



RHESTR O WELLIANNAU MEWN TREFN MARSHALLED LIST OF AMENDMENTS

Mesur Arfaethedig ynghylch Dysgu a Sgiliau (Cymru) Proposed Learning and Skills (Wales) Measure

Mae'r gwelliannau â * ar eu bwys yn rhai newydd neu'n rhai sydd wedi'u haddasu
Amendments marked * are new or have been altered

Caiff y Mesur ei ystyried yn y drefn a ganlyn –
The Measure will be considered in the following order –

Sections 1-44	Adrannau 1-44
Schedule	Atodlen
Sections 45-47	Adrannau 45-47
New Sections	Adrannau Newydd
Long Title	Teitl Hir

John Griffiths

1

Section 4A, page 6, line 38, after 'access to', insert 'and availability of'.

Adran 4A, tudalen 6, llinell 35, ar ôl 'access to', ychwanegwch 'and availability of'.

John Griffiths

2

Section 6, page 7, line 39, leave out 'as to the period during which elections are to be made' and insert –

' –

- (a) specifying the maximum number of courses of study of a particular type that a pupil has the right to elect to follow;
- (b) identifying points to be allotted to courses of study and preventing a pupil from having the right to elect to follow a combination of courses of study if their aggregate points exceed a specified amount;
- (c) as to the period during which elections are to be made.'

Adran 6, tudalen 7, llinell 37, gadewch allan 'as to the period during which elections are to be made' a rhwch yn ei le –

' –

- (a) specifying the maximum number of courses of study of a particular type that a pupil has the right to elect to follow;
- (b) identifying points to be allotted to courses of study and preventing a pupil from having the right to elect to follow a combination of courses of study if their aggregate points exceed a specified amount;
- (c) as to the period during which elections are to be made.'

Paul Davies

28

Supported by / Gyda chefnogaeth: Jenny Randerson

Section 6, page 7, after line 40, insert –

' () In exercising their rights under this section, pupils have the right to choose whetherto follow courses through the medium of Welsh or English.'

Adran 6, tudalen 7, ar ôl llinell 38, ychwanegwch –

' () In exercising their rights under this section, pupils have the right to choose whether to follow courses through the medium of Welsh or English.'

John Griffiths

3

Section 8, page 9, line 4, leave out 'any body or' and insert 'governing body or other'.

Adran 8, tudalen 9, llinell 6, gadewch allan 'any body or' a rhwch yn ei le 'governing body or other'.

John Griffiths

4

Section 8, page 9, line 7, leave out 'his or her' and insert 'their'.

Adran 8, tudalen 9, llinell 9, gadewch allan 'his or her' a rhowch yn ei le 'their'.

John Griffiths

5

Section 10, page 10, line 3, leave out 'any body or' and insert 'governing body or other'.

Adran 10, tudalen 10, llinell 4, gadewch allan 'any body or' a rhowch yn ei le 'governing body or other'.

John Griffiths

6

Section 10, page 10, line 6, leave out 'his or her' and insert 'their'.

Adran 10, tudalen 10, llinell 7, gadewch allan 'his or her' a rhowch yn ei le 'their'.

John Griffiths

7

Section 11, page 10, leave out lines 30 to 35.

Adran 11, tudalen 10, gadewch allan linellau 31 i 36.

Jenny Randerson

33

Supported by / Gyda chefnogaeth: Paul Davies

Section 11, page 10, after line 32, insert -

- () In planning the local curriculum or curricula, the persons mentioned in subsection (1) must have regard to the need to ensure that all students have the ability to read, write, or speak in English or Welsh and to use mathematics at a level necessary to function and progress both in work and society.'

Adran 11, tudalen 10, ar ôl llinell 33, ychwanegwch -

- () In planning the local curriculum or curricula, the persons mentioned in subsection (1) must have regard to the need to ensure that all students have the ability to read, write, or speak in English or Welsh and to use mathematics at a level necessary to function and progress both in work and society.'

Jenny Randerson

35

Supported by / Gyda chefnogaeth: Paul Davies

Section 11, page 10, after line 32, insert -

- () In planning the local curriculum or curricula, the persons mentioned in subsection (1) must consult those representatives of the business sector, work-based learning providers and students that the local education authority considers appropriate.’.

Adran 11, tudalen 10, ar ôl llinell 33, ychwanegwch -

- () In planning the local curriculum or curricula, the persons mentioned in subsection (1) must consult those representatives of the business sector, work-based learning providers and students that the local education authority considers appropriate.’.

John Griffiths

8

Section 12, page 11, line 7, leave out ‘given due and proper consideration to’ and insert ‘considered’.

Adran 12, tudalen 11, llinell 8, gadewch allan ‘given due and proper consideration to’ a rhowch yn ei le ‘considered’.

Paul Davies

25

Supported by / Gyda chefnogaeth: Jenny Randerson

Section 13, page 12, after line 12, insert -

- () Welsh Ministers must issue guidance connected with the application of the Safeguarding Vulnerable Groups Act 2006 to children at premises (other than schools) that they attend pursuant to the local curriculum.’.

Adran 13, tudalen 12, ar ôl llinell 15, ychwanegwch -

- () Welsh Ministers must issue guidance connected with the application of the Safeguarding Vulnerable Groups Act 2006 to children at premises (other than schools) that they attend pursuant to the local curriculum.’.

John Griffiths

9

Section 21A, page 15, line 7, after ‘access to’, insert ‘and availability of’.

Adran 21A, tudalen 15, llinell 10, ar ôl ‘access to’, ychwanegwch ‘and availability of’.

Paul Davies 30

Supported by / Gyda chefnogaeth: Jenny Randerson

Section 24, page 16, leave out lines 11 to 15.

Adran 24, tudalen 16, gadewch allan linellau 11 i 15.

Paul Davies 29

Supported by / Gyda chefnogaeth: Jenny Randerson

Section 24, page 16, after line 39, insert –

() In exercising their rights under this section, pupils have the right to choose whether to follow courses through the medium of Welsh or English.’.

Adran 24, tudalen 16, ar ôl llinell 39, ychwanegwch –

() In exercising their rights under this section, pupils have the right to choose whether to follow courses through the medium of Welsh or English.’.

John Griffiths 10

Section 26, page 18, line 4, leave out ‘his or her’ and insert ‘their’.

Adran 26, tudalen 18, llinell 4, gadewch allan ‘his or her’ a rhowch yn ei le ‘their’.

John Griffiths 11

Section 28, page 19, line 2, leave out ‘his or her’ and insert ‘their’.

Adran 28, tudalen 19, line 2, gadewch allan ‘his or her’ a rhowch yn ei le ‘their’.

Paul Davies 24

Supported by / Gyda chefnogaeth: Jenny Randerson

Section 29, page 19, after line 25, insert –

() Local education authorities, and the persons specified in subsection (1), may assist with the planning of the local curricula for neighbouring local authority areas.’.

Adran 29, tudalen 19, ar ôl llinell 32, ychwanegwch -

- ‘() Local education authorities, and the persons specified in subsection (1), may assist with the planning of the local curricula for neighbouring local authority areas.’.

Jenny Randerson

31

Supported by / Gyda chefnogaeth: Paul Davies

Section 29, page 19, after line 25, insert -

- ‘() In planning the local curriculum or curricula, the persons mentioned in subsection (1) must take into account the requirements of those with Additional Learning Needs.’.

Adran 29, tudalen 19, ar ôl llinell 32, ychwanegwch -

- ‘() In planning the local curriculum or curricula, the persons mentioned in subsection (1) must take into account the requirements of those with Additional Learning Needs.’.

Jenny Randerson

34

Supported by / Gyda chefnogaeth: Paul Davies

Section 29, page 19, after line 25, insert -

- ‘() In planning the local curriculum or curricula, the persons mentioned in subsection (1) must have regard to the need to ensure that all students have the ability to read, write, or speak in English or Welsh and to use mathematics at a level necessary to function and progress both in work and society.’.

Adran 29, tudalen 19, ar ôl llinell 32, ychwanegwch -

- ‘() In planning the local curriculum or curricula, the persons mentioned in subsection (1) must have regard to the need to ensure that all students have the ability to read, write, or speak in English or Welsh and to use mathematics at a level necessary to function and progress both in work and society.’.

Jenny Randerson

36

Supported by / Gyda chefnogaeth: Paul Davies

Section 29, page 19, after line 25, insert -

- ‘() In planning the local curriculum or curricula, the persons mentioned in subsection (1) must consult those representatives of the business sector, work-based learning providers and students that the local education authority considers appropriate.’.

Adran 29, tudalen 19, ar ôl llinell 32, ychwanegwch -

- () In planning the local curriculum or curricula, the persons mentioned in subsection (1) must consult those representatives of the business sector, work-based learning providers and students that the local education authority considers appropriate.’.

John Griffiths

12

Section 30, page 19, line 35, leave out ‘given due and proper consideration to’ and insert ‘considered’.

Adran 30, tudalen 20, llinell 7, gadewch allan ‘given due and proper consideration to’ a rhowch yn ei le ‘considered’.

Paul Davies

26

Supported by / Gyda chefnogaeth: Jenny Randerson

Section 31, page 21, after line 12, insert -

- () Welsh Ministers must issue guidance connected with the application of the Safeguarding Vulnerable Groups Act 2006 to children at premises (other than schools) that they attend pursuant to the local curriculum.’.

Adran 31, tudalen 21, ar ôl llinell 23, ychwanegwch -

- () Welsh Ministers must issue guidance connected with the application of the Safeguarding Vulnerable Groups Act 2006 to children at premises (other than schools) that they attend pursuant to the local curriculum.’.

John Griffiths

13

Section 33, page 22, line 14, leave out ‘and 33O’ and insert ‘,33O and 33[]’.

Adran 33, tudalen 22, llinell 28, gadewch allan ‘and 33O’ a rhowch yn ei le ‘,33O and 33[]’.

John Griffiths

14

Section 35, page 22, line 26, after ‘33K’, insert ‘,33M and 33N’.

Adran 35, tudalen 23, llinell 1, ar ôl ‘33K’, ychwanegwch ‘, 33M and 33N’.

John Griffiths

15

Section 36, page 23, line 4, leave out 'or 33O' and insert ', 33O or 33[]'.

Adran 36, tudalen 23, llinell 19, gadewch allan 'or 33O' a rhwch yn ei le ', 33O or 33[]'.

Jenny Randerson

32

Supported by / Gyda chefnogaeth: Paul Davies

Section 37, page 23, after line 36, insert -

'() must include a requirement to make advice to young persons equally available in the Welsh and English languages.'

Adran 37, tudalen 24, llinell 7, gadewch allan "Caniateir i gyfarwyddyd" a rhwch yn ei le "Mae cyfarwyddyd".

Adran 37, tudalen 24, ar ddechrau llinell 8, ychwanegwch "yn cael".

Adran 37, tudalen 24, ar ddechrau llinell 11, ychwanegwch "yn cael".

Adran 37, tudalen 24, ar ddechrau llinell 13, ychwanegwch "yn cael".

Adran 37, tudalen 24, ar ôl llinell 15, ychwanegwch -

'() yn gorfod cynnwys gofyniad i'w gwneud yn ofynnol bod cyngor i bobl ifanc ar gael yn gyfartal yn y Gymraeg a'r Saesneg.'

John Griffiths

16

Section 41, page 26, after line 2, insert -

"registered pupil" ("*disgybl cofrestredig*") has the same meaning as in section 434 of the Education Act 1996;'

Adran 41, tudalen 26, ar ôl llinell 11, ychwanegwch -

'mae i "*disgybl cofrestredig*" yr ystyr a roddir i "registered pupil" yn adran 434 o Ddeddf Addysg 1996 (p. 56);'

John Griffiths

17

Section 43, page 27, line 21, leave out 'registered pupil of a school or a registered parent of such a' and insert 'pupil or registered pupil of a school or a registered parent of a registered'.

Adran 43, tudalen 28, llinell 9, gadewch allan 'cofrestrredig ysgol neu riant cofrestredig disgybl o'r fath' a rhwch yn ei le 'neu ddisgybl cofrestredig ysgol neu riant cofrestredig disgybl cofrestredig'.

John Griffiths

18

Section 43, page 27, after line 25, insert --

- ‘(vii) a person who is admitted to or has been refused admission to a school;
- (viii) applying for admission to a school, offering to admit a person to a school, accepting or refusing to accept an application for admission to a school or determining admissions to a school;
- (ix) a person who has made a decision as to the school at which education is to be provided for a child;
- (x) a person in respect of whom charges may be made in respect of admission to a maintained school.’.

Adran 43, tudalen 28, ar ôl llinell 13, ychwanegwch --

- ‘(vii) yn un sy’n cael ei dderbyn i ysgol neu y gwrthodwyd ei dderbyn i ysgol;
- (viii) yn un sy’n gwneud cais i gael ei dderbyn i ysgol, yn cynnig derbyn person i ysgol, yn derbyn neu’n gwrthod derbyn cais person i gael ei dderbyn i ysgol neu’n penderfynu derbyniadau i ysgol;
- (ix) yn un sydd wedi penderfynu ym mha ysgol y darperir addysg i blentyn;
- (x) yn un y caniateir codi taliadau ar ei gyfer ynghylch cael ei dderbyn i ysgol a gynhelir.’.

John Griffiths

19

Section 43, page 27, after line 27, insert –

- ‘() arrangements for enabling preferences to be expressed as to the school at which the person expressing the preference wishes education to be provided for himself or herself or another person do, or do not, apply;’.

Adran 43, tudalen 28, ar ôl llinell 15, ychwanegwch –

- ‘() pan fo, neu pan na fo, trefniadau ar gyfer galluogi mynegi dymuniadau ynghylch ym mha ysgol y mae’r person sy’n mynegi’r dymuniad yn dymuno y darperir addysg ar ei gyfer ei hun neu ar gyfer person arall yn gymwys;’.

John Griffiths

20

Section 43, page 27, after line 33, insert –

- ‘(v) applying for admission to such an institution, offering to admit a person to such an institution, accepting or refusing to accept an application for

admission to such an institution, selecting a person for admission to such an institution or determining admissions to such an institution;

- (vi) in relation to such an institution, a disabled person.’.

Adran 43, tudalen 28, ar ôl llinell 21, ychwanegwch—

- ‘(v) yn un sy’n gwneud cais i gael ei dderbyn i’r sefydliad hwnnw, yn cynnig derbyn person i’r sefydliad hwnnw, yn derbyn neu’n gwrthod derbyn cais person i gael ei dderbyn i’r sefydliad hwnnw, yn dethol person i gael ei dderbyn i’r sefydliad hwnnw neu’n penderfynu derbyniadau i’r sefydliad hwnnw;

- (vi) mewn perthynas â’r sefydliad hwnnw, yn berson anabl.’.

John Griffiths

22

Section 46, page 28, after line 16, insert—

- ‘() Sections 43, 45, 47 and this section come into force at the end of a period of two months beginning with the day on which this Measure is approved by Her Majesty in Council.’.

Adran 46, tudalen 29, ar ôl llinell 10, ychwanegwch—

- ‘() Daw adrannau 43, 45, 47 a’r adran hon i rym ar ddiwedd cyfnod o ddau fis sy’n dechrau ar y diwrnod y cymeradwyir y Mesur hwn gan Ei Mawrhydi yn Ei Chyngor.’.

John Griffiths

23

Section 46, page 28, line 17, after ‘The’, insert ‘remaining’.

Adran 46, tudalen 29, llinell 11, gadewch allan ‘Mae darpariaethau’r Mesur hwn i ddod’, a rhowch yn ei le ‘Daw gweddill darpariaethau’r Mesur hwn’.

John Griffiths

21

To insert a new section—

[] Application of local curriculum provisions to institutions within the higher education sector

After section 33[] of the Learning and Skills Act 2000 (c. 21) insert—

“33[] Application of local curriculum provisions to institutions within the higher education sector

- (1) Regulations may apply the provisions of sections 33A to 33K, 33M and 33N and the provisions of regulations made under section 43 of the Learning and Skills (Wales) Measure 2009 in relation to an institution, or institutions, within the higher education sector in Wales as those provisions apply in relation to an institution within the further education sector in Wales.
- (2) The regulations may also apply those provisions in relation to the principal or governing body of an institution within the higher education sector in Wales (or to persons with functions that are similar to those of a principal or governing body) as they apply in relation to the principal or governing body of an institution within the further education sector in Wales.
- (3) The regulations may apply those provisions with such modifications as appear to the Welsh Ministers to be necessary or expedient."

Ychwanegwch adran newydd –

[] Cymhwyso darpariaethau cwricwlwm lleol i sefydliadau o fewn y sector addysg uwch

Ar ôl adran 33[] o Ddeddf Dysgu a Medrau 2000 (p. 21) mewnosoder –

"33[] Application of local curriculum provisions to institutions within the higher education sector

- (1) Regulations may apply the provisions of sections 33A to 33K, 33M and 33N and the provisions of regulations made under section 43 of the Learning and Skills (Wales) Measure 2009 in relation to an institution, or institutions, within the higher education sector in Wales as those provisions apply in relation to an institution within the further education sector in Wales.
- (2) The regulations may also apply those provisions in relation to the principal or governing body of an institution within the higher education sector in Wales (or to persons with functions that are similar to those of a principal or governing body) as they apply in relation to the principal or governing body of an institution within the further education sector in Wales.
- (3) The regulations may apply those provisions with such modifications as appear to the Welsh Ministers to be necessary or expedient."

Paul Davies

27

Supported by / Gyda chefnogaeth: Jenny Randerson

To insert a new Section –

"Learner travel

() Amendments to the Learner Travel (Wales) Measure 2008

- (1) The Learner Travel (Wales) Measure 2008 (nawm2) is amended in accordance with this section.
- (2) After subsection (9) of section 3 of that Measure, insert –
 - "(10) For the purposes of this section a school, unit or institution is not to be considered suitable if it does not deliver the choice of course or courses of

study made by the pupil under the Learning and Skills (Wales) Measure 2009.”

- (3) In section 5(a), after ‘institution,’ insert “other than to enable the learners to complete their choice of course or courses of study under the Learning and Skills (Wales) Measure 2009,”
- (4) After subsection (3) of section 7, insert –
 - “(4) Regulations under this section must be made before the coming into force of Part 2 of the Learning and Skills (Wales) Measure 2009.”.

Ychwanegu Adran newydd –

“Teithio gan ddysgwyr

() Gwelliannau i Fesur Teithio gan Ddysgwyr (Cymru) 2008

- (1) Diwygir Mesur Teithio gan Ddysgwyr (Cymru) 2008 (nawm2) yn unol â’r adran hon.
- (2) Ar ôl is-adran (9) o adran 3 o’r Mesur hwnnw, ychwanegwch –
 - “(10) At ddibenion yr adran hon rhaid peidio â barnu bod ysgol, uned neu sefydliad yn addas os nad yw’n cyflwyno’r dewis o gwrs neu gyrsiau astudio a wnaed gan y disgybl o dan Fesur Dysgu a Sgiliau (Cymru) 2009.”
- (3) Yn adran 5(a), ar ôl ‘sefydliad,’ ychwanegwch “heblaw i alluogi’r dysgwyr i gwblhau eu dewis o gwrs neu gyrsiau astudio o dan Fesur Dysgu a Sgiliau (Cymru) 2009,”
- (4) Ar ôl is-adran (3) o adran 7, ychwanegwch –
 - “(4) Rhaid i reoliadau o dan yr adran hon gael eu gwneud cyn i Ran 2 o Fesur Dysgu a Sgiliau (Cymru) 2009 ddod i rym.”.

Jenny Randerson

37

Supported by / Gyda chefnogaeth: Paul Davies

To insert a new Section –

‘() Guidance on exclusions

Welsh Ministers must issue guidance to the governing bodies and principals or other heads of institutions within the further education sector in relation to the exclusion of students from such institutions, having regard to legislation relating to the exclusion of pupils from schools.’.

Ychwanegu Adran newydd –

‘() Canllawiau ar waharddiadau

Rhaid i Weinidogion Cymru ddyroddi canllawiau i gyrff llywodraethu a phenaethiaid sefydliadau neu brif swyddogion eraill sefydliadau yn y sector addysg bellach mewn perthynas â gwahardd myfyrwyr o sefydliadau, gan roi sylw i ddeddfwriaeth sy’n ymwneud â gwahardd disgyblion o ysgolion.’.