



Diwygiadau a diwygiadau arfaethedig i Faes 5, Atodlen 5 i *Ddeddf Llywodraeth Cymru 2006*

Maes: **Addysg a hyfforddiant**

Diweddarwyd: 23 January 2008

Mae'r ddogfen hon yn rhestru'r diwygiadau a wnaed i **Faes 5** yn Atodlen 5 i [Ddeddf Llywodraeth Cymru 2006](#) (Deddf 2006) (Saesneg yn unig), ynghyd â'r diwygiadau arfaethedig. Mae'r maes hwn yn ymwneud ag **addysg a hyfforddiant**.

Ceir gwybodaeth am ddiwygiadau eraill i Ddeddf 2006, tu allan i Faes 5, os ydynt yn effeithio ar yr hawl i ddeddfu ar Fater ym Maes 5. Ceir gwybodaeth hefyd am ffynhonnell pob diwygiad, ynghyd â'r diweddaraf am hynt unrhyw gynnig, os yw'n briodol. Mae'r materion wedi'u grwpio yn ôl y ddeddfwriaeth sy'n diwygio Deddf 2006, neu sy'n cynnig ei diwygio.

Mae'r '**Materion a Eithrir**' ar gael fel 'Nodyn Tracio Pwerau'r Cynulliad' ar wahân.

- (P) Yn nodi bod Mater, neu grŵp o Faterion, wedi'i gynnig ond nad yw wedi dod i rym hyd yma.

Cynnwys

Defnyddiwch y lincs isod i weld y Mater perthnasol.

[Materion 5.1 – 5.10](#)

- 5.1 [Categori ysgol](#)
- 5.2 [Sefydlu ysgolion a'u dirwyn i ben](#)
- 5.3 [Derbyn disgyblion](#)
- 5.4 [Cwricwlwm](#)
- 5.5 [Presenoldeb, ymddygiad, disgyblaeth a gwahardd](#)
- 5.6 [Darpariaeth ar gyfer y rhai a gaiff eu gwahardd o'r ysgol](#)
- 5.7 [Hawl i addysg gynradd, uwchradd a phellach](#)
- 5.8 [Gwasanaethau i annog ac i alluogi cyfranogiad](#)
- 5.9 [Bwyd a diod](#)
- 5.10 [Teithio](#)

Mater 10A

5.10A [Arolygu o addysg a hyfforddiant i blant o oed ysgol orfodol](#)

5.11 – 5.16 Addysg bellach a hyfforddiant

5.11 [Darparu cyfleusterau ar gyfer addysg a hyfforddiant ôl 16](#)

5.12 [Sefydlu sefydliadau a'u dirwyn i ben](#)

5.13 [Cydweithio rhwng cyrff sy'n cynnal sefydliadau Addysg Bellach](#)

5.14 [Adnoddau ariannol](#)

5.15 [Arolygu](#)

5.16 [Darparu cyngor a gwybodaeth](#)

5.17 Anghenion dysgu ychwanegol (P)

5.17 [Anghenion dysgu ychwanegol](#)

Dehongli'r maes hwn

Materion 5.1 – 5.10

[Brig](#)

Statws:	Deddf 2006 wedi'i diwygio
Ffynhonnell:	Offeryn Statudol Cynulliad Cenedlaethol Cymru Mewnosodwyd materion 5.1 i 5.10 gan The National Assembly for Wales (Legislative Competence) (Conversion of Framework Powers) Order 2007 .
Gwybodaeth ddiweddaraf:	Eithriadau i Fater 5.10 Mae Erthyglau 2(2) a 2(4) o Orchymyn Cynulliad Cenedlaethol Cymru (Cymhwysedd Deddfwriaethol) (Rhif 2) 2007 (y Gorchymyn Rhif 2) yn cynnig symud y materion eithriedig a restrir dan Fater 5.10 i dabl newydd o faterion eithriedig ar ôl Maes 20. Yn ogystal â symud y materion eithriedig i dabl newydd, mae'r Gorchymyn Rhif 2 arfaethedig yn cynnig newid y mater eithriedig ynglŷn â phorthladdoedd. Mae wedi ei restru ar hyn o bryd dan isadran (n) o Fater 5.10 (gweler isod). Mae'r fersiwn sydd newydd ei gynnig ar gael yn y tabl o faterion eithriedig, yn y Gorchymyn Rhif 2, fel eithriad rhif 15. Nid yw'r newid hwn yn effeithio ar gynnwys yr eithriad, mewn perthynas â Mater 5.10.

Matter 5.1

Provision about the categories of school that may be maintained by local education authorities.

Matter 5.2

Provision about the establishment and discontinuance of schools maintained by local education authorities, their change from one category to another and their alteration in other respects.

Matter 5.3

Provision about the admission of pupils to schools maintained by local education authorities.

Matter 5.4

Provision about the curriculum in schools maintained by local education authorities.

Matter 5.5

Provision about school attendance, the behaviour of pupils at school, school discipline and the exclusion of pupils from school (including the duties of parents in connection with those matters).

[Brig](#)

Matter 5.6

Provision about the making of arrangements for the provision of education for persons of compulsory school age who have been excluded from schools or who for any other reason would not otherwise receive suitable education.

Matter 5.7

Provision about entitlement to primary, secondary and further education and to training.

Matter 5.8

Provision about the provision of services that are intended to encourage, enable or assist people—

- (a) to participate effectively in education or training,
- (b) to take advantage of opportunities for employment, or
- (c) to participate effectively in the life of their communities.

Matter 5.9

Provision about food and drink provided on school premises or provided for children at a place where they receive education or childcare.

Matter 5.10

Provision about the travel of persons receiving primary, secondary or further education or training to and from the schools or other places where they receive it.

This does not include provision about any of the following—

- (a) the regulation of the use of motor vehicles on roads, their construction and equipment and conditions under which they may be so used;
- (b) road traffic offences;
- (c) driver licensing;
- (d) driving instruction;
- (e) insurance of motor vehicles;
- (f) drivers' hours;
- (g) traffic regulation on special roads, pedestrian crossings, traffic signs and speed limits;
- (h) public service vehicle operator licensing;
- (i) the provision and regulation of railway services, apart from financial assistance which—
 - (i) does not relate to the carriage of goods,
 - (ii) is not made in connection with a railway administration order, and
 - (iii) is not made in connection with Council Regulation (EEC) 1191/69 as amended by Council Regulation (EEC) No. 1893/91 on public service obligations in transport;

[Brig](#)

- (j) transport security;
- (k) shipping, apart from financial assistance for shipping services to, from or within Wales;
- (l) navigational rights and freedoms, apart from regulation of works which may obstruct or endanger navigation;
- (m) technical and safety standards of vessels;
- (n) harbours, docks, piers and boatslips, apart from those used or required wholly or mainly for communications between places in Wales;
- (o) registration of local bus services, and the application and enforcement of traffic regulation conditions in relation to those services.

Mater 10A

[Brig](#)

Statws:	Wedi'i gynnig (dygwyd ymlaen gan y Llywodraeth DU)
Ffynhonnell:	Mesur Seneddol DU Mae adran 132 o'r Education and Skills Bill yn cynnig mewnosod Mater 5.10A ym Maes 5, Atodlen 5 i <i>Ddeddf Llywodraeth Cymru 2006</i> .
Gwybodaeth ddiweddaraf:	Cafodd y Mesur ei ail ddarlleniad ar 14 Ionawr 2008. Mae'r nodyn esboniadol yn darparu mwy o wybodaeth. Cewch ragor o wybodaeth am hynt y Mesur yma .

Matter 5.10A

The inspection of education or training provided (whether or not at a school) for children who are not above compulsory school age.

[Brig](#)

Materion 5.11 – 5.16 (Addysg bellach)

[Brig](#)

Statws:	Mewn grym (Cychwyn ar 23 Rhagfyr 2007 (dyddiad dros dro))
Ffynhonnell:	Deddf Seneddol DU Bydd y ' Further Education and Training Act 2007 ' yn mewnosod Materion 5.11 i 5.16 .
Gwybodaeth ddiweddaraf:	Cafodd y ' Further Education and Training Act 2007 (chapter 25) ' Cydsyniad Brenhinol ar 23 Hydref 2007 . Mae'r Adran sydd yn ychwanegu Materion 5.11 i 5.16 yn cychwyn ar 23 Rhagfyr 2007 (dyddiad dros dro).

Matter 5.11

Provision for and in connection with securing the provision of facilities for post-16 education or training.

Matter 5.12

Provision for and in connection with the establishment and dissolution of—

- (a) institutions concerned with the provision of further education, and
- (b) bodies that conduct such institutions, including the circumstances in which an educational institution becomes or ceases to be an institution concerned with the provision of further education.

Provision about—

- (a) the conduct and functions of such institutions and bodies that conduct such institutions;
- (b) the property, rights and liabilities of such institutions and bodies that conduct such institutions;
- (c) property held by any person for the purposes of such an institution;
- (d) the governance and staff of such institutions.

Matter 5.13

Provision for and in connection with securing collaboration—

- (a) between bodies that conduct institutions concerned with the provision of further education, or
- (b) between one or more such bodies and other persons or bodies that have functions relating to education or training in Wales, including, in particular, provision for and in connection with the establishment of bodies for the purpose of discharging functions on behalf of one or more persons or bodies that are party to arrangements for collaboration.

[Brig](#)

Matter 5.14

The provision of financial resources for and in connection with—

- (a) education or training provided by institutions concerned with the provision of further education;
- (b) post-16 education or training provided otherwise than by such institutions;
- (c) the carrying out of research relating to education or training falling within paragraph (a) or (b).

Matter 5.15

The inspection of—

- (a) education or training provided by institutions concerned with the provision of further education;
- (b) post-16 education or training provided otherwise than by such institutions;
- (c) the training of teachers and specialist teaching assistants for schools;
- (d) services of the kinds mentioned in matter 5.8.

Matter 5.16

The provision of advice and information in connection with, and the carrying out of studies in relation to, any of the kinds of education, training or services mentioned in matter 5.15.

[Brig](#)

Mater 5.17 Anghenion dysgu ychwanegol

[Brig](#)

Statws:	Wedi'i gynnig (dygwyd ymlaen gan y Llywodraeth Cynulliad Cymru)
Ffynhonnell:	Gorchymyn Cymhwysedd Deddfwriaethol Arfaethedig Cynulliad Cenedlaethol Cymru Mae'r Gorchymyn arfaethedig, Gorchymyn Cynulliad Cenedlaethol Cymru (Cymhwysedd Deddfwriaethol)2007 , yn cynnig ychwanegu Mater 5.17 .
Gwybodaeth ddiweddaraf:	Y Cynulliad Gosodwyd y Gorchymyn a'r Memorandwm Esboniadol gerbron y Cynulliad Cenedlaethol ar 11 Mehefin 2007. Sefydlwyd pwyllgor deddfwriaethol i graffu ar yr Orchymyn Cymhwysedd Deddfwriaethol Arfaethedig yma. Gosodwyd y Pwyllgor ei adroddiad ar y gorchymyn arfaethedig ar 28 Tachwedd 2007. Cewch bapurau'r cyfarfod yma . San Steffan Mae'r Pwyllgor Dethol ar Faterion Cymreig wedi galw am dystiolaeth er mwyn clywed barn rhanddeiliaid am y cynigion a geir yn y Gorchymyn arfaethedig. Mae'r ymgynghoriad yma nawr ar gau. Mae'r Pwyllgor wedi casglu tystiolaeth oddi wrth yr Is-Ysgrifennydd Gwladol Cymru, Huw Irranca-Davies AS yn ei chyfarfod ar 7 Tachwedd 2007. Mae'r Pwyllgor wedi casglu tystiolaeth oddi wrth y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau, Jane Hutt AC yn ei chyfarfod ar 21 Tachwedd 2007. Cyhoeddwyd Pwyllgor Dethol ar Faterion Cymreig ei adroddiad ar y GCD arfaethedig ar 21 December 2007. Mae'r Gorchymyn Arfaethedig wedi'i ystyriaeth gan y Pwyllgor Cyfansoddiad Tŷ'r Arglwyddi.

Matter 5.17

Education and training for—

- (a) persons who have a greater difficulty in learning than the majority of persons of the same age as those persons;
- (b) persons who have a disability.

A person has a disability for the purposes of this matter if that person has a physical or mental impairment.

This matter does not include travel arrangements for persons receiving education or training to and from the places where they receive it.

[Brig](#)

Dehongli'r maes hwn (Interpretation of this field)

Brig

Yn unol â'r [National Assembly for Wales \(Legislative Competence\) \(Conversion of Framework Powers\) Order 2007](#), ychwanegwyd y teitl 'Interpretation of this field'. O dan y teitl hwn, ychwanegwyd y testun a ganlyn hefyd: 'Expressions used in this field and in the Education Act 1996 have the same meaning in this field as in that Act.'

Bydd y [Further Education and Training Act 2007](#) yn ychwanegu'r testun isod yn union islaw'r teitl 'Interpretation of this field':

"post-16 education" means—

- (a) education (other than higher education) suitable to the requirements of persons who are above compulsory school age, and
- (b) organised leisure-time occupation connected with such education;

"post-16 training" means—

- (a) training suitable to the requirements of persons who are above compulsory school age, and
- (b) organised leisure-time occupation connected with such training.

References in this field to an institution concerned with the provision of further education are references to an educational institution, other than a school or an institution within the higher education sector (within the meaning of the Further and Higher Education Act 1992), that is conducted (whether or not exclusively) for the purpose of providing further education.

[Expressions used in this field and in the Education Act 1996 have the same meaning in this field as in that Act.]*

* *Daw'r paragraff olaf o'r* [National Assembly for Wales \(Legislative Competence\) \(Conversion of Framework Powers\) Order 2007](#)

Brig