OFFERYNNAU STATUDOL CYMRU

2010 Rhif 1436 (Cy.127)

ADDYSG, CYMRU

Rheoliadau Addysg (Diwygiadau ynglŷn â'r Ysbeidiau rhwng Arolygiadau Addysg a Hyfforddiant) (Cymru) 2010

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio–

(a) Rheoliadau Addysg (Arolygu Addysg Feithrin) (Cymru) 1999,

(b) Rheoliadau Arolygu Addysg a Hyfforddiant (Cymru) 2001,

(c) Rheoliadau Addysg (Arolygu Ysgolion) (Cymru) 2006, ac

(ch) Rheoliadau'r Gwasanaeth Gyrfaoedd a Gwasanaethau Cysylltiedig (Cymru) 2006,

er mwyn ei gwneud yn ofynnol i Brif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru neu Her Majesty's Chief Inspector of Education and Training in Wales sicrhau bod arolygiadau'n cael eu cynnal o fewn chwe blynedd i ddyddiad yr arolygiad diwethaf.

WELSH STATUTORY INSTRUMENTS

2010 No. 1436 (W.127)

EDUCATION, WALES

The Education (Amendments Relating to the Intervals for the Inspection of Education and Training) (Wales) Regulations 2010

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the–

(a) Education (Inspection of Nursery Education) (Wales) Regulations 1999,

(b) Inspection of Education and Training (Wales) Regulations 2001,

(c) Education (School Inspection) (Wales) Regulations 2006, and

(d) Inspection of Careers and Related Services (Wales) Regulations 2006,

so as to require Her Majesty's Chief Inspector of Education and Training in Wales or Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru to secure that inspections take place within six years of the date of the last inspection.

OFFERYNNAU STATUDOL CYMRU

2010 Rhif 1436 (Cy.127)

ADDYSG, CYMRU

Rheoliadau Addysg (Diwygiadau ynglŷn â'r Ysbeidiau rhwng Arolygiadau Addysg a Hyfforddiant) (Cymru) 2010

Gwnaed	*17 Mai 2010*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*19 Mai 2010*
Yn dod i rym	*1 Medi 2010*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 122(1) ac adran 138(7) ac (8) o Ddeddf Safonau a Fframwaith Ysgolion 1998(**1**) a pharagraff 6B(1)(a) o Atodlen 26 iddi, a thrwy arfer y pwerau a roddwyd i Gynulliad Cenedlaethol Cymru gan adran 77(2) a (9), adran 150 ac adran 152 o Ddeddf Dysgu a Medrau 2000(**2**), a thrwy arfer y pwerau a roddwyd i Gynulliad Cenedlaethol Cymru gan adran 28(1), adran 50(4) ac (8) ac adran 120(2) o Ddeddf Addysg 2005(**3**) a pharagraff 2(1) o Atodlen 6 iddi, ac a freiniwyd bellach ynddynt hwy, yn gwneud y Rheoliadau a ganlyn:

Enwi, cychwyn a chymhwyso

1.–(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Diwygiadau ynglŷn â'r Ysbeidiau rhwng Arolygiadau Addysg a Hyfforddiant) (Cymru) 2010 a deuant i rym

(**1**) 1998 p.31.Diwygiwyd adran 122(1) gan baragraff 33(1) a (3) o Atodlen 2 i Ddeddf Gofal Plant 2006 (p.21), ac yn lle paragraff 6, fel y'i deddfwyd yn wreiddiol, o Atodlen 26 rhoddwyd paragraff 6B gan baragraffau 8 a 12 o Ran II o Atodlen 7 i Ddeddf Addysg 2005 (p.18). Cafodd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 138 ac Atodlen 26 eu trosglwyddo i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac yna i Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32).

(**2**) 2000 p.21. Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru o dan yr adrannau hyn i Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006.

(**3**) 2005 p.18. Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru o dan yr adrannau hyn i Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006.

WELSH STATUTORY INSTRUMENTS

2010 No. 1436 (W.127)

EDUCATION, WALES

The Education (Amendments Relating to the Intervals for the Inspection of Education and Training) (Wales) Regulations 2010

Made	*17 May 2010*
Laid before the National Assembly for Wales	*19 May 2010*
Coming into force	*1 September 2010*

The Welsh Ministers in exercise of the powers conferred on the Secretary of State by section 122(1) and section 138(7) and (8) of, and paragraph 6B(1)(a) of Schedule 26, to the School Standards and Framework Act 1998(**1**), and in exercise of the powers conferred on the National Assembly for Wales by section 77(2) and (9), section 150 and section 152 of the Learning and Skills Act 2000(**2**), and in exercise of the powers conferred on the National Assembly of Wales by section 28(1), section 50(4) and (8) and section 120(2) of, and paragraph 2(1) of Schedule 6, to the Education Act 2005(**3**), and now vested in them make the following Regulations:

Title, commencement and application

1.–(1) The title of these Regulations is the Education (Amendments Relating to the Intervals for the Inspection of Education and Training) (Wales)

(**1**) 1998 c.31. Section 122(1) was amended by paragraph 33(1) and (3) of Schedule 2 to the Childcare Act 2006 (c.21), and paragraph 6, as originally enacted, of Schedule 26 was substituted for paragraph 6B by paragraphs 8 and 12 of Part II of Schedule 7 to the Education Act 2005 (c.18). The functions of the Secretary of State under section 138 and Schedule 26 were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and then to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

(**2**) 2000 c.21. The functions of the National Assembly for Wales under these sections were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006.

(**3**) 2005 c.18. The functions of the National Assembly for Wales under these sections were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006.

ar 1 Medi 2010.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

Diwygio Rheoliadau Addysg (Arolygu Addysg Feithrin) (Cymru) 1999

2.–(1) Diwygir Rheoliadau Addysg (Arolygu Addysg Feithrin) (Cymru) 1999(**1**) fel a ganlyn.

(2) Yn lle rheoliad 4, rhodder–

"4(1) The Chief Inspector must secure that relevant nursery education is inspected under paragraph 6B(1)(a) of Schedule 26 to the Act–

(a) where there has been no previous inspection under that paragraph, within six years of the date on which relevant nursery education was first provided at the premises concerned, and

(b) in all other cases within six years of the date on which the last inspection was completed.

(2) For the purposes of this regulation the date on which the last inspection was completed is the date of the report of the last inspection under paragraph 6B of Schedule 26 to the Act.".

Diwygio Rheoliadau Arolygu Addysg a Hyfforddiant (Cymru) 2001

3.–(1) Diwygir Rheoliadau Arolygu Addysg a Hyfforddiant (Cymru) 2001(**2**) fel a ganlyn.

(2) Yn lle rheoliad 2, rhodder–

"2(1) Rhaid cynnal arolygiadau–

(a) os nad oes arolygiad blaenorol wedi ei gynnal, o fewn chwe blynedd i ddyddiad sefydlu'r sefydliad sy'n darparu addysg a hyfforddiant ac sydd i'w arolygu, a

(b) ym mhob achos arall, o fewn chwe blynedd i'r dyddiad y cwblhawyd yr arolygiad diwethaf.

(2) At ddiben y rheoliad hwn dyddiad yr adroddiad arolygu diwethaf yw'r dyddiad y cwblhawyd yr arolygiad diwethaf. ".

Regulations 2010 and they come into force on 1 September 2010.

(2) These Regulations apply in relation to Wales.

Amendment to the Education (Inspection of Nursery Education) (Wales) Regulations 1999

2.–(1) The Education (Inspection of Nursery Education) (Wales) Regulations 1999(**1**) are amended as follows.

(2) For regulation 4, substitute–

"4(1) The Chief Inspector must secure that relevant nursery education is inspected under paragraph 6B(1)(a) of Schedule 26 to the Act–

(a) where there has been no previous inspection under that paragraph, within six years of the date on which relevant nursery education was first provided at the premises concerned, and

(b) in all other cases within six years of the date on which the last inspection was completed.

(2) For the purposes of this regulation the date on which the last inspection was completed is the date of the report of the last inspection under paragraph 6B of Schedule 26 to the Act.".

Amendment to the Inspection of Education and Training (Wales) Regulations 2001

3.–(1) The Inspection of Education and Training (Wales) Regulations 2001(**2**) are amended as follows.

(2) For regulation 2, substitute–

"2(1) Inspections must be conducted–

(a) where there has been no previous inspection, within six years of the date of establishment of the institution providing education and training which is to be inspected, and

(b) in all other cases, within six years of the date on which the last inspection was completed.

(2) For the purpose of this regulation the date on which the last inspection was completed is the date of the last inspection report.".

(**1**) O.S. 1999/1441 fel y'i diwygiwyd gan Reoliadau Deddf Addysg 2002 (Darpariaethau Trosiannol a Diwygiadau Canlyniadol) (Cymru) 2004 (O.S. 2004/1743 (Cy.182)), a chan Ddeddf Addysg 2002 (Darpariaethau Trosiannol a Diwygiadau Canlyniadol) (Cymru) 2005 (O.S. 2005/2913 (Cy.210)).

(**2**) O.S. 2001/2501 (Cy.204) fel y'i diwygiwyd gan Reoliadau Arolygu Addysg a Hyfforddiant (Diwygio) (Cymru) 2004 (O.S. 2004/783 (Cy.80)), a Gorchymyn Cyngor Cenedlaethol Cymru dros Addysg a Hyfforddiant (Trosglwyddo Swyddogaethau i Gynulliad Cenedlaethol Cymru a Diddymu'r Cyngor) 2005 (O.S. 2005/3238 (Cy.243)).

(**1**) S.I. 1999/1441 as amended by the Education Act 2002 (Transitional Provisions and Consequential Amendments) (Wales) Regulations 2004 (S.I. 2004/1743 (W.182)), and the Education Act 2002 (Transitional Provisions and Consequential Amendments) (Wales) Regulations 2005 (S.I. 2005/2913 (W.210)).

(**2**) S.I. 2001/2501 (W.204) as amended by the Inspection of Education and Training (Amendment) (Wales) Regulations 2004 (S.I. 2004/783 (W.80)), and the National Council for Education and Training for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3238 (W.243)).

Diwygio Rheoliadau Addysg (Arolygu Ysgolion) (Cymru) 2006

4.–(1) Diwygir Rheoliadau Addysg (Arolygu Ysgolion) (Cymru) 2006(**1**) fel a ganlyn.

(2) Yn lle rheoliad 6, rhodder–

"6(1) Rhaid i'r Prif Arolygydd sicrhau bod pob ysgol y mae adran 28 o Ddeddf 2005 yn gymwys iddi yn cael ei harolygu–

(a) yn achos ysgol nad yw wedi ei harolygu'n flaenorol, o fewn chwe blynedd i'r dyddiad y derbyniwyd disgyblion gyntaf i'r ysgol, a

(b) ym mhob achos arall, o fewn chwe blynedd i'r dyddiad y cwblhawyd yr arolygiad diwethaf.

(2) At ddiben y rheoliad hwn dyddiad yr arolygiad diwethaf o dan adran 28 o Ddeddf 2005 yw'r dyddiad y cwblhawyd yr arolygiad diwethaf.".

Diwygio Rheoliadau'r Gwasanaeth Gyrfaoedd a Gwasanaethau Cysylltiedig (Cymru) 2006

5.–(1) Diwygir Rheoliadau'r Gwasanaeth Gyrfaoedd a Gwasanaethau Cysylltiedig (Cymru) 2006(**2**) fel a ganlyn.

(2) Yn lle rheoliad 3, rhodder–

"3(1) Mae'r rheoliad hwn yn gymwys yn achos darparydd gwasanaeth neu ddarparydd perthnasol na chafodd ei arolygu o'r blaen o dan adrannau 55 neu 56 o Ddeddf 2005.

(2) Rhaid i'r Prif Arolygydd arolygu'r darparydd gwasanaeth neu'r darparydd perthnasol o dan adrannau 55 neu 56 o Ddeddf 2005 (yn ôl y digwydd), o fewn chwe blynedd i'r dyddiad pryd y daeth y darparydd gwasanaeth neu'r darparydd perthnasol yn ddarparydd o'r fath am y tro cyntaf.".

(3) Yn lle rheoliad 4, rhodder–

"4(1) Ac eithrio pan fo rheoliad 3 yn gymwys, rhaid i'r Prif Arolygydd arolygu pob darparydd gwasanaeth o dan adran 55 o Ddeddf 2005 a phob darparydd perthnasol o dan adran 56 o Ddeddf 2005 o fewn chwe blynedd i'r dyddiad y cwblhawyd yr arolygiad diwethaf.

(2) At ddibenion y rheoliad hwn dyddiad yr adroddiad o'r arolygiad diwethaf yw'r dyddiad y cwblhawyd yr arolygiad diwethaf.".

(**1**) O.S. 2006/1714 (Cy.176).

(**2**) O.S. 2006/3103 (Cy.286).

Amendment to the Education (School Inspection) (Wales) Regulations 2006

4.–(1) The Education (School Inspection) (Wales) Regulations 2006(**1**) are amended as follows.

(2) For regulation 6, substitute–

"6(1) The Chief Inspector must secure that every school to which section 28 of the 2005 Act applies is inspected–

(a) in the case of a school which has not been previously inspected, within six years of the date on which pupils were first admitted to the school, and

(b) in all other cases, within six years of the date on which the last inspection was completed.

(2) For the purpose of this regulation the date on which the last inspection was completed is the date of the last inspection under section 28 of the 2005 Act.".

Amendments to the Inspection of the Careers and Related Services (Wales) Regulations 2006

5.–(1) The Inspection of the Careers and Related Services (Wales) Regulations 2006(**2**) are amended as follows.

(2) For regulation 3, substitute–

"3(1) This regulation applies in the case of a service provider or relevant provider who has not previously been inspected under sections 55 or 56 of the 2005 Act.

(2) The Chief Inspector must inspect the service provider or relevant provider under sections 55 or 56 of the 2005 Act (as the case may be), within six years of the date of which the service provider or relevant provider first became such a provider.".

(3) For regulation 4, substitute–

"4(1) Save where regulation 3 applies, the Chief Inspector must inspect each service provider under section 55 of the 2005 Act and each relevant provider under section 56 of the 2005 Act within six years of the date on which the last inspection was completed.

(2) For the purposes of this regulation the date on which the last inspection was completed is the date of the last inspection report.".

(**1**) S.I. 2006/1714 (W.176).

(**2**) S.I. 2006/3103 (W.286).

Carwyn Jones

Prif Weinidog Cymru, un o Weinidogion Cymru

17 Mai 2010

First Minister, one of the Welsh Ministers

17 May 2010

©Ⓟ Hawlfraint y Goron 2010

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

© Crown copyright 2010

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2010 Rhif 1436 (Cy.127)

ADDYSG, CYMRU

Rheoliadau Addysg (Diwygiadau ynglŷn â'r Ysbeidiau rhwng Arolygiadau Addysg a Hyfforddiant) (Cymru) 2010

2010 No. 1436 (W.127)

EDUCATION, WALES

The Education (Amendments Relating to the Intervals for the Inspection of Education and Training) (Wales) Regulations 2010

£4.00

W698/06/10 ON