OFFERYNNAU STATUDOL CYMRU

2020 Rhif 622 (Cy. 142)

ADDYSG, CYMRU

Rheoliadau Addysg (Hysbysu am Ddyddiadau Tymhorau Ysgol) (Cymru) (Diwygio) (Coronafeirws) 2020

NODYN ESBONIADOL

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

Mae adran 32A o Ddeddf Addysg 2002 yn ei gwneud yn ofynnol i awdurdod lleol benderfynu ar ddyddiadau tymhorau ar gyfer pob ysgol gymunedol, ysgol wirfoddol a reolir, ysgol arbennig gymunedol neu ysgol feithrin a gynhelir yn ei ardal. Wrth wneud hynny, rhaid i awdurdodau lleol gydweithredu a chydgysylltu â'i gilydd ac â chyrff llywodraethu perthnasol yn eu hardal i sicrhau bod dyddiadau tymhorau ysgol ar gyfer ysgolion a gynhelir yr un fath (neu mor debyg ag y gallant fod).

Mae Rheoliadau Addysg (Hysbysu am Ddyddiadau Tymhorau Ysgol) (Cymru) 2014 (O.S. 2014/1249 (Cy. 130)) ("Rheoliadau 2014") yn darparu bod rhaid i awdurdodau lleol hysbysu Gweinidogion Cymru am y dyddiadau ysgol y penderfynwyd arnynt o leiaf ddwy flynedd ymlaen llaw (h.y. erbyn y diwrnod gwaith olaf ym mis Awst ddwy flynedd cyn y flwyddyn ysgol o dan sylw).

Mae'r Rheoliadau hyn, sydd wedi eu gwneud o dan adran 32A a 210 o Ddeddf Addysg 2002, yn diwygio Rheoliadau 2014 fel bod rhaid i'r hysbysiad ar gyfer y flwyddyn ysgol 2022-23 gael ei anfon at Weinidogion Cymru erbyn 31 Rhagfyr 2020. Mae ysgolion ac awdurdodau lleol yn debygol o fod o dan fwy o bwysau dros yr haf oherwydd lledaeniad coronafeirws syndrom anadlol acíwt difrifol 2 (SARS-CoV-2) yng Nghymru. Mae'r gofyniad i hysbysu Gweinidogion Cymru am ddyddiadau tymor erbyn 31 Awst 2020 yn debygol o osod baich gweinyddol anghymesur ar awdurdodau lleol. Bydd estyn y dyddiad cau ar gyfer

WELSH STATUTORY INSTRUMENTS

2020 No. 622 (W. 142)

EDUCATION, WALES

The Education (Notification of School Term Dates) (Wales) (Amendment) (Coronavirus) Regulations 2020

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 32A of the Education Act 2002 requires a local authority to determine the term dates for each community, voluntary controlled or community special school or maintained nursery school in its area. In doing so, local authorities must co-operate and co-ordinate with each other and with relevant governing bodies in their area to ensure that school terms dates for maintained schools are the same (or as similar as can be).

The Education (Notification of School Term Dates) (Wales) Regulations 2014 (S.I. 2014/1249 (W. 130)) ("the 2014 Regulations") provide that local authorities must notify the Welsh Ministers of the school dates determined at least two years in advance (i.e. by the final working day in August two years before the school year in question).

These Regulations, which are made under section 32A and 210 of the Education Act 2002, amend the 2014 Regulations so that the notice for the school year 2022-23 must be sent to the Welsh Ministers by 31 December 2020. Schools and local authorities are likely to be under increased pressure over the summer due to spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales. The requirement to notify Welsh Ministers of term dates by 31 August 2020 is likely to place a disproportionate administrative burden on local authorities. Extending the notification deadline to 31 December 2020 will

yr hysbysiad i 31 Rhagfyr 2020 yn lleihau'r baich gan sicrhau y gall gofynion statudol eraill sy'n ymwneud â chydgysylltu dyddiadau tymhorau ysgol gael eu bodloni.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

ease the burden whilst ensuring that other statutory requirements relating to the co-ordination of school term dates can be met.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

OFFERYNNAU STATUDOL CYMRU

2020 Rhif 622 (Cy. 142)

ADDYSG, CYMRU

Rheoliadau Addysg (Hysbysu am Ddyddiadau Tymhorau Ysgol) (Cymru) (Diwygio) (Coronafeirws) 2020

Gwnaed	*19 Mehefin 2020*
Gosodwyd gerbron Senedd Cymru	*23 Mehefin 2020*
Yn dod i rym	*16 Gorffennaf 2020*

Mae Gweinidogion Cymru drwy arfer y pwerau a roddir iddynt gan adrannau 32A a 210 o Ddeddf Addysg 2002(**1**) yn gwneud y Rheoliadau a ganlyn:

Enwi a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Hysbysu am Ddyddiadau Tymhorau Ysgol) (Cymru) (Diwygio) (Coronafeirws) 2020 a deuant i rym ar 16 Gorffennaf 2020.

Diwygio Rheoliadau Addysg (Hysbysu am Ddyddiadau Tymhorau Ysgol) (Cymru) 2014

2. Mae rheoliad 4 o Reoliadau Addysg (Hysbysu am Ddyddiadau Tymhorau Ysgol) (Cymru) 2014(**2**) wedi ei ddiwygio fel a ganlyn—

(a) daw'r ddarpariaeth bresennol yn baragraff (1);

(b) ar ddechrau paragraff (1) mewnosoder "Yn ddarostyngedig i baragraff (2),";

(**1**) 2002 p. 32. Mewnosodwyd adran 32A gan adran 42 o Ddeddf Addysg (Cymru) 2014 (dccc 5). Diwygiwyd adran 210(7) gan adran 21(3)(c)(i) a (ii) o Fesur Teithio gan Ddysgwyr (Cymru) 2008 (mccc 2). Trosglwyddwyd swyddogaeth Cynulliad Cenedlaethol Cymru o dan adran 210 i Weinidogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).

(**2**) O.S. 2014/1249 (Cy. 130).

WELSH STATUTORY INSTRUMENTS

2020 No. 622 (W. 142)

EDUCATION, WALES

The Education (Notification of School Term Dates) (Wales) (Amendment) (Coronavirus) Regulations 2020

Made	*19 June 2020*
Laid before Senedd Cymru	*23 June 2020*
Coming into force	*16 July 2020*

The Welsh Ministers, in exercise of the powers conferred on them by sections 32A and 210 of the Education Act 2002(**1**), make the following Regulations:

Title and commencement

1. The title of these Regulations is the Education (Notification of School Term Dates) (Wales) (Amendment) (Coronavirus) Regulations 2020 and they come into force on 16 July 2020.

Amendment of the Education (Notification of School Term Dates) (Wales) Regulations 2014

2. Regulation 4 of the Education (Notification of School Term Dates) (Wales) Regulations 2014(**2**) is amended as follows—

(a) the existing provision becomes paragraph (1);

(b) at the beginning of paragraph (1) insert "Subject to paragraph (2),";

(**1**) 2002 c. 32. Section 32A was inserted by section 42 of the Education (Wales) Act 2014 (anaw 5). Section 210(7) was amended by section 21(3)(c)(i) and (ii) of the Learner Travel (Wales) Measure 2008 (nawm 2). The function of the National Assembly for Wales under section 210 was transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(**2**) S.I. 2014/1249 (W. 130).

(c) ar ôl paragraff (1) mewnosoder—

"(2) Ar gyfer y flwyddyn ysgol 2022-2023, rhaid i awdurdod lleol hysbysu Gweinidogion Cymru am yr holl ddyddiadau tymhorau y penderfynwyd arnynt ar gyfer yr ysgolion a gynhelir yn ei ardal ar gyfer y flwyddyn ysgol honno heb fod yn hwyrach na 31 Rhagfyr 2020. "

(c) after paragraph (1) insert—

"(2) For the school year 2022-2023, a local authority must notify the Welsh Ministers of all term dates which have been determined for the maintained schools in its area for that school year no later than 31 December 2020."

Kirsty Williams

Y Gweinidog Addysg, un o Weinidogion Cymru
19 Mehefin 2020

Minister for Education, one of the Welsh Ministers
19 June 2020

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