Ddeddf Dysgu a Medrau 2000, p.21.

(a) The National Council for Education and Training for Wales was established under section 30 of the Learning and Skills Act 2000, c.21.

RHAN 3
SWYDDOGAETHAU

Ymgynghori ynghylch materion ariannol

7.-(1) Rhaid i'r awdurdod perthnasol ymgynghori â'r fforwm yn flynyddol -

- (a) ar arfer swyddogaethau'r awdurdod perthnasol sy'n ymwneud â'i gyllideb ysgolion, a
- (b) ar newidiadau rhagolygol i gynllun yr awdurdod perthnasol ar gyfer ariannu ysgolion.

(2) Caiff yr awdurdod perthnasol ymgynghori â'r fforwm ynghylch unrhyw faterion eraill o'r fath sy'n ymwneud ag ariannu ysgolion fel y mae'n gweld yn briodol.

Ymgynghori ynghylch fformiwlâ ariannu ysgolion

8.-(1) Rhaid i'r awdurdod perthnasol ymgynghori â'r fforwm ynghylch:-

- (a) unrhyw newidiadau arfaethedig mewn cysylltiad â'r materion a'r meini prawf a ystyriwyd, neu'r dulliau, yr egwyddorion a'r rheolau a fabwysiadwyd, yn ei fformiwlâ yn unol â rheoliadau a wnaed o dan adran 47 o Ddeddf Safonau a Fframwaith Ysgolion 1998, a
- (b) effaith ariannol tebygol unrhyw newid o'r fath.

(2) Rhaid i'r ymgynghori o dan baragraff (1) gael ei wneud gan roi digon o amser fel bo'r safbwyntiau a fynegwyd yn gallu cael eu hystyried wrth bennu fformiwlâ'r awdurdod perthnasol ac wrth wneud y penderfyniad cychwynnol ynghylch cyfrannau ysgolion o'r gyllideb cyn dechrau'r flwyddyn ariannol.

Ymgynghori ynghylch contractau

9.-(1) Rhaid i'r awdurdod perthnasol, o leiaf dri mis cyn cyhoeddi gwahoddiadau i dendro, ymgynghori â'r fforwm ynghylch amodau unrhyw gontract arfaethedig am gyflenwadau neu wasanaethau, a hwnnw'n gontract sydd wedi ei dalu neu sydd i'w dalu o'i gyllideb ysgolion os: -

- (a) nad yw amcangyfrif gwerth contract gwasanaethau cyhoeddus arfaethedig yn llai na'r trothwy penodol sy'n gymwys i'r awdurdod perthnasol yn unol â Rheoliad 7(1) o Reoliadau Contractau Gwasanaethau Cyhoeddus 1993(a); neu

PART 3
FUNCTIONS

Consultation on financial issues

7.-(1) The relevant authority must consult the forum annually on -

- (a) the exercise of the relevant authority's functions relating to their schools budget; and
- (b) any prospective revisions to the relevant authority's scheme for the financing of schools.

(2) The relevant authority may consult the forum on such other matters concerning the funding of schools as they think fit.

Consultation on school funding formula

8.-(1) The relevant authority must consult the forum on:-

- (a) any proposed changes in relation to the factors and criteria that were taken into account, or the methods, principles and rules that have been adopted, in their formula in accordance with regulations made under section 47 of the School Standards and Framework Act 1998, and
- (b) the likely financial effect of any such change.

(2) Consultation under paragraph (1) must take place in sufficient time to allow the views expressed to be taken into account in the determination of the relevant authority's formula and in the initial determination of schools' budget shares before the beginning of the financial year.

Consultation on contracts

9.-(1) The relevant authority must, at least three months prior to the issue of invitations to tender, consult the forum on the terms of any proposed contract for supplies or services being a contract paid or to be paid out of their schools budget where either:-

- (a) the estimated value of a proposed public services contract is not less than the specific threshold which applies to the relevant authority in pursuance of Regulation 7(1) of the Public Services Contracts Regulations 1993(a); or

(a) O.S. 1993/3228. Diwygiwyd rheoliad 7 gan Reoliad 4 o Reoliadau Contractau Cyhoeddus (Gweithfeydd, Gwasanaethau a Chyflenwi) (Diwygio) 2000 (O.S. 2000/2009).

(a) S.I. 1993/3228. Regulation 7 was amended by Regulation 4 of the Public Contracts (Works, Services and Supply) (Amendment) Regulations 2000 (S.I. 2000/2009).

(b) nad yw amcangyfrif gwerth contract cyflenwi cyhoeddus arfaethedig yn llai na'r trothwy penodol sy'n gymwys i'r awdurdod perthnasol yn unol â Rheoliad 7(2) o Reoliadau Contractau Cyflenwi Cyhoeddus 1995(a).

(2) Rhaid i'r awdurdod perthnasol, o leiaf dri mis cyn y dyddiad pan fo'n bwriadu gwneud y cytundeb terfynol, ymgynghori â'r fforwm ynghylch amodau unrhyw gytundeb lefel gwasanaeth y byddai'r ysgolion a gynhelir gan yr awdurdod perthnasol yn cael nwyddau neu wasanaethau gan yr awdurdod oddi tano ac y byddai cost y nwyddau neu'r gwasanaethau yn cael eu talu (yn gyfan gwbl neu'n rhannol) o gyfraniadau'r gyllideb ysgolion.

Adroddiadau i ysgolion

10. Rhaid i'r fforwm, cyn gynted ag y bo'n rhesymol ymarferol, roi gwybod i gyrff llywodraethu'r ysgolion a gynhelir gan yr awdurdod perthnasol am bob ymgynghoriad a wnaed o dan y Rhan hon yn y rheoliadau hyn.

RHAN 4

COSTAU

Talu costau

11. Yr awdurdod perthnasol sydd i dalu pob un o gostiau'r fforwm, a hynny o'i gyllideb ysgolion lleol tan 1 Ebrill 2004 ac o'i gyllideb AALl wedi hynny.

Costau'r aelodau

12. Rhaid i'r awdurdod perthnasol dalu yn ôl i'r aelodau bob cost resymol sy'n deillio o fynychu cyfarfodydd y fforwm.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(b)

12 Tachwedd 2003

Llywydd y Cynulliad Cenedlaethol

(a) O.S. 1995/201. Diwygiwyd rheoliad 7 gan Reoliad 5 o Reoliadau Contractau Cyhoeddus (Gweithfeydd, Gwasanaethau a Chyflenwi) (Diwygio) 2000 (O.S. 2000/2009).

(b) 1998 p.38.

(b) the estimated value of a proposed public supply contract is not less than the specific threshold which applies to the relevant authority in pursuance of Regulation 7(2) of the Public Supply Contracts Regulations 1995(a).

(2) The relevant authority must, at least three months before the date on which they propose to finalise the agreement, consult the forum on the terms of any service level agreement under which schools maintained by the relevant authority would be provided with goods or services by the authority and the cost of those goods or services would be met (wholly or partly) out of schools' budget shares.

Reports to schools

10. The forum must, as soon as reasonably possible, inform the governing bodies of schools maintained by the relevant authority of all consultations carried out under this Part of these regulations.

PART 4

EXPENSES

Charging of expenses

11. All expenses of the forum are to be met by the relevant authority, and charged to their local schools budget until 1st April 2004 and to their LEA budget thereafter.

Members' expenses

12. The relevant authority shall reimburse all reasonable expenses of members in connection with their attendance at meetings of the forum.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(b)

12th November 2003

D. Elis-Thomas

The Presiding Officer of the National Assembly

(a) S.I. 1995/201. Regulation 7 was amended by Regulation 5 of the Public Contracts (Works, Services and Supply) (Amendment) Regulations 2000 (S.I. 2000/2009).

(b) 1998 c.38.

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2003 Rhif 2909 (Cy.275)

ADDYSG, CYMRU

Rheoliadau Fforymau Ysgolion
(Cymru) 2003

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