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CYMRU

WELSH STATUTORY
INSTRUMENTS

2020 Rhif 623 (Cy. 143)

2020 No. 623 (W. 143)

ADDYSG, CYMRU

EDUCATION, WALES

Rheoliadau Addysg (Trefniadau
Sefydlu ar gyfer Athrawon Ysgol)
(Cymru) (Diwygio) (Coronafeirws)
2020

The Education (Induction
Arrangements for School Teachers)
(Wales) (Amendment)
(Coronavirus) Regulations 2020

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Addysg (Trefniadau Sefydlu ar gyfer Athrawon Ysgol) (Cymru) 2015 (O.S. 2015/484 (Cy. 41)) ("Rheoliadau 2015"). Mae Rheoliadau 2015, ynghyd ag adrannau 17 a 19 o Ddeddf Addysg (Cymru) 2014 ("Deddf 2014"), yn ymdrin â'r gofynion i athrawon ysgol ymgymryd â chyfnod sefydlu.

Mae rheoliadau 3 a 4 yn darparu y bydd rheoliadau 5 i 9 yn parhau i gael effaith ar ôl i'r Rheoliadau hyn ddod i ben o dan amgylchiadau cyfyngedig sydd wedi eu rhagnodi. Fel arall, bydd y Rheoliadau hyn yn dod i ben ar 31 Awst 2021, fel y darperir ar ei gyfer yn rheoliad 2.

Bydd yn ofynnol i Weinidogion Cymru adolygu effeithiolrwydd y Rheoliadau hyn yn ystod y cyfnod y maent yn cael effaith (rheoliad 2).

Mae'r Rheoliadau hyn yn diwygio Rheoliadau 2015 mewn dwy ffordd:

(1) Maent yn caniatáu i'r corff priodol leihau'r cyfnod sefydlu y mae'n ofynnol i'r person ymgymryd ag ef i isafswm o 110 o sesiynau ysgol ar yr amod bod y person yn cydsynio (gweler rheoliad 8). Bydd yn dal yn ofynnol i'r person gyrraedd y safonau a grybwyllir yn adran 18 o Ddeddf 2014.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2015 (S.I. 2015/484 (W. 41)) ("the 2015 Regulations"). The 2015 Regulations, together with sections 17 and 19 of the Education (Wales) Act 2014 ("the 2014 Act"), deal with the requirements for school teachers to undertake a period of induction.

Regulations 3 and 4 provide that regulations 5 to 9 will continue to have effect following the expiry of these Regulations in prescribed, limited circumstances. Otherwise, as provided for by in regulation 2, these Regulations will expire on 31 August 2021.

The Welsh Ministers will be required to review the effectiveness of these Regulations during the period they have effect (regulation 2).

These Regulations amend the 2015 regulations in two ways:

(1) They allow the appropriate body to reduce the induction period which the person is required to serve to a minimum of 110 school sessions provided the person consents (see regulation 8). The person will still be required to achieve the standards mentioned in section 18 of the 2014 Act.

(2) Mae rheoliad 8(d) yn mewnosod rheoliad newydd 8(6) a 8(7) yn Rheoliadau 2015. Mae'r rheoliadau yma yn caniatáu i sesiynau dysgu proffesiynol gyfrif tuag at gyfnod sefydlu person, ar yr amod bod y sesiynau hynny yn bodloni'r amodau a nodir yn rheoliad newydd 7A (gweler rheoliad 7). Ni chaiff y sesiynau dysgu proffesiynol hynny fod yn fwy nag 16% o hyd cyfan cyfnod sefydlu.

Ystyrir bod y Rheoliadau hyn yn angenrheidiol am ei bod yn bosibl na fydd athrawon newydd gymhwyso wedi gallu mynychu ysgol er mwyn cwblhau eu cyfnod sefydlu yn sgil lledaeniad coronafeirws syndrom anadlol aciwt difrifol 2 (SARS-CoV-2) yng Nghymru.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau 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 gangen Addysgeg, Safonau Proffesiynol a Safon Uwch, Is-adran Addysgeg, Arweinyddiaeth a Dysgu Proffesiynol, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ neu inductioninfo@llyw.cymru.

(2) Regulation 8(d) inserts a new regulation 8(6) and 8(7) into the 2015 Regulations. These regulations allow sessions of professional learning to count towards a person's induction period, provided those sessions meet the conditions set out in new regulation 7A (see regulation 7). These professional learning sessions must not exceed 16% of the total length of the induction period.

These Regulations are considered necessary as newly qualified teachers may not have been able to attend a school in order to complete their induction period due to spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales.

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 as to the likely costs and benefits of complying with these Regulations has been undertaken and a copy can be obtained from the Pedagogy, Professional Standards and A level branch, the Pedagogy, Leadership and Professional Learning Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ or inductioninfo@gov.wales.

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**Rheoliadau Addysg (Trefniadau
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**The Education (Induction
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(Wales) (Amendment)
(Coronavirus) Regulations 2020**

Gwnaed 22 Mehefin 2020
Gosodwyd gerbron *Senedd*
Cymru 23 Mehefin 2020
Yn dod i rym 15 Gorffennaf 2020

Made 22 June 2020
Laid before Senedd Cymru 23 June 2020
Coming into force 15 July 2020

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir iddynt gan adrannau 17 a 47(1) o Ddeddf Addysg (Cymru) 2014(1).

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by sections 17 and 47(1) of the Education (Wales) Act 2014(1).

Enwi, dod i rym a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Trefniadau Sefydlu ar gyfer Athrawon Ysgol) (Cymru) (Diwygio) (Coronafeirws) 2020.

(2) Daw'r Rheoliadau hyn i rym ar 15 Gorffennaf 2020.

(3) Yn y Rheoliadau hyn, ystyr "Rheoliadau 2015" yw Rheoliadau Addysg (Trefniadau Sefydlu ar gyfer Athrawon Ysgol) (Cymru) 2015(2).

Adolygu rheoliadau 5 i 9 a pha bryd y deuant i ben

2.—(1) Rhaid i Weinidogion Cymru adolygu effeithiolrwydd rheoliadau 5 i 9 yn ystod y cyfnod y maent yn cael effaith.

(2) Yn ddarostyngedig i reoliadau 3 a 4, mae rheoliadau 5 i 9 yn peidio â chael effaith ar 31 Awst 2021.

Title, coming into force and interpretation

1.—(1) The title of these Regulations is the Education (Induction Arrangements for School Teachers) (Wales) (Amendment) (Coronavirus) Regulations 2020.

(2) These Regulations come into force on 15 July 2020.

(3) In these Regulations, "the 2015 Regulations" means the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2015(2).

Review and the expiry of regulations 5 to 9

2.—(1) The Welsh Ministers must review the effectiveness of regulations 5 to 9 during the period for which they have effect.

(2) Subject to regulations 3 and 4, regulations 5 to 9 cease to have effect on 31 August 2021.

(1) 2014 decc 5.
(2) O.S. 2015/484 (Cy. 41).

(1) 2014 anaw 5.
(2) S.I. 2015/484 (W. 41).

Darpariaethau arbed

3. Pan fo person yn ymgymryd â sesiwn dysgu proffesiynol sy'n bodloni amodau rheoliad 7A o Reoliadau 2015 (fel y'i mewnosodir gan reoliad 7) yna caiff sesiynau o'r fath gyfrif tuag at gyfnod sefydlu'r person hwnnw fel pe baent yn sesiynau ysgol ar ôl i'r Rheoliadau hyn ddod i ben ar yr amod bod uchafswm o 18 o sesiynau o'r fath.

4. Nid yw'r ffaith bod rheoliadau 5 i 9 o dan reoliad 2 wedi dod i ben yn effeithio ar ddilysrwydd unrhyw beth a wneir yn unol â'r darpariaethau hyn cyn y dyddiad dod i ben.

Diwygio Rheoliadau 2015

5. Mae Rheoliadau 2015 wedi eu diwygio fel a ganlyn.

6. Yn rheoliad 3(2)(b) ar ôl "(gan gynnwys, yn unig, gyfnodau o gyflogaeth sy'n cyfrif tuag at gyfnod sefydlu o dan reoliad 9)" mewnosoder "neu reoliad 8(5) (penderfyniad corff priodol pan fo'r safonau wedi eu cyrraedd)".

7. Ar ôl rheoliad 7 mewnosoder—

"Dysgu proffesiynol a gaiff gyfrif tuag at gyfnod sefydlu

7A. Caiff sesiwn dysgu proffesiynol y mae person yn ymgymryd ag ef gyfrif tuag at gyfnod sefydlu'r person hwnnw pan—

- (a) ymgymerir â'r sesiwn dysgu proffesiynol rhwng 26 Mawrth 2020 ac 31 Awst 2021,
- (b) bo'r sesiwn dysgu proffesiynol yn isafswm o 3 awr (boed yn olynol ai peidio), ac
- (c) bo'r sesiwn dysgu proffesiynol wedi ei gymeradwyo gan y corff priodol."

8. Yn rheoliad 8—

- (a) Ym mharagraff (1), ar ôl "a (4)" mewnosoder "a (5)";
- (b) Ar ôl is-baragraff (3)(e) mewnosoder—
" (f) pan fo paragraff (5) yn gymwys. ";
- (c) Yn is-baragraff (4)(b) yn lle "ym mhob achos arall" rhodder "pan fo paragraff (3)(a), (b), (c) neu (e) yn gymwys";

Saving provisions

3. Where a person undertakes a session of professional learning which satisfies the conditions of regulation 7A of the 2015 Regulations (as inserted by regulation 7) then such sessions may count towards that person's induction period as if they were school sessions after the expiry of these Regulations provided that the maximum number of such sessions is 18.

4. The expiry of regulations 5 to 9 under regulation 2 does not affect the validity of anything done in accordance with these provisions before the expiry date.

Amendment of the 2015 Regulations

5. The 2015 Regulations are amended as follows.

6. In regulation 3(2)(b) after "(comprising only periods of employment which count towards an induction period under regulation 9)" insert "or regulation 8(5) (appropriate body determination where standards met)".

7. After regulation 7 insert—

"Professional learning that may count towards an induction period

7A. A session of professional learning undertaken by a person may count towards that person's induction period where that session of professional learning is—

- (a) undertaken between 26 March 2020 and 31 August 2021,
- (b) a minimum of 3 hours (whether consecutive or not), and
- (c) approved by the appropriate body."

8. In regulation 8—

- (a) In paragraph (1), after "and (4)" insert "and (5)";
- (b) After sub-paragraph (3)(e) insert—
" (f) where paragraph (5) applies. ";
- (c) In sub-paragraph (4)(b) for "in all other cases" substitute "where paragraph (3)(a), (b), (c) or (e) applies";

(d) Ar ôl paragraff (4) mewnosoder—

“(5) Caiff y corff priodol, gyda chydysniad y person o dan sylw, leihau hyd y cyfnod sefydlu y mae'n ofynnol i'r person ymgymryd ag ef i isafswm o 110 o sesiynau ysgol os yw'r corff priodol wedi ei fodloni bod y person wedi cyrraedd y safonau a grybwyllir yn adran 18 o Ddeddf 2014.

(6) Ym mharagraffau (4) a (5) caiff “sesiwn ysgol” gynnwys sesiwn dysgu proffesiynol sy'n bodloni'r amodau yn rheoliad 7A.

(7) Ni chaiff y sesiynau dysgu proffesiynol a gaiff gyfrif fel sesiynau ysgol fod yn fwy na 16% o hyd cyfan cyfnod sefydlu.”

9. Yn rheoliad 13 (cwblhau cyfnod sefydlu) —

(a) Ar ôl is-baragraff (1)(b) mewnosoder—

“(c) os yw'r person hwnnw wedi ymgymryd â sesiwn dysgu proffesiynol y cyfeirir ati yn rheoliad 7A pan gwblheir y cyfnod sefydlu.”

(d) After paragraph (4) insert—

“(5) The appropriate body may, with the consent of the person concerned, reduce the length of an induction period which the person is required to serve to a minimum of 110 school sessions if the appropriate body is satisfied that the person has achieved the standards mentioned in section 18 of the 2014 Act.

(6) In paragraphs (4) and (5) a “school session” may include a session of professional learning that satisfies the conditions of regulation 7A.

(7) The sessions of professional learning that may count as school sessions must not exceed 16% of the total length of an induction period.”

9. In regulation 13 (completion of an induction period) —

(a) After sub-paragraph (1)(b) insert—

“(c) at the completion of the induction period, that person has undertaken a session of professional learning referred to in regulation 7A.”

Kirsty Williams

Y Gweinidog Addysg, un o Weinidogion Cymru
22 Mehefin 2020

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

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