OFFERYNNAU STATUDOL CYMRU

2004 Rhif 908 (Cy.91)

ADDYSG, CYMRU

Rheoliadau Addysg (Cynigion Trefniadaeth Ysgolion) (Cymru) (Diwygio) 2004

Wedi'u gwneud - -	*24 Mawrth 2004*
Yn dod i rym - -	*31 Mawrth 2004*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau yn adrannau 28(1), (3), a (7), a 138(7) o Ddeddf Safonau a Fframwaith Ysgolion 1998(**1**), a pharagraffau 7, 8(2) a 10 o Atodlen 6 iddi a pharagraffau 5 a 12 o Atodlen 7 iddi, yn gwneud y Rheoliadau canlynol —

Enwi, cymhwyso a chychwyn

1. Enw'r rheoliadau hyn yw Rheoliadau Addysg (Cynigion Trefniadaeth Ysgolion) (Cymru) (Diwygio) 2004, maent yn gymwys i Gymru a dônt i rym ar 31 Mawrth 2004.

Dehongli

2. Yn y Rheoliadau hyn ystyr "y Prif Reoliadau" yw Rheoliadau Addysg (Cynigion Trefniadaeth Ysgolion) (Cymru) 1999(**2**).

Diwygio'r Prif Reoliadau

3. Caiff y Prif Reoliadau eu diwygio yn unol â darpariaethau rheoliadau 4 i 10.

4. Yn rheoliad 2(1) mewnosoder y geiriau "or a maintained nursery school" ar ôl "school" yn y diffiniad o "mainstream school".

5. Mewnosoder y rheoliad canlynol ar ôl rheoliad 3 —

> "**3A** For the purposes of subsection 1(d) of section 28 of the Act, the alterations specified in Schedule 2A are prescribed as alterations for which proposals must be published under that section.".

(**1**) 1998 p.31. Diwygiwyd adran 28 o Ddeddf Safonau a Fframwaith Ysgolion 1998 gan adran 154 o Ddeddf Addysg 2002 (p.32). Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol yn narpariaethau Deddf 1998, sy'n ddarpariaethau a enwir, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(**2**) O.S. 1999/1671.

6. Ym mharagraff 1 o Atodlen 1 mewnosoder y geiriau ",other than a nursery school," ar ôl "primary school".

7. Ar ôl paragraff 6(7) o Atodlen 2 mewnosoder yr is-baragraff canlynol —

"(8) Sub-paragraphs (1), (2), (3) and (5) do not apply to an alteration that forms part of a Welsh language project approved by the National Assembly for Wales.".

8. Ar ôl Atodlen 2 mewnosoder y darpariaethau a nodir yn yr Atodlen i'r Rheoliadau hyn.

9.—(1) Diwygir Atodlen 3 yn unol â darpariaethau'r rheoliad hwn —

(2) Yn lle paragraff 5 rhodder y paragraff canlynol —

"**5.** The category of school (that is to say, community school, foundation school, voluntary aided school, voluntary controlled school or maintained nursery school) into which the proposed school will fall.".

10.—(1) Diwygir Atodlen 4 i'r Prif Reoliadau yn unol â darpariaethau'r rheoliad hwn.

(2) Ym mharagraff 1(2)(a) mewnosoder y geiriau "(including a nursery school)" ar ôl "primary school".

(3) Ym mharagraff 4 rhodder y geiriau "voluntary, foundation and maintained nursery schools" yn lle "voluntary and foundation schools".

(4) Ym mharagraff 6 —

(a) mewnosoder y geiriau canlynol ar ddechrau'r paragraff —

"Except where the proposed school is to be a maintained nursery school".

(b) mewnosoder y gair "and" ar ôl is-baragraff (b) a'i hepgor ar ôl is-baragraff (c); a

(c) caiff is-baragraff (d) ei ddirymu.

(5) Caiff paragraff 7(e) ei ddirymu.

(6) Ym mharagraff 13 mewnosoder ar ddechrau'r paragraff —

"Except where the proposed school is to be a maintained nursery school".

(7) Ar ôl paragraff 18 mewnosoder y paragraff canlynol —

"**18A** Where the proposed school will be a maintained nursery school or a primary school providing nursery education —

(a) the number of full-time and part-time pupils for which it is intended that nursery education is to be provided,

(b) the capacity of the accommodation to be provided for nursery education

(c) details of how the nursery education resulting from the proposals (if implemented) will be organised, including the number of sessions in each week,

(d) the extent to which the proposals, if approved, will integrate the education provided with child care services or are consistent with the integration of nursery education and child care,

(e) evidence of demand for additional provision of nursery education including the numbers of pupils receiving such education at schools maintained by the local education authority within a radius of 3.218688 kilometres (two miles),

(f) a statement of the reasons as to why any school which has unused capacity to accommodate children under compulsory school age cannot make provision for any forecast increase in the numbers of such children,

(g) an estimate of the proportion of children under compulsory school age in the area of the local education authority who are educated at schools maintained by the local education authority,

(h) an estimate of the proportion of such children in the area of the local education authority who are educated at schools not maintained by the local education authority,

(i) an estimate of the proportion of children referred to in sub-paragraph (e) of this paragraph who are educated at schools maintained by the local education authority other than in reception classes (within the meaning of section 142 of the School Standards and Framework Act 1998),

(j) an estimate of the extent of deprivation in the area served by the school,

(k) whether child care will be provided outside school hours if the proposals are approved,

(l) a description of the areas of learning to be provided and how they will be delivered, and

(m) the number of staff to be employed within the nursery."

(8) Ar ôl paragraff 29(e)(ix) mewnosoder y paragraffau canlynol —

"(x) a description of the areas of learning to be provided and how they will be delivered;

(xi) the number of staff to be employed within the nursery;

(xii) details of accommodation and capacity.".

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru

John Marek
24 Mawrth 2004 Dirprwy Lywydd

YR ATODLEN

Rheoliad 8

"SCHEDULE 2A

Regulation 3A

ALTERATIONS TO NURSERY SCHOOLS FOR WHICH PROPOSALS MUST BE PUBLISHED

1.—(1) An enlargement, other than a temporary enlargement, of the teaching space by 50% or more.

(2) The making permanent of a temporary enlargement of the teaching space by 50% or more.

(3) In this paragraph, "teaching space" means any area used wholly or mainly for the provision of nursery education excluding —

- (a) any area used wholly or mainly for the education of pupils subject to assessment and pupils with statements of special educational need;
- (b) any area so constructed, adapted or equipped as to be unsuitable for general teaching purposes;
- (c) any area constructed, adapted or equipped primarily for the storage of apparatus, equipment or materials used in teaching; and
- (d) any part of an area which is required for the movement of pupils through that area and which is used wholly or mainly for that purpose.

2. The establishment or discontinuance of provision which is recognised by the local education authority as reserved for children with special educational needs.

3. An alteration to a school such that —

- (a) a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes, or
- (b) a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only.

4.—(1) In the case of a school at which there is any year group who are taught wholly or mainly through the medium of Welsh, an alteration to the school such that all pupils in that year group would be taught wholly or mainly through the medium of English.

(2) In the case of a school at which there is any year group who are taught wholly or mainly through the medium of English, an alteration to the school such that all pupils in that year group would be taught wholly or mainly through the medium of Welsh.

5. The transfer of a school to a new site except where the main entrance of the school on its new site will be within 1.609344 kilometres (one mile) of the main entrance of the school on its old site."

EXPLANATORY NOTE

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Addysg (Cynigion Trefniadaeth Ysgolion) (Cymru) 1999 (OS 1999/1671) ("y Prif Reoliadau"). Mae'r Rheoliadau —

- yn gweithredu'r diwygiad i adran 28 o Ddeddf Safonau a Fframwaith Ysgolion 1998 a wnaed gan adran 154 o Ddeddf Addysg 2002; ac
- yn diwygio'r Prif Reoliadau er mwyn caniatáu i ysgolion gymryd rhan mewn cynlluniau peilot Cymraeg sydd wedi'u cymeradwyo gan Gynulliad Cenedlaethol Cymru, heb gyhoeddi cynigion (rheoliad 7).

Mae'r Rheoliadau'n rhagnodi newidiadau i ysgolion meithrin a gynhelir ac y mae'n rhaid i awdurdodau addysg lleol gyhoeddi cynigion ar eu cyfer (rheoliadau 5 ac 8).

Mae rheoliad 4 yn ailddiffinio'r term "mainstream school" i gynnwys ysgolion meithrin a gynhelir. Effaith hyn yw

- rhagnodi gwybodaeth i'w chynnwys mewn cynigion cyhoeddedig;
- rhagnodi dull cyhoeddi cynigion;
- rhagnodi materion penodol mewn perthynas â gwrthwynebiadau; a
- rhagnodi materion penodol mewn perthynas ag addasiadau,

lle y mae a wnelo cynigion ag ysgolion meithrin a gynhelir (rheoliad 4).

Mae rheoliad 9 yn gwneud diwygiadau canlyniadol i Atodlen 3 o'r Prif Reoliadau (gwybodaeth i'w chynnwys mewn cynigion cyhoeddedig).

Mae Atodlen 4 o'r Prif Reoliadau (gwybodaeth i'w darparu ar gyfer y Cynulliad) yn gymwys i gynigion ynghylch ysgolion meithrin a gynhelir yn rhinwedd y diwygiadau i adran 28 o Ddeddf 1998 a wnaed gan adran 154 o Ddeddf 2002 a rheoliad 6 o'r prif Reoliadau. Mae rheoliad 10 yn diwygio Atodlen 4 i'r Prif Reoliadau er mwyn gwneud darpariaeth benodol bellach mewn perthynas ag ysgolion meithrin a gynhelir ac addysg feithrin sydd i'w darparu mewn ysgolion cynradd nad ydynt yn ysgolion meithrin.