



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2003 Rhif 3234 (Cy.314)

2003 No. 3234 (W.314)

ADDYSG, CYMRU

EDUCATION, WALES

**Rheoliadau Safonau Ysgol
Annibynnol (Cymru) 2003**

**The Independent School Standards
(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 gosod y Safonau Ysgol Annibynnol ("y safonau") y bydd ysgol annibynnol yn cael eu harolygu yn unol â hwy o dan adrannau 160(4) a 163(2) o Ddeddf Addysg 2002 ("Deddf 2002"). Bydd y person sy'n gwneud yr arolygiad yn rhoi adroddiad o dan adran 163(3) o Ddeddf 2002 a fydd yn asesu i ba raddau y bodlonir y safonau.

These Regulations set out the Independent School Standards ("the standards") to which an independent school will be inspected under sections 160(4) and 163(2) of the Education Act 2002 ("the 2002 Act"). The person who conducts the inspection will make a report under section 163(3) of the 2002 Act with regard to the extent to which the standards are met.

Bydd yr awdurdod cofrestru yn ystyried adroddiad yr arolygiad ac unrhyw dystiolaeth arall wrth benderfynu a ddylai'r ysgol fod yn gofrestredig, neu a ddylai barhau i fod yn gofrestredig o dan adran 161 o Ddeddf 2002.

The registration authority will consider the inspection report and any other evidence in determining whether a school should be registered or continue to be registered under section 161 of the 2002 Act.

Mae'r Atodlen yn nodi manylion y safonau.

The Schedule sets out the details of the standards.

2003 Rhif 3234 (Cy.314)**2003 No. 3234 (W.314)****ADDYSG, CYMRU****EDUCATION, WALES****Rheoliadau Safonau Ysgol
Annibynnol (Cymru) 2003****The Independent School Standards
(Wales) Regulations 2003***Wedi'u gwneud**9 Rhagfyr 2003**Made**9th December 2003**Yn dod i rym**1 Ionawr 2004**Coming into force**1st January 2004*

Drwy arfer y pwerau a roddwyd i Gynulliad Cenedlaethol Cymru gan adrannau 157(1) a 210(7) o Ddeddf Addysg 2002(a), mae Cynulliad Cenedlaethol Cymru yn gwneud yn Rheoliadau a ganlyn:

In exercise of the powers conferred on the National Assembly for Wales by sections 157(1) and 210(7) of the Education Act 2002(a), the National Assembly for Wales makes the following Regulations:

Enwi, cychwyn a chymhwyso**Name, commencement and application**

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Safonau Ysgol Annibynnol (Cymru) 2003 a deuant i rym ar 1 Ionawr 2004.

1.-(1) These Regulations are called the Independent School Standards (Wales) Regulations 2003 and come into force on 1st January 2004.

(2) Mae'r Rheoliadau hyn yn gymwys i Gymru.

(2) These Regulations apply in relation to Wales.

Dehongli**Interpretation**

2. Yn y Rheoliadau hyn -

2. In these Regulations-

ystyr "Deddf 1996" ("*the 1996 Act*") yw Deddf Addysg 1996(b);

"the 1996 Act" ("*Deddf 1996*") means the Education Act 1996(b);

ystyr "Deddf 2002" ("*the 2002 Act*") yw Deddf Addysg 2002(c);

"the 2002 Act" ("*Deddf 2002*") means the Education Act 2002(c);

ystyr "Rheoliadau 1999" ("*the 1999 Regulations*") yw Rheoliadau Addysg (Tiroedd ac Adeiladau Ysgolion) 1999(ch);

"the 1999 Regulations" ("*Rheoliadau 1999*") means the Education (School Premises) Regulations 1999(d);

ystyr "awdurdod tân" ("*fire authority*") yw'r corff statudol a ddiffinnir yn adran 4 o Ddeddf Gwasanaethau Tân 1947(d);

"boarding accommodation" ("*llety byrddio*") means overnight accommodation arranged or provided by the school at the school or elsewhere, but excluding accommodation for pupils being accommodated away from the school premises during a school trip;

ystyr "Cynulliad Cenedlaethol" ("*National Assembly*") yw Cynulliad Cenedlaethol Cymru;

"fire authority" ("*awdurdod tân*") means the statutory body defined in section 4 of the Fire Services Act 1947(e);

ystyr "datganiad" ("*statement*") yw datganiad o anghenion addysgol arbennig a wnaed o dan adran 324 o Ddeddf 1996;

"National Assembly" ("*Cynulliad*")

ystyr "llety byrddio" ("*boarding*")

(a) 2002 p.32; gweler adran 212(1) am y diffiniad o "regulations" yn ei rinwedd mae'r Rheoliadau hyn a wnaed gan Gynulliad Cenedlaethol Cymru yn gymwys i Gymru'n unig. Mae adran 212(1) yn diffinio "prescribed" hefyd.

(a) 2002 c.32; see section 212(1) for the definition of "regulations", by virtue of which these Regulations made by the National Assembly for Wales apply only in relation to Wales. Section 212(1) also defines "prescribed".

(b) 1996 p.56.

(b) 1996 c.56.

(c) 2002 p.32.

(c) 2002 c.32.

(ch) O.S. 1999/2002.

(d) S.I. 1999/2002.

(d) 1947 p.41.

(e) 1947 c.41.

accommodation") yw llety dros nos a drefnwyd neu a ddarparwyd gan yr ysgol, yn yr ysgol neu yn rhywle arall, ac eithrio llety i ddisgyblion a ddarparwyd i ffwrdd o dir ac adeiladau'r ysgol am gyfnod byr yn ystod taith ysgol;

mae i "perchennog" yr un ystyr ag sydd i "proprietor" yn adran 579 o Ddeddf 1996;

ystyr "staff" ("*staff*") yw'r bobl sy'n gweithio yn yr ysgol, o dan gontract cyflogaeth, contract gwasanaethu, neu yn wirfoddolwyr; ac

ystyr "ysgol" ("*school*") yw ysgol annibynnol fel y'i diffinnir gan adran 463 o Ddeddf 1996.

Cenedlaethol") means the National Assembly for Wales;

"proprietor" ("*perchennog*") has the same meaning as in section 579 of the 1996 Act;

"school" ("*ysgol*") means an independent school as defined by section 463 of the 1996 Act;

"staff" ("*staff*") means those people working at the school whether under a contract of employment, a contract for services, or as a volunteer; and

"statement" ("*datganiad*") means a statement of special educational needs made under section 324 of the 1996 Act.

3. Y gofynion a osodir yn yr Atodlen yw'r safonau ysgol annibynnol at ddibenion Pennod 1 o Ran 10 o Ddeddf 2002.

3. The requirements set out in the Schedule are the independent school standards for the purposes of Part 10 of the 2002 Act.

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

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

9 Rhagfyr 2003

9th December 2003

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

SAFONAU YSGOL
ANNIBYNNOLTHE INDEPENDENT SCHOOL
STANDARDS**Ansawdd yr addysg a ddarperir**

1.-(1) Mae ansawdd yr addysg a ddarperir gan yr ysgol yn bodloni'r safon os bodlonir y gofynion yn is-baragraffau (2) i (5).

(2) Rhaid i'r ysgol lunio polisi ysgrifenedig ar y cwricwlwm, ei ategu â chynlluniau a chynlluniau gwaith priodol, a'i weithredu'n effeithiol; bydd y polisi'n darparu ar gyfer y canlynol -

- (a) addysg llawnamser dan oruchwyliaeth i bob disgybl o oedran ysgol gorfodol, ac sy'n rhoi profiad i'r disgyblion yn y meysydd a ganlyn: addysg ieithyddol, fathemetegol, wyddonol, dechnolegol, ddynol a chymdeithasol, addysg gorfforol, ac addysg esthetaid a chreadigol;
- (b) deunydd addysgol sy'n briodol i oedran a gallu'r disgyblion, gan gynnwys y disgyblion sydd â datganiad;
- (c) bod disgyblion yn datblygu medrau llafaru a gwrandu, a medrau llythrennedd a rhifedd;
- (ch) os iaith heblaw'r Gymraeg neu'r Saesneg yw prif iaith yr addysgu, gwersi Cymraeg ysgrifenedig a llafar, neu Saesneg ysgrifenedig a llafar, ond na fydd y gofyniad hwn yn gymwys i ysgol sy'n darparu addysg i ddisgyblion sy'n preswyllo yng Nghymru dros dro ac sy'n dilyn cwricwlwm gwlad arall;
- (d) os bydd gan ddisgybl ddatganiad, addysg sy'n bodloni gofynion y datganiad hwnnw;
- (dd) addysg bersonol a chymdeithasol ac addysg iechyd sy'n gweddu i amcanion ac anian yr ysgol;
- (e) cyfarwyddyd gyrfaoedd priodol i ddisgyblion sy'n cael addysg uwchradd;
- (f) os oes yn yr ysgol ddisgyblion sy'n iau neu'n hyn na'r oedran ysgol gorfodol, rhaglen o weithgareddau sy'n briodol i'w hanghenion;
- (ff) cyfle i bob disgybl ddysgu a datblygu; a
- (g) paratoi disgyblion yn briodol ar gyfer cyfleoedd, cyfrifoldebau a phrofiadau bywyd pan fyddant yn oedolion.

(3) Rhaid i'r addysg yn yr ysgol -

- (a) galluogi disgyblion i ychwanegu at eu gwybodaeth, a datblygu yn ôl eu gallu er

Quality of education provided

1.-(1) The quality of education provided by the school meets the standard if the requirements in subparagraphs (2) to (5) are met.

(2) The school must draw up and implement effectively a written policy on the curriculum supported by appropriate plans and schemes of work, which provides for -

- (a) full-time supervised education for all pupils of compulsory school age, which gives pupils experience in the following areas: linguistic, mathematical, scientific, technological, human and social, physical and aesthetic and creative education;
- (b) subject matter appropriate for the ages and aptitudes of pupils, including those pupils with a statement;
- (c) pupils to acquire skills in speaking and listening, literacy and numeracy;
- (d) where the principal language of instruction is a language other than English or Welsh, lessons in written and spoken English or Welsh, except that this requirement will not apply in respect of a school or part of a school which provides education for pupils who are temporarily resident in Wales and which follows the curriculum of another country;
- (e) where a pupil has a statement, education which fulfils its requirements;
- (f) personal, social and health education which reflects the school's aims and ethos;
- (g) appropriate careers guidance for pupils receiving secondary education;
- (h) where the school has pupils below or above compulsory school age, a programme of activities which is appropriate to their respective needs;
- (i) the opportunity for all pupils to learn and make progress; and
- (j) appropriate preparation of pupils for the opportunities, responsibilities and experiences of adult life.

(3) The teaching at the school must -

- (a) enable pupils to acquire new knowledge and make progress according to their ability so that

mwyn iddynt wella eu dealltwriaeth a datblygu eu medrau yn y pynciau sy'n cael eu haddysgu;

- (b) meithrin yn y disgyblion ymdrech ddeallusol, gorfforol neu greadigol, diddordeb yn eu gwaith, a'r gallu i feddwl a dysgu drostynt hwy eu hunain;
- (c) cynnwys gwersi wedi eu cynllunio'n dda, dulliau addysgu effeithiol, gweithgareddau priodol a rheolaeth ddoeth ar amser yn y dosbarth;
- (ch) dangos dealltwriaeth dda o allu, anghenion a chyraeddiadau blaenorol y disgyblion a sicrhau bod y rhain yn cael eu hystyried wrth gynllunio gwersi;
- (d) dangos gwybodaeth briodol am y pwnc sy'n cael ei addysgu a dealltwriaeth briodol ohono;
- (dd) defnyddio adnoddau yn y dosbarth yn effeithiol, a sicrhau bod digon ohonynt a'u bod yn foddhaol o ran eu hansawdd a'u hystod;
- (e) dangos bod fframwaith i asesu gwaith y disgyblion yn rheolaidd ac yn drylwyr a defnyddio'r wybodaeth a geir o'r asesiadau hynny i gynllunio'r addysgu fel y gall y disgyblion ddatblygu; a
- (f) annog disgyblion i ymddwyn yn gyfrifol.

(4) Rhaid bod gan yr ysgol fframwaith i werthuso perfformiad y disgyblion, naill ai yn ôl amcanion yr ysgol ei hun fel y'u disgrifiwyd i'r rhieni, neu yn ôl y safonau cenedlaethol arferol, neu yn ôl y ddau.

(5) Rhaid i'r ysgol ddarparu addysg effeithiol i bob disgybl mewn dosbarth er mwyn iddynt ddatblygu, gan gynnwys disgyblion â datganiadau a'r rhai y mae'r Gymraeg neu'r Saesneg yn iaith ychwanegol iddynt.

Datblygu disgyblion yn ysbrydol, moesegol, cymdeithasol a diwylliannol

2. Mae datblygiad ysbrydol, moesegol, cymdeithasol a diwylliannol y disgyblion yn yr ysgol yn bodloni'r safon os bydd yr ysgol yn hyrwyddo egwyddorion sy'n:-

- (a) galluogi disgyblion i ddod i adnabod eu hunain yn well, ac i ddatblygu eu hunan-barch a'u hunan-hyder;
- (b) galluogi'r disgyblion i wahaniaethu rhwng da a drwg ac i barchu'r gyfraith;
- (c) annog y disgyblion i fod yn gyfrifol am eu hymddygiad eu hunain, i fod yn fentrus, ac i ddeall sut y gallant gyfrannu at fywyd y gymuned;
- (ch) rhoi i'r disgyblion wybodaeth gyffredinol ac eang am sefydliadau a gwasanaethau cyhoeddus; a

they increase their understanding and develop their skills in the subjects taught;

- (b) foster in pupils the application of intellectual, physical or creative effort, interest in their work and the ability to think and learn for themselves;
- (c) involve well planned lessons, effective teaching methods, suitable activities and wise management of class time;
- (d) show a good understanding of the aptitudes, needs and prior attainments of the pupils and ensure these are taken into account in the planning of lessons;
- (e) demonstrate appropriate knowledge and understanding of the subject matter being taught;
- (f) utilise effectively classroom resources of an adequate quality, quantity and range;
- (g) demonstrate that a framework is in place to assess pupils' work regularly and thoroughly and use information from such assessments to plan teaching so that pupils can progress; and
- (h) encourage pupils to behave responsibly.

(4) The school must have in place a framework for pupil performance to be evaluated, by reference either to the school's own aims as provided to parents or national norms, or to both.

(5) The school must provide effective education for all pupils within a class to make progress, including pupils with statements and those for whom Welsh or English is an additional language.

Spiritual, moral, social and cultural development of pupils

2. The spiritual, moral, social and cultural development of pupils at the school meets the standard if the school promotes principles which -

- (a) enable pupils to develop their self-knowledge, self-esteem and self-confidence;
- (b) enable pupils to distinguish right from wrong and to respect the law;
- (c) encourage pupils to accept responsibility for their behaviour, show initiative and understand how they can contribute to community life;
- (d) provide pupils with a broad general knowledge of public institutions and services; and

- (d) helpu'r disgyblion i werthfawrogi a pharchu eu diwylliant eu hunain a diwylliannau pobl eraill, mewn ffordd sy'n hyrwyddo cyddealltwriaeth ac harmoni rhwng traddodiadau diwylliannol gwahanol.

Llesiant, iechyd a diogelwch disgyblion

3.-(1) Mae llesiant, iechyd a diogelwch disgyblion yn yr ysgol yn bodloni'r safon os bodlonir y gofynion yn is-baragraffau (2) i (9).

(2) Rhaid i'r ysgol lunio polisi ysgrifenedig, a'i weithredu'n effeithiol, er mwyn -

- (a) atal bwlio, drwy ystyried canllawiau cylchlythyr 23/03 y Cynulliad Cenedlaethol "Parchu eraill, canllawiau gwrth-fwlio";
- (b) diogelu a hybu llesiant y plant sy'n ddisgyblion yn yr ysgol, gan gydymffurfio â chylchlythyr 52/95 y Swyddfa Gymreig "Protecting Children from Abuse: the Role of the Education Service";
- (c) diogelu a hybu iechyd a diogelwch disgyblion sy'n ymgymryd â gweithgareddau y tu allan i'r ysgol, drwy ystyried cylchlythyr y Cynulliad Cenedlaethol "Iechyd 2/99 a diogelwch disgyblion ar ymweliadau ysgol: Arweiniad ac Arferion Da"; a
- (ch) hybu ymddygiad da ymhlith y disgyblion a disgrifio'r camau sydd i'w cymryd os bydd disgybl yn camymddwyn.

(3) Os bydd ysgol yn darparu llety byrddio, wrth ddarparu'r llety hwnnw rhaid ystyried y Safonau Gofynnol Cenedlaethol ar gyfer Ysgolion Byrddio 2003(a) neu, os yw'n briodol, y Safonau Gofynnol Cenedlaethol ar gyfer Ysgolion Arbennig Preswyl 2003(b).

(4) Rhaid i'r ysgol ystyried unrhyw ganllawiau gan y Cynulliad Cenedlaethol ar gyfrifoldebau a phwerau ysgolion ym maes iechyd a diogelwch.

(5) Rhaid i'r ysgol fod yn foddhaol o ran diogelwch rhag tân, a bod hyn wedi'i gydnabod yn -

- (a) asesiad risgiau'r ysgol o dan reoliad 3 o Reoliadau Rheoli Iechyd a Diogelwch yn y Gwaith 1999 (c) i'r graddau y mae'n berthnasol i rwymedigaethau o dan Ran II o Reoliadau Rhagofalon Tân (y Gweithle) 1997(ch); a
- (b) unrhyw adroddiad a roddwyd gan yr Awdurdod Tân.

(6) Rhaid bod gan yr ysgol bolisi Cymorth Cyntaf boddhaol a rhaid iddi ei roi ar waith yn effeithiol.

(a) ISBN 0 7504 3077 X ar gael ar <http://www.wales.gov.uk/subisocialpolicystandards/content/regulationsfinal-e.htm>.

(b) ISBN 0 7504 3076 1 ar gael ar <http://www.wales.gov.uk/subisocialpolicystandards/content/regulationsfinal-e.htm>.

(c) O.S. 1999/3242.

(ch) O.S. 1997/1840, a ddiwygiwyd gan O.S. 1999/1877.

- (e) assist pupils to acquire an appreciation of and respect for their own and other cultures in a way that promotes tolerance and harmony between different cultural traditions.

Welfare, health and safety of pupils

3.-(1) The welfare, health and safety of pupils at the school meet the standard if the requirements in subparagraphs (2) to (9) are met.

(2) The school must draw up and implement effectively a written policy to -

- (a) prevent bullying, which has regard to National Assembly circular 23/03 "Respecting Others: Anti-bullying Guidance";
- (b) safeguard and promote the welfare of children who are pupils at the school which complies with Welsh Office circular 52/95 "Protecting Children from Abuse : the Role of the Education Service";
- (c) safeguard and promote the health and safety of pupils on activities outside the school which has regard to National Assembly circular 2/99 "Health and Safety of Pupils on Educational Visits: A Good Practice Guide"; and
- (d) promote good behaviour amongst pupils and set out the sanctions to be adopted in the event of pupil misbehaviour.

(3) Where the school provides boarding accommodation, that provision must have regard to the National Minimum Standards for Boarding Schools 2003(a) or, where applicable, the National Minimum Standards for Residential Special Schools 2003(b).

(4) The school must have regard to any National Assembly guidance on health and safety responsibilities and powers of schools.

(5) The school must have a satisfactory level of fire safety, identified by-

- (a) the school's risk assessment under regulation 3 of the Management of Health and Safety at Work Regulations 1999(c) insofar as it relates to obligations under Part II of the Fire Precautions (Workplace) Regulations 1997(d); and
- (b) any report from the Fire Authority.

(6) The school must have and implement effectively a satisfactory policy on First Aid.

(a) ISBN 0 7504 3077 X available at <http://www.wales.gov.uk/subisocialpolicystandards/content/regulationsfinal-e.htm>.

(b) ISBN 0 7504 3076 1 <http://www.wales.gov.uk/subisocialpolicystandards/content/regulationsfinal-e.htm>.

(c) S.I. 1999/3242.

6 (d) S.I. 1997/1840, amended by S.I. 1999/1877.

(7) Rhaid trefnu bod staff yr ysgol yn sicrhau bod y disgyblion yn cael eu goruchwyllo yn briodol ac yn effeithiol.

(8) Rhaid i'r ysgol gadw cofnodion ysgrifenedig o'r cosbau a roddwyd i ddisgyblion am dramgwyddau disgyblaeth difrifol.

(9) Rhaid i'r ysgol gadw cofrestr derbyn a chofrestr presenoldeb yn unol â Rheoliadau Addysg (Cofrestru Disgyblion) 1995 (a).

Addasrwydd perchnogion a'r staff

4. Mae'r perchnogion a'r staff yn addas ac yn bodloni'r safon -

- (a) os yw gwiriad yn ôl cofnodion y Swyddfa Cofnodion Troseddol yn cadarnhau bod y perchennog yn addas i weithio gyda phlant; a dylai'r gwiriad hwnnw fod yn wiriad lefel uwch os yw'r perchennog, wrth gyflawni ei ddyletswyddau rheolaidd, yn darparu gofal am blant dan 18 oed, neu yn eu hyfforddi, neu eu goruchwyllo, neu os yw'n gofalu amdanynt ar ei ben ei hun;
- (b) os, cyn cadarnhau eu bod wedi eu penodi, bydd aelodau o staff yr ysgol yn cael eu gwirio gan y Swyddfa Cofnodion Troseddol i gadarnhau eu bod yn addas i weithio gyda phlant; a dylai'r gwiriadau hynny fod ar lefel uwch os yw'r staff, fel rhan o'u dyletswyddau rheolaidd, yn darparu gofal am blant dan 18 oed, neu yn eu hyfforddi, neu eu goruchwyllo, neu os yw aelod o'r staff yn gofalu amdanynt ar ei ben ei hun;
- (c) os bydd aelodau o'r staff, cyn cadarnhau eu bod wedi eu penodi, yn cael eu gwirio i gadarnhau pwy ydynt ac a ydynt yn ffit o ran iechyd, eu gwirio i gadarnhau hanes eu cyflogaeth flaenorol, eu tystlythyrau cymeriad, ac, os yw'n briodol, eu cymwysterau a'u tystlythyrau proffesiynol; a rhaid i'r wybodaeth honno gael ei hystyried wrth benderfynu a fydd penodiad yn cael ei gadarnhau ai peidio. Mae cylchlythyr 34/02 y Cynulliad Cenedlaethol "Amddiffyn Plant: Atal Pobl Anaddas rhag Gweithio gyda Phlant a Phobl Ifanc" yn rhoi cyngor ar yr arferion gorau o ran gwiriadau cyn penodi;
- (ch) os bydd aelodau o'r staff, pan fyddant yn darparu gofal am blant, yn eu hyfforddi neu'n gofalu amdanynt mewn llety byrddio, yn cydymffurfio â Safon 38 o'r Safonau Gofynnol Cenedlaethol ar gyfer Ysgolion Byrddio 2003 neu, os yw'n briodol, Safon 27 o'r Safonau Gofynnol Cenedlaethol ar gyfer Ysgolion Arbennig Preswyl 2003; a
- (d) os nad yw'r perchennog na'r un aelod o'r staff yn gwneud gwaith, neu'n bwriadu gwneud gwaith, sy'n torri cyfarwyddyd o dan adran

(7) School staff must be deployed to ensure the proper and effective supervision of pupils.

(8) The school must keep a written record of the sanctions imposed upon pupils for serious disciplinary offences.

(9) The school must maintain an admission register and an attendance register in accordance with the Education (Pupil Registration) Regulations 1995(a).

The suitability of proprietors and staff

4. The suitability of proprietors and staff at the school meets the standard if -

- (a) the proprietor is subject to a check with the Criminal Records Bureau which confirms his or her suitability to work with children, that check to be at an enhanced level if his or her duties involve regularly caring for, training, supervising or being in sole charge of persons aged under 18;
- (b) prior to confirmation of their appointment, members of staff at the school are subject to a check with the Criminal Records Bureau which confirms their suitability to work with children, that check is to be at an enhanced level if their duties involve regularly caring for, training, supervising or being in sole charge of persons aged under 18;
- (c) prior to confirmation of their appointment, checks are carried out on members of staff to confirm their identity, medical fitness, previous employment history, character references, and where appropriate, qualifications and professional references, and that information must be taken into account in determining whether an appointment is confirmed. National Assembly circular 34/02 "Child Protection: Preventing Unsuitable People from Working with Children and Young Persons in the Education Service" provides best practice advice on pre-appointment checks;
- (d) where members of staff will care for, train, supervise or be in charge of children in boarding accommodation, they also comply with Standard 38 of the National Minimum Standards for Boarding Schools 2003 or, where applicable, Standard 27 of the National Minimum Standards for Residential Special Schools 2003; and
- (e) neither the proprietor nor any member of staff carries out work, or intends to carry out work, in contravention of a direction under section

(a) O.S. 1995/2089, a ddiwygiwyd gan O.S. 1997/2624.

(a) S.I. 1995/2089 amended by S.I. 1997/2624.

Tir, adeiladau a llety byrddio ysgolion

5. Mae tir, adeiladau a llety byrddio yn bodloni'r safon -

- (a) os yw'r cyflenwad dŵr yn bodloni gofynion Rheoliadau 1999;
- (b) os oes system draenio ddigonol at ddibenion hylendid ac i gael gwared ar ddŵr gwastraff a dŵr wyneb;
- (c) os yw pob strwythur sy'n dal pwysau yn bodloni Rheoliadau 1999;
- (ch) os oes gan yr ysgol drefniadau digonol o ran diogelwch ar ei thir ac yn ei hadeiladau;
- (d) os yw unrhyw dir neu adeiladau a ddefnyddir at ddibenion heblaw gwaith yr ysgol, wedi eu trefnu i sicrhau bod iechyd, diogelwch a llesiant y disgyblion wedi eu diogelu ac i sicrhau na thorrir ar draws eu haddysg gan bobl eraill yn defnyddio'r tir hwnnw neu'r adeiladau hynny;
- (dd) os yw adeiladau'r ysgol yn darparu lloches resymol rhag y glaw, yr eira, y gwynt, a lleithder o'r ddaear;
- (e) os oes modd i bob disgybl, yn enwedig y rhai sydd ag anghenion arbennig, ymadael â'r tir a'r adeiladau yn ddiogel mewn argyfwng;
- (f) os oes modd i bob disgybl, gan gynnwys y rhai sydd ag anghenion arbennig, fynd i mewn i'r ysgol ac ymadael â hi'n ddiogel ac yn gyfforddus(a);
- (ff) os nad yw'r tir a'r adeiladau wedi eu condemnio gan yr Awdurdod Iechyd Amgylcheddol;
- (g) os yw'r ystafelloedd dosbarth yn briodol o ran maint ar gyfer nifer, oedran ac anghenion (gan gynnwys unrhyw anghenion arbennig) y disgyblion i ganiatáu addysgu effeithiol ac nad ydynt yn berygl o ran iechyd neu ddiogelwch.
- (ng) os oes digon o ystafelloedd ymolchi i'r staff a'r disgyblion, gan gynnwys cyfleusterau i ddisgyblion sydd ag anghenion arbennig gan roi ystyriaeth i Reoliadau 1999;
- (h) os oes cyfleusterau priodol yn unol â Rheoliadau 1999 i ddisgyblion sy'n sâl;
- (i) os oes cyfleusterau digonol ar gyfer paratoi, gweini, bwyta ac yfed bwyd a diod yn hylan yn y manau lle gweinir bwyd a diod;

(a) Mae'r gofyniad hwn yn cael ei ragnodi gan adran 28D o Ddeddf Discrimineiddio Anabledd 1995 p.50, a oedd ei hun wedi ei fewnosod gan adran 14(1) o Ddeddf Anghenion Addysgol ac Anabledd 2001 a pharagraff 26 o Atodlen 1 o Ddeddf Addysg 2002, p.32.

Premises of and boarding accommodation at schools

5. The school premises and boarding accommodation meet the standard if -

- (a) the water supply meets the requirements of the 1999 Regulations;
- (b) there is an adequate drainage system for hygienic purposes and the disposal of waste water and surface water;
- (c) each load bearing structure is satisfactory in accordance with the 1999 Regulations;
- (d) the school has adequate security arrangements for the grounds and buildings;
- (e) premises which are used for another purpose other than conducting the school are organised to ensure that the health, safety and welfare of pupils are safeguarded and their education is not interrupted by other users;
- (f) the school buildings provide reasonable resistance to penetration by rain, snow, wind and moisture from the ground;
- (g) there is sufficient access so that emergency evacuations can be accomplished safely for all pupils, particularly those with special needs;
- (h) access to the school allows all pupils, including those with special needs, to enter and leave the school in safety and comfort(a);
- (i) the premises have not been condemned by the Environmental Health Authority;
- (j) having regard to the number, age and needs (including any special needs) of pupils, classrooms are appropriate in size to allow effective teaching and do not compromise health or safety;
- (k) there are sufficient washrooms for staff and pupils, including facilities for pupils with special needs, taking account of the 1999 Regulations;
- (l) there are appropriate facilities for pupils who are ill in accordance with the 1999 Regulations;
- (m) where food and drink is served, there are adequate facilities for its hygienic preparation, service and consumption;

(a) This requirement is prescribed by section 28D of the Disability Discrimination Act 1995 c.50, which itself was inserted by section 14(1) of the Special Educational Needs and Disability Act 2001 and paragraph 26 of Schedule 1 to the Education Act 2002, c.32.

- (j) os yw ystafelloedd dosbarth a rhannau eraill o'r ysgol yn cael eu cadw'n daclus, yn lân ac yn hylan;
- (l) os yw'r ynysu rhag sŵn a'r acwsteg yn galluogi addysgu a chyfathrebu effeithiol;
- (ll) os yw'r trefniadau goleuo, gwresogi ac awyru yn yr ystafelloedd dosbarth ac yn rhannau eraill yr ysgol yn foddhaol yn unol â Rheoliadau 1999;
- (m) os yw'r gwaith peintio ac addurno o safon foddhaol ac wedi ei gadw a'i gynnal yn ddigon da;
- (n) os yw'r dodrefn a'r ffitiadau wedi eu dylunio i fod yn addas ar gyfer oedran ac anghenion pob disgybl (gan gynnwys unrhyw anghenion arbennig) a gofrestrir yn yr ysgol;
- (o) os oes lloriau priodol a hwythau mewn cyflwr da;
- (p) os oes trefniadau priodol ar gyfer darparu lle yn yr awyr agored i'r plant chwarae yn ddiogel;
- (ph) lle y darperir llety byrddio, os yw'r llety wedi ei ddarparu drwy ystyried Safonau 40-52 o'r Safonau Gofynnol Cenedlaethol ar gyfer Ysgolion Byrddio 2003 neu os yw'n briodol, Safonau 23-26 o'r Safonau Gofynnol Cenedlaethol ar gyfer Ysgolion Arbennig Preswyl; ac
- (r) Os yw'r tir a'r adeiladau yn cydymffurfio â gofynion Rheoliadau Deddf Gwahaniaethu ar sail Anabledd (Cyfnodau Rhagnodedig ar gyfer Hygyrchedd, Strategaethau a Chynlluniau Ysgolion) (Cymru) 2003(a).
- (n) classrooms and other parts of the school are maintained in a tidy, clean and hygienic state;
- (o) sound insulation and acoustics allow effective teaching and communication;
- (p) lighting, heating and ventilation in classrooms and other parts of the school are satisfactory in accordance with the 1999 Regulations;
- (q) there is a satisfactory standard and adequate maintenance of decoration;
- (r) the furniture and fittings are appropriately designed for the age and needs (including any special needs) of all pupils registered at the school;
- (s) there is appropriate flooring in good condition;
- (t) there are appropriate arrangements for providing outside space for pupils to play safely;
- (u) where boarding accommodation is provided, it has regard to Standards 40-52 of the National Minimum Standards for Boarding Schools 2003 or, where applicable, Standards 23-26 of the National Minimum Standards for Residential Special Schools 2003; and
- (v) The premises comply with the requirements of the Disability Discrimination (Prescribed Periods for Accessibility, Strategies and Plans for Schools) (Wales) Regulations 2003(a).

Darparu gwybodaeth

6.-(1) Mae'r ysgol yn bodloni'r safon o ran darparu gwybodaeth os yw'r gofynion ym mharagraffau (2) i (9) wedi eu bodloni.

(2) Yn ddarostyngedig i is-baragraff (10), rhaid i'r ysgol roi i'r rhieni, ac os gwneir cais, i'r Prif Arolygydd, i'r Cynulliad Cenedlaethol, neu i gorff sydd wedi ei gymeradwyo o dan adran 163(1)(b) o Ddeddf 2002 -

- (a) cyfeiriad, cyfeiriad e-bost a rhif ffôn yr ysgol, ac enw'r pennaeth;
- (b) naill ai-
 - (i) pan fydd y perchennog yn unigolyn, ei enw llawn, ei gyfeiriad preswyl arferol a chyfeiriad e-bost perthnasol a rhif ffôn, neu
 - (ii) pan fydd y perchennog yn gorfforaeth, yn ffyrm neu'n gorff o bersonau Albanaidd, cyfeiriad a rhif ffôn ei brif swyddfa neu'i brif swyddfa;
- (c) os oes gan yr ysgol fwrdd llywodraethwyr,

The provision of information

6.-(1) The provision of information by the school meets the standard if the requirements in sub-paragraphs (2) to (9) are met.

(2) Subject to sub-paragraph (10), the school must provide to parents of pupils and prospective pupils and on request to the Chief Inspector, the National Assembly, or a body approved under section 163(1)(b) of the 2002 Act -

- (a) the school's address, e-mail address and telephone number, and the name of the head teacher;
- (b) either-
 - (i) where the proprietor is an individual, his or her full name, usual residential address and appropriate e-mail address and telephone number, or
 - (ii) where the proprietor is a corporation, a Scottish firm or a body of persons, the address and telephone number of its registered or principal office;
- (c) where the school has a governing body, the

(a) O.S. 2003/2531.

(a) S.I. 2003/2531.

manylion cysylltu Cadeirydd y corff hwnnw;

- (ch) datganiad o anian ac amcanion yr ysgol (gan gynnwys unrhyw anian crefyddol);
- (d) manylion polisi a threfniadau'r ysgol o ran derbyn disgyblion, disgyblaeth a gwahardd disgyblion;
- (dd) manylion y ddarpariaeth o ran addysg a llesiant disgyblion sydd â datganiadau a disgyblion y mae'r Gymraeg neu'r Saesneg yn ieithoedd ychwanegol iddynt;
- (e) manylion y polisiâu a baratowyd o dan baragraff 1(2) o'r Atodlen hon;
- (f) manylion y polisiâu a baratowyd o dan baragraff 3(2) o'r Atodlen hon;
- (ff) manylion perfformiad academiaidd yr ysgol, gan gynnwys canlyniadau unrhyw arholiadau cyhoeddus;
- (g) manylion y drefn gwyno wedi eu nodi yn unol â pharagraff 7 o'r Atodlen hon, nifer y cwynion a gofrestrwyd o dan y drefn ffurfiol yn ystod y flwyddyn ysgol flaenorol; ac
- (ng) nifer y staff sy'n cael eu cyflogi yn yr ysgol, gan gynnwys staff dros dro, a chrynodeb o'u cymwysterau.

(3) Yn sgil arolygiad a wnaed o dan adran 163(1) o Ddeddf 2002, mae'n rhaid i'r ysgol anfon y canlynol at rieni pob disgybl a gofrestrwyd, erbyn dyddiad a bennir gan y corff a gyflawnodd yr arolygiad -

- (a) crynodeb o'r adroddiad; neu
- (b) os nad oes crynodeb o'r adroddiad wedi'i baratoi, adroddiad llawn.

(4) Os anfonwyd crynodeb o'r adroddiad yn unol â pharagraff 3(a), rhaid i'r ysgol wneud trefniadau i rieni gael gweld yr adroddiad llawn os byddant yn gofyn amdano.

(5) Rhaid i'r ysgol roi adroddiad ysgrifenedig i rieni pob plentyn a gofrestrir am ei ddatblygiad a'i gyraeddiadau ym mhob prif bwnc a ddysgir.

(6) Rhaid i'r ysgol roi i unrhyw gorff sy'n gwneud arolygiad o dan adran 163 o Ddeddf 2002-

- (a) unrhyw wybodaeth y gofynnir amdani yn rhesymol mewn cysylltiad ag arolygiad ac sydd ei hangen at ddibenion yr arolygiad hwnnw; a
- (b) caniatâd i weld y gofrestr dderbyn, ac unrhyw gofrestr bresenoldeb, a gynhelir yn unol â Rheoliadau Addysg (Cofrestru Disgyblion) 1995(a).

(7) Os yw disgybl sy'n cael ei ariannu yn gyfan gwbl neu'n rhannol gan yr awdurdod lleol wedi ei gofrestru yn yr ysgol, rhaid rhoi cyfrif blynyddol wedi ei

name and contact details of the Chairperson of that body;

- (d) a statement of the school's ethos (including any religious ethos) and aims;
- (e) particulars of the school's policy on and arrangements for admissions, discipline and exclusions;
- (f) particulars of educational and welfare provision for pupils with statements and for pupils for whom English or Welsh is an additional language;
- (g) particulars of the policies prepared under paragraph 1(2) of this Schedule;
- (h) particulars of the policies prepared under paragraph 3(2) of this Schedule;
- (i) particulars of academic performance, including the results of any public examinations;
- (j) details of the complaints procedure set out in accordance with paragraph 7 of this Schedule, and the number of complaints registered under the formal procedure during the preceding school year; and
- (k) the number of staff employed at the school, including temporary staff, and a summary of their qualifications.

(3) Following an inspection under section 163(1) of the 2002 Act the school must send to the parents of every registered pupil, by a date specified by the body who conducted the inspection -

- (a) the summary report; or
- (b) if no summary report has been prepared, the full report.

(4) Where the summary report has been sent in accordance with sub-paragraph (3)(a), the school must make arrangements for parents to have access to the full report on request.

(5) An annual written report of the progress of each registered child and their attainment in the main subject areas taught must be provided to parents by the school.

(6) The school will provide any body conducting an inspection under section 163 of the 2002 Act with -

- (a) any information reasonably requested in connection with an inspection that is necessary for the purposes of the inspection; and
- (b) access to the admission register, and any attendance register, maintained in accordance with the Education (Pupil Registration) Regulations 1995(a).

(7) Where a pupil wholly or partly funded by a local authority is registered at the school, an annual audited account of income received and expenditure incurred

(a) O.S. 1995/2089.

(a) S.I. 1995/2089.

archwilio o'r incwm a gafwyd a'r gwariant a wnaed gan yr ysgol i'r Awdurdod Addysg Lleol ac i'r Cynulliad Cenedlaethol os gofynnir amdano.

(8) Os oes disgybl sydd â datganiad wedi ei gofrestru yn yr ysgol, rhaid i'r ysgol roi i'r awdurdod addysg lleol yr wybodaeth y gellid yn rhesymol ofyn amdani at ddibenion adolygiad blynyddol o'r datganiad.

(9) Rhaid darparu copi o'r asesiad risgiau y cyfeirir ato ym mharagraff 3(5)(a) o'r Atodlen hon os bydd y Cynulliad Cenedlaethol yn gofyn amdano.

(10) Mewn perthynas â pharagraffau (e) i (ng) o is-baragraff (2), ar yr amod bod yr ysgol yn sicrhau bod rhieni disgyblion a darpar ddisyglblon yn ymwybodol bod yr wybodaeth honno ar gael, nid oes rhaid iddi ei darparu iddynt ond os ydynt yn gofyn amdani.

Sut i ymdrin â chwynion

7. Mae'r ffordd y mae'r ysgol yn ymdrin â chwynion yn bodloni'r safon os oes ganddi drefn gwyno sy'n -

- (a) ysgrifenedig;
- (b) ar gael mewn dull priodol os bydd y disgyblion, rhieni'r disgyblion a darpar ddisyglblon yn yr ysgol yn gofyn amdani;
- (c) gosod amserlenni clir o ran rheoli cwynion;
- (ch) rhoi cyfle i gwynion gael eu gwneud a'u hystyried yn anffurfiol;
- (d) os na fydd y rhieni'n fodlon â'r ymateb a wnaed yn unol â pharagraff (ch) neu os ydynt yn dymuno gwneud cwyn ffurfiol, sefydlu trefn i'r gŵyn gael ei gwneud yn ysgrifenedig;
- (dd) os nad yw'r rhieni'n fodlon â'r ymateb i'r gŵyn a wnaed yn unol â pharagraff (d), darparu ar gyfer cynnal gwrandawriad o flaen panel a benodwyd gan y perchennog, neu ar ei ran, wedi'i lunio o dri o bobl o leiaf nad oedd a wnelont yn uniongyrchol â'r materion sy'n ymwneud yn uniongyrchol â'r gŵyn;
- (e) mynnu pan fo panel yn gwrandawriadau ar gwyn, y bydd un person ar y panel sy'n annibynnol ar y sawl sy'n rheoli a rhedeg yr ysgol;
- (f) darparu bod y rhieni yn cael bod yn bresennol yn y gwrandawriad gan y panel os dyna eu dymuniad a'u bod yn cael mynd â rhywun gyda hwy;
- (ff) darparu bod y panel yn penderfynu ar ei gasgliadau a'i argymhellion ac y bydd yn pennu bod y sawl sy'n cwyno, y perchennog, y pennaeth ac, os yw'n berthnasol, y sawl y cwynwyd amdano, yn cael copi yr un o unrhyw gasgliadau ac argymhellion;

by the school must be submitted to the local education authority and on request to the National Assembly.

(8) Where a pupil with a statement is registered at the school, the school must supply such information to the responsible local education authority as may reasonably be required for the purpose of the annual review of the statement.

(9) A copy of the risk assessment referred to in paragraph 3(5)(a) of this Schedule must be provided on request to the National Assembly.

(10) In relation to paragraphs (g) to (k) of sub-paragraph (2), provided that the school ensures that parents of pupils and of prospective pupils are aware that such information is available, it need only be provided to them on request.

The manner in which complaints are to be handled

7. The manner in which the school handles complaints meets the standard if it has a complaints procedure which-

- (a) is in writing;
- (b) is available on request in appropriate format to pupils, to the parents of pupils and of prospective pupils at the school;
- (c) sets out clear time scales for the management of a complaint;
- (d) provides an opportunity for a complaint to be made and considered on an informal basis;
- (e) where the parents are not satisfied with the response made in accordance with paragraph (d) or wish to pursue a formal complaint establishes a procedure for the complaint to be made in writing;
- (f) where the parents are not satisfied with the response to the complaint made in accordance with paragraph (e), makes provision for a hearing before a panel appointed by or on behalf of the proprietor and consisting of at least three people who were not directly involved in the matters detailed in the complaint;
- (g) stipulates that, where there is a panel hearing of a complaint, one person will be independent of the management and running of the school;
- (h) allows for the parents to attend and to be accompanied at a panel hearing if they wish;
- (i) provides for the panel to make findings and recommendations and stipulates that the complainant, proprietor and head teacher, and where relevant the person complained about, are each given a copy of any findings and recommendations;

- (g) darparu bod cofnodion ysgrifenedig yn cael eu cadw am bob cwyn, boed yn gŵyn a gafodd ei datrys yn y cam cychwynol, neu'n gŵyn yr aethpwyd â hi i wrandawriad gan banel;
- (ng) darparu, yn ddarostyngedig i baragraff 6(2)(g) o'r Atodlen hon, bod gohebiaeth, datganiadau a chofnodion ynghylch cwynion yn cael eu cadw'n gyfrinachol a heblaw bod y Cynulliad Cenedlaethol neu gorff sy'n gwneud arolygiad o dan adran 163 o Ddeddf 2002, yn gofyn am gael gweld unrhyw ddogfennau sy'n ymwneud â'r gŵyn; a
- (h) os bydd yr ysgol yn darparu llety byrddio, cydymffurfio â Safon 5 o'r Safonau Gofynnol Cenedlaethol ar gyfer Ysgolion Byrddio 2003 neu, os yw'n gymwys, Safon 4 o'r Safonau Gofynnol Cenedlaethol ar gyfer Ysgolion Arbennig Preswyl 2003.
- (j) provides for written records to be kept of all complaints, including whether they are resolved at the preliminary stage or proceed to a panel hearing;
- (k) provides that, subject to paragraph 6(2)(j) of this Schedule, correspondence, statements and records of complaints are to be kept confidential except where the National Assembly or a body conducting an inspection under section 163 of the 2002 Act requests access to any documents relating to the complaint; and
- (l) where the school provides boarding accommodation, complies with Standard 5 of the National Minimum Standards for Boarding Schools 2003 or, where applicable, Standard 4 of the National Minimum Standards for Residential Special Schools 2003.

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