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OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2024 Rhif 698 (Cy. 96)

ADDYSG, CYMRU

Rheoliadau Addysg (Cydlynu Trefniadau Derbyn Ysgolion a Diwygiadau Amrywiol) (Cymru) 2024

2024 No. 698 (W. 96)

EDUCATION, WALES

The Education (Co-ordination of School Admission Arrangements and Miscellaneous Amendments) (Wales) Regulations 2024

NODYN ESBONIADOL

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

Mae Rhan 3 o Ddeddf Safonau a Fframwaith Ysgolion 1998 ("Deddf 1998") yn gwneud darpariaeth mewn perthynas â threfniadau ar gyfer derbyn i ysgolion.

Yn benodol, mae adran 89B o Ran 3 o Ddeddf 1998 yn galluogi Gweinidogion Cymru i wneud rheoliadau sy'n ei gwneud yn ofynnol i awdurdod lleol yng Nghymru lunio cynllun cymhwysol i gydlynu'r trefniadau ar gyfer derbyn disgyblion i ysgolion cymunedol, ysgolion gwirfoddol a reolir, ysgolion gwirfoddol a gynorthwyir ac ysgolion sefydledig yn ei ardal. Mae'r Rheoliadau hyn yn gwneud darpariaeth mewn perthynas â chynllun cymhwysol o'r fath.

Nid yw'r Rheoliadau hyn yn gymwys i ysgolion meithrin a gynhelir nac ysgolion arbennig a gynhelir. Nid yw'r Rheoliadau hyn yn gymwys ychwaith i drefniadau derbyn ar gyfer disgyblion sydd wedi peidio â bod o oedran ysgol gorfodol nac at ddiben cael addysg chweched dosbarth (gweler adran 89B(7) o Ddeddf 1998).

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part 3 of the School Standards and Framework Act 1998 ("the 1998 Act") makes provision in relation to arrangements for school admissions.

In particular, section 89B of Part 3 of the 1998 Act enables the Welsh Ministers to make regulations requiring a local authority in Wales to formulate a qualifying scheme for co-ordinating the arrangements for the admission of pupils to community, voluntary controlled, voluntary aided and foundation schools in its area. These Regulations make provision in relation to such a qualifying scheme.

These Regulations do not apply to maintained nursery schools or maintained special schools. These Regulations also do not apply to the admission arrangements for pupils who have ceased to be of compulsory school age or for the purpose of receiving sixth form education (see section 89B(7) of the 1998 Act).

Mae'r Rheoliadau hyn yn ei gwneud yn ofynnol i bob awdurdod lleol yng Nghymru lunio cynllun cymhwysol ar gyfer ysgolion a gynhelir yn ei ardal. Rhaid i'r cynllun cymhwysol hwnnw gydymffurfio â'r gofynion ar gyfer cynlluniau o'r fath a nodir yn yr Atodlen i'r Rheoliadau hyn (rheoliad 3).

These Regulations require each local authority in Wales to formulate a qualifying scheme for maintained schools in their area. That qualifying scheme must comply with the requirements for such schemes set out in the Schedule to these Regulations (regulation 3).

Rhaid llunio'r cynllun cymhwysol cyntaf a'i fabwysiadu erbyn 1 Ionawr 2025 ("y cynllun cymhwysol cyntaf") ac erbyn 1 Ionawr ar gyfer pob blwyddyn ddilynol (rheoliad 4). Bydd y cynllun cymhwysol cyntaf yn gymwys i drefniadau derbyn yn y flwyddyn academaidd 2027 i 2028.

The first qualifying scheme must be formulated and adopted by 1 January 2025 ("the first qualifying scheme") and by 1 January for all subsequent years (regulation 4). The first qualifying scheme will apply to admission arrangements in the academic year 2027 to 2028.

Mae rheoliad 4 o'r Rheoliadau hyn hefyd yn gwneud darpariaeth mewn cysylltiad ag ymgynghori mewn perthynas â'r cynllun cymhwysol, ac mewn cysylltiad â'i fabwysiadu. Mae adran 85A o Ddeddf 1998 yn darparu bod rhaid i awdurdodau derbyn, wrth gyflawni eu swyddogaethau mewn perthynas â threfniadau derbyn, roi sylw i unrhyw gyngor perthnasol a roddir iddynt gan fforwm derbyn a sefydlwyd o dan yr adran honno mewn cysylltiad â'r swyddogaethau hynny.

Regulation 4 of these Regulations also makes provision in respect of consultation in relation to, and adoption of, the qualifying scheme. Section 85A of the 1998 Act provides that in carrying out their functions in relation to admission arrangements, admission authorities must have regard to any relevant advice given to them by an admission forum established under that section in respect of those functions.

Rhaid i bob awdurdod lleol yng Nghymru roi gwybod i Weinidogion Cymru a yw wedi mabwysiadu cynllun cymhwysol ai peidio erbyn 28 Chwefror yn y flwyddyn academaidd sydd 2 flynedd cyn y flwyddyn academaidd y derbynnir disgyblion ynddi o dan y cynllun. Mae'r ddyletswydd hon yn gymwys i awdurdodau lleol o 28 Chwefror 2025 (mewn cysylltiad â derbyn disgyblion yn y flwyddyn academaidd 2027 i 2028) a phob blwyddyn academaidd ddilynol (rheoliad 5).

Each local authority in Wales must inform the Welsh Ministers whether or not it has adopted a qualifying scheme by 28 February in the academic year 2 years before the academic year in which pupils will be admitted under the scheme. This duty applies to local authorities from 28 February 2025 (in respect of admission in the academic year 2027 to 2028) and all subsequent academic years (regulation 5).

Mae adran 89B(2) o Ddeddf 1998 yn galluogi Gweinidogion Cymru i wneud cynllun ar gyfer cydlynu trefniadau derbyn ("cynllun Gweinidogion Cymru") a'i osod. Mae adran 89B(3) o Ddeddf 1998 yn darparu na chaniateir gwneud cynllun Gweinidogion Cymru os bodlonir yr amgylchiadau a nodir yn yr is-adran honno erbyn dyddiad sydd i'w ragnodi gan Weinidogion Cymru. Mae'r dyddiad rhagnodedig wedi ei nodi yn rheoliad 5, a 28 Chwefror ydyw.

Section 89B(2) of the 1998 Act enables the Welsh Ministers to make and impose a scheme for the co-ordination of admission arrangements ("Welsh Minister scheme"). Section 89B(3) of the 1998 Act provides that a Welsh Minister scheme may not be made if the circumstances set out in that subsection are met by a date to be prescribed by the Welsh Ministers. The prescribed date is set out in regulation 5, and is 28 February.

Rhaid i bob awdurdod lleol yng Nghymru gyfleu i rieni ei benderfyniad i gynnig neu wrthod derbyn disgybl i ysgol gynradd neu uwchradd ar y dyddiad a nodir yn rheoliad 6 (rheoliad 6).

Each local authority in Wales must communicate to parents its determination to offer or to refuse admission of a pupil to a primary or secondary school on the date set out in regulation 6 (regulation 6).

Mae'r Rheoliadau hyn yn cymhwyso'r pwerau ymyrryd yn Rhan 2 o Ddeddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013 (ymyrryd ym materion rhedeg ysgolion a gynhelir) i'r rhwymedigaethau a osodir ar gyrff llywodraethu ac awdurdodau lleol o dan gynllun cymhwysol (rheoliad 7).

These Regulations apply the powers of intervention in Part 2 of the School Standards and Organisation (Wales) Act 2013 (intervention in the conduct of maintained schools) to the obligations imposed on governing bodies and local authorities under a qualifying scheme (regulation 7).

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Addysg (Trefniadau Apelau Derbyn) (Cymru) 2005 ("Rheoliadau 2005") er mwyn cywiro camgymeriad yn rheoliad 3 a rheoliad 5 o Reoliadau 2005 (rheoliad 8).

Mae'r Rheoliadau hyn yn mewnosod paragraff newydd 5A yn Rhan 1 o Atodlen 2 i Reoliadau Gwybodaeth Ysgolion (Cymru) 2011 ("Rheoliadau 2011") er mwyn ei gwneud yn ofynnol bod gwybodaeth mewn perthynas â chynllun cymhwysol awdurdod lleol neu gynllun Gweinidogion Cymru yn cael ei chynnwys ym mhrosbectws ysgolion yr awdurdod lleol (rheoliad 9). Mae paragraff newydd 5A yn gymwys i'r flwyddyn dderbyn ysgol 2026 i 2027 ac felly bydd yr wybodaeth a ragnodir ganddo yn cael ei chynnwys ym mhrosbectws ysgolion yr awdurdod lleol am y tro cyntaf ar gyfer y flwyddyn dderbyn ysgol 2026 i 2027 (gweler rheoliad 2(1) o Reoliadau 2011 am y diffiniad o "blwyddyn dderbyn ysgol").

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau 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: Yr Is-adran Cynllunio Busnes a Llywodraethiant Addysg, Llywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ ac ar wefan Llywodraeth Cymru ar www.llyw.cymru.

These Regulations amend the Education (Admission Appeals Arrangements) (Wales) Regulations 2005 ("the 2005 Regulations") so as to correct a mistake in regulation 3 and regulation 5 of the 2005 Regulations (regulation 8).

These Regulations insert a new paragraph 5A into Part 1 of Schedule 2 to the School Information (Wales) Regulations 2011 ("the 2011 Regulations") so as to require that information in relation to a local authority's qualifying scheme or a Welsh Minister scheme be included in the local authority school prospectus (regulation 9). The new paragraph 5A applies to the admission school year 2026 to 2027 and so the information prescribed by it will be included in the local authority school prospectus for the first time for the admission school year 2026 to 2027 (see regulation 2(1) of the 2011 Regulations for the definition of "admission school year").

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 has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Education Business Planning and Governance Division of the Welsh Government at Cathays Park, Cardiff CF10 3NQ and on the Welsh Government website at www.gov.wales.

2024 Rhif 698 (Cy. 96)

ADDYSG, CYMRU

Rheoliadau Addysg (Cydlynu Trefniadau Derbyn Ysgolion a Diwygiadau Amrywiol) (Cymru) 2024

Gwnaed		*24 Mai 2024*
Gosodwyd gerbron Senedd Cymru		*29 Mai 2024*
Yn dod i rym		*28 Mehefin 2024*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 89B(1), (4) a (5)(**1**), 89C(1), (2), (3), (4) a (5)(**2**), 92(**3**), 94(5) a (5A)(**4**), 95(3) a (3A)(**5**) a 138(7)(**6**) o Ddeddf Safonau a Fframwaith Ysgolion 1998(**7**), ac a

(**1**) 1998 p. 31; mewnosodwyd adran 89B gan Ddeddf Addysg 2002 (p. 32), adran 48 ac fe'i diwygiwyd gan Ddeddf Addysg a Sgiliau 2008 (p. 25), Atodlen 1, paragraffau 53, 59(1), (2), (3)(a) a (b), (4)(a) a (b), (5)(a) i (c), (6)(a) a (b) a (7) ac O.S. 2010/1158.

(**2**) Mewnosodwyd adran 89C gan Ddeddf Addysg 2002, adran 48 ac fe'i diwygiwyd gan Ddeddf Addysg ac Arolygiadau 2006 (p. 40), adran 43(3)(a) a (b), Deddf Addysg a Sgiliau 2008, Atodlen 1, paragraffau 53, 60(1), (3)(a) a (b), (4) a (5), Deddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013 (dccc 1), Atodlen 5, paragraff 4(1) a (5) ac O.S. 2010/1158; mae diwygiadau eraill ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.

(**3**) Amnewidiwyd adran 92 gan Ddeddf Addysg 2002, Atodlen 4, paragraff 7 ac fe'i diwygiwyd gan O.S. 2010/1158.

(**4**) Amnewidiwyd is-adran (5) o adran 94, a mewnosodwyd is-adran (5A) yn adran 94, gan Ddeddf Addysg 2002, adran 50 a diwygiwyd is-adran (5A) gan Ddeddf Addysg a Sgiliau 2008, adran 152(1) a (7).

(**5**) Amnewidiwyd is-adran (3) o adran 95, a mewnosodwyd is-adran (3A) yn adran 95, gan Ddeddf Addysg 2002, Atodlen 4, paragraff 9 a diwygiwyd is-adran (3A) gan O.S. 2010/1158.

(**6**) Diwygiwyd is-adran (7) gan Ddeddf Addysg ac Arolygiadau 2006, Atodlen 17, paragraff 3(1) a (4).

(**7**) Gweler adran 142(1) o Ddeddf 1998 am y diffiniad o "the Assembly" a gweler adran 90ZA o Ddeddf 1998 am y diffiniadau o "prescribed" a "regulations".

2024 No. 698 (W. 96)

EDUCATION, WALES

The Education (Co-ordination of School Admission Arrangements and Miscellaneous Amendments) (Wales) Regulations 2024

Made	*24 May 2024*
Laid before Senedd Cymru	*29 May 2024*
Coming into force	*28 June 2024*

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by sections 89B(1), (4) and (5)(**1**), 89C(1), (2), (3), (4) and (5)(**2**), 92(**3**), 94(5) and (5A)(**4**), 95(3) and (3A)(**5**) and 138(7)(**6**) of the Schools Standards and Framework Act 1998(**7**),

(**1**) 1998 c. 31; section 89B was inserted by the Education Act 2002 (c. 32), section 48 and amended by the Education and Skills Act 2008 (c. 25), Schedule 1, paragraphs 53, 59(1), (2), (3)(a) and (b), (4)(a) and (b), (5)(a) to (c), (6)(a) and (b) and (7) and S.I. 2010/1158.

(**2**) Section 89C was inserted by the Education Act 2002, section 48 and amended by the Education and Inspections Act 2006 (c. 40), section 43(3)(a) and (b), the Education and Skills Act 2008, Schedule 1, paragraphs 53, 60(1), (3)(a) and (b), (4) and (5), the School Standards and Organisation (Wales) Act 2013 (anaw 1), Schedule 5, paragraph 4(1) and (5) and S.I. 2010/1158; there are other amendments but none are relevant to these Regulations.

(**3**) Section 92 was substituted by the Education Act 2002, Schedule 4, paragraph 7 and amended by S.I. 2010/1158.

(**4**) Subsection (5) of section 94 was substituted, and subsection (5A) was inserted into section 94, by the Education Act 2002, section 50 and subsection (5A) was amended by the Education and Skills Act 2008, section 152(1) and (7).

(**5**) Subsection (3) of section 95 was substituted, and subsection (3A) was inserted into section 95, by the Education Act 2002, Schedule 4, paragraph 9 and subsection (3A) was amended by S.I. 2010/1158.

(**6**) Subsection (7) was amended by the Education and Inspections Act 2006, Schedule 17, paragraph 3(1) and (4).

(**7**) See section 142(1) of the 1998 Act for the definition of "the Assembly" and see section 90ZA of the 1998 Act for the definition of "prescribed" and "regulations".

freiniwyd bellach ynddynt hwy(**1**), yn gwneud y Rheoliadau a ganlyn.

Enwi, dod i rym a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Cydlynu Trefniadau Derbyn Ysgolion a Diwygiadau Amrywiol) (Cymru) 2024.

(2) Daw'r Rheoliadau hyn i rym ar 28 Mehefin 2024.

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

Dehongli

2.—(1) Yn y Rheoliadau hyn—

mae i "awdurdod derbyn" yr ystyr a roddir i "admission authority" yn adran 88(1) o Ddeddf 1998(**2**);

ystyr "awdurdod lleol" ("*local authority*") yw cyngor sir yng Nghymru a chyngor bwrdeistref sirol yng Nghymru;

mae i "blwyddyn academaidd" yr ystyr a roddir i "academic year" yn adran 89B(6) o Ddeddf 1998;

ystyr "blwyddyn benderfynu" ("*determination year*"), mewn perthynas â'r trefniadau derbyn arfaethedig ar gyfer ysgol, yw'r flwyddyn academaidd sy'n dechrau 2 flwyddyn academaidd cyn y flwyddyn academaidd y mae'r trefniadau derbyn yn berthnasol iddi;

ystyr "blwyddyn dderbyn" ("*admission year*") yw'r flwyddyn academaidd y derbynnir disgyblion i grŵp oedran perthnasol o dan gynllun cymhwysol neu gynllun Gweinidogion Cymru;

ystyr "blwyddyn gynnig" ("*offer year*") yw'r flwyddyn academaidd sy'n union cyn y flwyddyn dderbyn;

ystyr "cais" ("*application*"), mewn perthynas â threfniadau a wneir gan awdurdod lleol o dan adran 86(1) o Ddeddf 1998(**3**), yw mynegiad rhiant, mewn ffurflen gais gyffredin, o'i hoff ddewis o ran ym mha ysgol a gynhelir y mae'r rhiant hwnnw'n dymuno i addysg gael ei darparu i'w blentyn;

(**1**) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan yr adrannau hyn o Ddeddf Addysg 1996 a Deddf Safonau a Fframwaith Ysgolion 1998 i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac yna i Weinidogion Cymru gan Ddeddf Llywodraeth Cymru 2006 (p. 32), Atodlen 11, paragraff 30.

(**2**) Diwygiwyd adran 88(1) gan O.S. 2010/1158; mae diwygiadau eraill i adran 88 ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.

(**3**) Diwygiwyd is-adran (1) gan O.S. 2010/1158.

and now vested in them(**1**), make the following Regulations.

Title, coming into force and application

1.—(1) The title of these Regulations is the Education (Co-ordination of School Admission Arrangements and Miscellaneous Amendments) (Wales) Regulations 2024.

(2) These Regulations come into force on 28 June 2024.

(3) These Regulations apply in relation to Wales.

Interpretation

2.—(1) In these Regulations—

"the 1996 Act" ("*Deddf 1996*") means the Education Act 1996;

"the 1998 Act" ("*Deddf 1998*") means the School Standards and Framework Act 1998;

"academic year" ("*blwyddyn academaidd*") has the meaning given in section 89B(6) of the 1998 Act;

"admission arrangements" ("*trefniadau derbyn*") has the meaning given in section 88(2) of the 1998 Act(**2**);

"admission authority" ("*awdurdod derbyn*") has the meaning given in section 88(1) of the 1998 Act(**3**);

"admission year" ("*blwyddyn dderbyn*") means the academic year during which pupils are admitted to a relevant age group under a qualifying scheme or a Welsh Minister scheme;

"application" ("*cais*"), in relation to arrangements made by a local authority under section 86(1) of the 1998(**4**) Act, means a parent's expression of preference in a common application form as to the maintained school at which that parent wishes education to be provided for their child;

"child" ("*plentyn*") has the meaning given in section 84(6) of the 1998 Act(**5**);

(**1**) The functions of the Secretary of State under these sections of the Education Act 1996 and the School Standards and Framework Act 1998 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 the Government of Wales Act 2006 (c. 32), Schedule 11, paragraph 30.

(**2**) Section 88(2) was amended by the Education Act 2011 (c. 21), section 64(1) and (2)(c).

(**3**) Section 88(1) was amended by S.I. 2010/1158; there are other amendments to section 88 but none are relevant to these Regulations.

(**4**) Subsection (1) was amended by S.I. 2010/1158.

(**5**) The definition of "child" was substituted by the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), section 43(1) and (2).

mae i "corff llywodraethu" yr ystyr a roddir i "governing body" yn adran 19(1) o Ddeddf Addysg 2002(**1**);

ystyr "cynllun cymhwysol" ("*qualifying scheme*") yw cynllun sydd wedi ei lunio gan awdurdod lleol i gydlynu trefniadau ar gyfer derbyn disgyblion i ysgolion a gynhelir yn ei ardal o dan adran 89B(1)(a) o Ddeddf 1998 a'r Rheoliadau hyn;

ystyr "cynllun Gweinidogion Cymru" ("*Welsh Minister scheme*") yw cynllun ar gyfer cydlynu trefniadau derbyn a osodir gan Weinidogion Cymru o dan is-adran 89B(2) o Ddeddf 1998;

ystyr "Deddf 1996" ("*the 1996 Act*") yw Deddf Addysg 1996;

ystyr "Deddf 1998" ("*the 1998 Act*") yw Deddf Safonau a Fframwaith Ysgolion 1998;

mae i "disgybl" yr ystyr a roddir i "pupil" yn adran 3 o Ddeddf 1996(**2**);

ystyr "diwrnod gwaith" ("*working day*") yw unrhyw ddiwrnod nad yw'n ddydd Sadwrn, dydd Sul, Dydd Nadolig, Dydd Gwener y Groglith nac yn ddiwrnod sy'n ŵyl banc o fewn ystyr Deddf Bancio a Thrafodion Ariannol 1971(**3**);

mae i "dyddiad cynnig" ("*offer date*") yr ystyr a roddir yn rheoliad 6;

ystyr "ffurflen gais gyffredin" ("*common application form*") yw ffurflen a ddarperir gan awdurdod lleol i'w chwblhau gan riant mewn cysylltiad â chais gan y rhiant hwnnw;

mae i "grŵp oedran perthnasol" yr ystyr a roddir i "relevant age group" yn adran 142(1) o Ddeddf 1998(**4**);

mae i "plentyn" yr ystyr a roddir i "child" yn adran 84(6) o Ddeddf 1998(**5**);

ystyr "prosbectws cyfansawdd" ("*composite prospectus*") yw'r prosbectws cyfansawdd y mae'n ofynnol i awdurdod lleol ei gyhoeddi o dan reoliad 4 o Reoliadau Gwybodaeth Ysgolion (Cymru) 2011(**6**);

"common application form" ("*ffurflen gais gyffredin*") means a form provided by a local authority for completion by a parent in respect of an application by that parent;

"composite prospectus" ("*prosbectws cyfansawdd*") means the composite prospectus that a local authority is required to publish under regulation 4 of the School Information (Wales) Regulations 2011(**1**);

"determination year" ("*blwyddyn benderfynu*") in relation to the proposed admission arrangements for a school, means the academic year beginning 2 academic years before the academic year to which the admission arrangements relate;

"governing body" ("*corff llywodraethu*") has the meaning given in section 19(1) of the Education Act 2002(**2**);

"local authority" ("*awdurdod lleol*") means a county council in Wales and a county borough council in Wales;

"maintained school" ("*ysgol a gynhelir*") has the meaning given in section 84(6) of the 1998 Act;

"offer date" ("*dyddiad cynnig*") has the meaning given in regulation 6;

"offer year" ("*blwyddyn gynnig*") means the academic year immediately preceding the admission year;

"parent" ("*rhiant*") has the meaning given in section 576 of the 1996 Act(**3**);

"primary school" ("*ysgol gynradd*") has the meaning given in section 5(1) of the 1996 Act(**4**);

"pupil" ("*disgybl*") has the meaning given in section 3 of the 1996 Act(**5**);

"qualifying scheme" ("*cynllun cymhwysol*") means a scheme formulated by a local authority for co-ordinating arrangements for the admission of pupils to maintained schools in its area under section 89B(1)(a) of the 1998 Act and these Regulations;

(**1**) 2002 p. 32; mae diwygiadau i adran 19 ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.
(**2**) Diwygiwyd adran 3 gan Ddeddf Addysg 1997 (p. 44), paragraff 9 o Atodlen 7, a Deddf Addysg 2002, paragraff 34(1) i (3) o Atodlen 21.
(**3**) 1971 p. 80; mae diwygiadau ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.
(**4**) 1998 p. 31; mae diwygiadau ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.
(**5**) Amnewidiwyd y diffiniad o "child" gan Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009 (p. 22), adran 43(1) a (2).
(**6**) O.S. 2011/1944 (Cy. 211); mae diwygiadau ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.

(**1**) S.I. 2011/1944 (W. 211); there are amendments but none are relevant to these Regulations.
(**2**) 2002 c. 32; there are amendments to section 19 but none are relevant to these Regulations.
(**3**) Section 576 was amended by the School Standards and Framework Act 1998, Schedule 30, paragraph 180, and Schedule 31.
(**4**) Subsection (1) was amended by the Education Act 2002, Part 3 of Schedule 22.
(**5**) Section 3 was amended by the Education Act 1997 (c. 44), paragraph 9 of Schedule 7, and the Education Act 2002, Schedule 21, paragraph 34(1) to (3).

mae i "rhiant" yr ystyr a roddir i "parent" yn adran 576 o Ddeddf 1996(**1**);

mae i "trefniadau derbyn" yr ystyr a roddir i "admission arrangements" yn adran 88(2) o Ddeddf 1998(**2**);

mae i "ysgol a gynhelir" yr ystyr a roddir i "maintained school" yn adran 84(6) o Ddeddf 1998;

mae i "ysgol gynradd" yr ystyr a roddir i "primary school" yn adran 5(1) o Ddeddf 1996(**3**);

mae i "ysgol uwchradd" yr ystyr a roddir i "secondary school" yn adran 5(2) o Ddeddf 1996.

(2) At ddibenion y Rheoliadau hyn mae cais wedi ei wneud yng nghwrs cylch derbyn arferol—

(a) os yw'n gais i ddisgybl gael ei dderbyn i grŵp oedran perthnasol, a

(b) os nad yw'n gais hwyr nac yn gais a wneir yn ystod y flwyddyn.

(3) At ddibenion y Rheoliadau hyn mae cais yn gais hwyr—

(a) os yw'n gais i ddisgybl gael ei dderbyn i grŵp oedran perthnasol,

(b) os cyflwynir y cais cyn diwrnod cyntaf tymor ysgol cyntaf y flwyddyn dderbyn,

(c) os cyflwynir y cais ar ôl y dyddiad a nodir yn y prosbectws cyfansawdd ar gyfer cael ceisiadau i dderbyn disgybl i ysgol a gynhelir, a

(d) os nad yw penderfyniad sy'n ymwneud â'r cais yn cael ei wneud gan awdurdod derbyn ar y dyddiad cynnig neu cyn hynny.

(4) At ddibenion y Rheoliadau hyn mae cais yn gais a wneir yn ystod y flwyddyn—

(a) os yw'n gais i ddisgybl gael ei dderbyn i grŵp oedran perthnasol ac os yw wedi ei gyflwyno ar ddiwrnod cyntaf y flwyddyn dderbyn neu ar ôl hynny, neu

(b) os yw'n gais i ddisgybl gael ei dderbyn i grŵp oedran heblaw grŵp oedran perthnasol.

(**1**) Diwygiwyd adran 576 gan Ddeddf Safonau a Fframwaith Ysgolion 1998, Atodlen 30, paragraff 180 ac Atodlen 31.
(**2**) Diwygiwyd adran 88(2) gan Ddeddf Addysg 2011 (p. 21), adran 64(1) a (2)(c).
(**3**) Diwygiwyd is-adran (1) gan Ddeddf Addysg 2002, Rhan 3 o Atodlen 22.

"relevant age group" ("*grŵp oedran perthnasol*") has the meaning given in section 142(1) of the 1998 Act(**1**);

"secondary school" ("*ysgol uwchradd*") has the meaning given in section 5(2) of the 1996 Act;

"Welsh Minister scheme" ("*cynllun Gweinidogion Cymru*") means a scheme for the co-ordination of admission arrangements imposed by the Welsh Ministers under subsection 89B(2) of the 1998 Act;

"working day" ("*diwrnod gwaith*") means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday within the meaning of the Banking and Financial Dealings Act 1971(**2**).

(2) For the purposes of these Regulations an application is made in the course of a normal admission round if—

(a) it is for the admission of a pupil to a relevant age group, and

(b) it is not a late application or an in-year application.

(3) For the purposes of these Regulations an application is a late application if—

(a) it is for the admission of a pupil to a relevant age group,

(b) it is submitted before the first day of the first school term of the admission year,

(c) it is submitted after the date set out in the composite prospectus for the receipt of applications for admission of a pupil to a maintained school, and

(d) a determination relating to the application is not made by an admissions authority on or before the offer date.

(4) For the purposes of these Regulations an application is an in-year application if—

(a) it is for the admission of a pupil to a relevant age group and it is submitted on or after the first day of the admission year, or

(b) it is for the admission of a pupil to an age group other than a relevant age group.

(**1**) 1998 c. 31; there are amendments but none are relevant to these Regulations.
(**2**) 1971 c. 80; there are amendments but none are relevant to these Regulations.

Llunio cynlluniau cymhwysol

3.—(1) Rhaid i bob awdurdod lleol, mewn perthynas â'r flwyddyn benderfynu 2025 i 2026, ac mewn perthynas â phob blwyddyn benderfynu ddilynol, lunio cynllun cymhwysol mewn perthynas â phob ysgol a gynhelir yn ei ardal.

(2) Rhaid i gynllun cymhwysol gydymffurfio â'r gofynion yn yr Atodlen.

Y camau i'w cymryd gan awdurdod lleol i sicrhau bod cynllun cymhwysol yn cael ei fabwysiadu

4.—(1) Rhaid i bob awdurdod lleol fabwysiadu cynllun cymhwysol yn ymwneud â'r flwyddyn benderfynu 2025 i 2026 erbyn 1 Ionawr 2025 ac wedi hynny erbyn 1 Ionawr cyn pob blwyddyn benderfynu y mae'r cynllun cymhwysol yn perthyn iddi.

(2) Cyn mabwysiadu cynllun cymhwysol, os yw'r amodau a nodir ym mharagraff (3) wedi eu bodloni, rhaid i awdurdod lleol ymgynghori â'r cyrff a nodir ym mharagraff (4).

(3) Yr amodau y cyfeirir atynt ym mharagraff (2) yw—

(a) bod y cynllun cymhwysol yn sylweddol wahanol i'r cynllun cymhwysol a fabwysiadwyd ar gyfer y flwyddyn benderfynu cyn hynny, neu

(b) nad yw'r awdurdod lleol, yn y 6 blwyddyn benderfynu flaenorol, wedi ymgynghori ar gynllun cymhwysol y mae wedi ei fabwysiadu.

(4) Ymgynghorer â'r cyrff a ganlyn—

(a) y fforwm derbyn,

(b) pob corff llywodraethu sy'n awdurdod derbyn ar gyfer ysgol a gynhelir yn ardal yr awdurdod lleol, ac

(c) unrhyw awdurdod lleol arall y mae'r awdurdod lleol yn meddwl bod y cynllun cymhwysol yn debygol o effeithio arno.

(5) Rhaid i'r ymgynghoriad o dan baragraff (4)(c) gael ei gynnal gyda'r bwriad o sicrhau bod y trefniadau ar gyfer derbyn disgyblion i ysgolion a gynhelir yn ardaloedd awdurdodau lleol gwahanol yn gydnaws â'i gilydd, i'r graddau y bo hynny'n rhesymol ymarferol.

(6) Wedi i'r awdurdod lleol gynnal unrhyw ymgynghoriad sy'n ofynnol o dan y rheoliad hwn, rhaid iddo—

(a) penderfynu'r cynllun cymhwysol—

(i) ar ei ffurf wreiddiol, neu

Formulation of qualifying schemes

3.—(1) Each local authority must formulate, in relation to the determination year 2025 to 2026, and in relation to each subsequent determination year, a qualifying scheme in relation to each maintained school in its area.

(2) A qualifying scheme must comply with the requirements in the Schedule.

Action to be taken by a local authority to secure adoption of a qualifying scheme

4.—(1) Each local authority must adopt a qualifying scheme relating to the determination year 2025 to 2026 by 1 January 2025 and subsequently by 1 January preceding each determination year to which the qualifying scheme relates.

(2) Before adopting a qualifying scheme, if the conditions set out in paragraph (3) are fulfilled, a local authority must consult the bodies set out in paragraph (4).

(3) The conditions referred to in paragraph (2) are—

(a) the qualifying scheme is substantially different from the qualifying scheme adopted for the preceding determination year, or

(b) the local authority has not, in the previous 6 determination years, consulted on a qualifying scheme which it has adopted.

(4) The bodies to be consulted are—

(a) the admission forum,

(b) each governing body which is the admission authority for a maintained school in the local authority's area, and

(c) any other local authority that the local authority thinks is likely to be affected by the qualifying scheme.

(5) The consultation carried out under paragraph (4)(c) must be undertaken with a view to securing that the arrangements for the admission of pupils to maintained schools in the areas of different local authorities are, so far as is reasonably practicable, compatible with each other.

(6) After the local authority has carried out any consultation required under this regulation it must—

(a) determine the qualifying scheme—

(i) in its original form, or

(ii) gydag unrhyw addasiadau y mae'r awdurdod lleol yn meddwl eu bod yn addas, a

(b) mabwysiadu'r cynllun cymhwysol a chymryd pob cam rhesymol i sicrhau bod y cynllun yn cael ei fabwysiadu gan bob corff llywodraethu sy'n awdurdod derbyn yr ymgynghorodd yr awdurdod lleol ag ef mewn perthynas â'r cynllun.

(7) Yn y rheoliad hwn ystyr "fforwm derbyn" yw corff a sefydlwyd gan awdurdod lleol yng Nghymru ar gyfer ysgolion a gynhelir yn ei ardal o dan adran 85A o Ddeddf 1998(**1**).

Yr wybodaeth i'w darparu i Weinidogion Cymru

5. Ar gyfer y flwyddyn dderbyn 2027 i 2028 a phob blwyddyn dderbyn ddilynol, rhaid i bob awdurdod lleol roi gwybod i Weinidogion Cymru ar 28 Chwefror neu cyn hynny yn y flwyddyn benderfynu berthnasol a yw wedi mabwysiadu cynllun cymhwysol ai peidio.

Y dyddiad cynnig

6.—(1) Y dyddiad unigol ym mhob blwyddyn pryd y mae rhaid cyfleu i riant benderfyniad, a wneir o dan ddarpariaethau cynllun cymhwysol neu gynllun Gweinidogion Cymru, i gynnig neu wrthod derbyn disgybl i ysgol a gynhelir—

(a) ar gyfer ysgolion cynradd, yw 16 Ebrill yn y flwyddyn gynnig, a

(b) ar gyfer ysgolion uwchradd, yw 1 Mawrth yn y flwyddyn gynnig.

(2) Pan nad yw'r dyddiad cynnig mewn unrhyw flwyddyn gynnig yn ddiwrnod gwaith, y dyddiad cynnig yw'r diwrnod gwaith nesaf.

(3) Nid yw'r rheoliad hwn ond yn gymwys i benderfyniadau a wneir yng nghwrs cylch derbyn arferol.

Rhan 2 o Ddeddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013

7.—(1) Mae Pennod 1 o Ran 2 o Ddeddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013 ("Deddf 2013") i fod yn gymwys fel pe bai unrhyw rwymedigaethau a osodir ar gorff llywodraethu o dan gynllun cymhwysol neu gynllun Gweinidogion Cymru yn cael eu gosod arno gan y Deddfau Addysg.

(**1**) Mewnosodwyd adran 85A gan adran 46 o Ddeddf Addysg 2002 ac fe'i diwygiwyd gan adran 41(1), (2)(a) a (b), (3), (4)(a) a (b), (5) a (6) o Ddeddf Addysg ac Arolygiadau 2006 ac Atodlen 18 iddi, adran 34(1), (2)(a)(i) i (iii), a (2)(b) i (e) o Ddeddf Addysg 2011 a chan O.S. 2010/1158.

(ii) with such modifications as the local authority thinks fit, and

(b) adopt the qualifying scheme and take all reasonable steps to secure its adoption by each governing body which is an admission authority that the local authority consulted in relation to it.

(7) In this regulation "admission forum" means a body established by a local authority in Wales for maintained schools in its area under section 85A of the 1998 Act(**1**).

Information to be provided to the Welsh Ministers

5. For the admission year 2027 to 2028 and every subsequent admission year, each local authority must inform the Welsh Ministers on or before 28 February in the relevant determination year whether or not it has adopted a qualifying scheme.

Offer date

6.—(1) The single date in each year on which a determination, made under the provisions of a qualifying scheme or a Welsh Minister scheme, to offer or refuse a pupil admission to a maintained school must be communicated to a parent—

(a) for primary schools, is 16 April in the offer year, and

(b) for secondary schools, is 1 March in the offer year.

(2) When in any offer year the offer date is not a working day, the offer date is the next working day.

(3) This regulation only applies to determinations made in the course of a normal admission round.

Part 2 of the School Standards and Organisation (Wales) Act 2013

7.—(1) Chapter 1 of Part 2 of the School Standards and Organisation (Wales) Act 2013 ("the 2013 Act") is to apply as if any obligations imposed on a governing body under a qualifying scheme or a Welsh Minister scheme were imposed on it by the Education Acts.

(**1**) Section 85A was inserted by section 46 of the Education Act 2002 and amended by section 41(1), (2)(a) and (b), (3), (4)(a) and (b), (5) and (6) of the Education and Inspections Act 2006, Schedule 18, section 34(1), (2)(a)(i) to (iii), and (2)(b) to (e) of the Education Act 2011 and by S.I. 2010/1158.

(2) Mae Pennod 2 o Ran 2 o Ddeddf 2013 i fod yn gymwys fel pe bai unrhyw rwymedigaethau a osodir ar awdurdod lleol o dan gynllun cymhwysol neu gynllun Gweinidogion Cymru yn swyddogaethau addysg.

(3) Yn y rheoliad hwn—

(a) mae i "y Deddfau Addysg" yr ystyr a roddir i "the Education Acts" yn adran 578(1) o Ddeddf 1996(**1**);

(2) Chapter 2 of Part 2 of the 2013 Act is to apply as if any obligations imposed on a local authority under a qualifying scheme or a Welsh Minister scheme were education functions.

(3) In this regulation—

(a) "the Education Acts" ("*y Deddfau Addysg*") has the meaning given in section 578(1) of the 1996 Act(**1**);

(**1**) Diwygiwyd y rhestr o "Education Acts" drwy hepgor y cofnod ar gyfer "the Education Act 1962" (p. 24) gan Atodlen 4 i Ddeddf Addysgu ac Addysg Uwch 1998 (p. 30), hepgor y cofnod ar gyfer "the Education Act 1967" (p. 3) gan Atodlen 22 i Ddeddf Addysg 2002 (p. 32), hepgor y cofnod ar gyfer "the Education (Student Loans) Act 1990" (p. 6) gan Atodlen 4 i Ddeddf Addysgu ac Addysg Uwch 1998, hepgor y cofnod ar gyfer "the School Teachers' Pay and Conditions Act 1991" (p. 49) gan baragraff 56 o Atodlen 21 i Ddeddf Addysg 2002, hepgor y cofnod ar gyfer "the Education (Student Loans) Act 1996" (p. 9) gan Atodlen 4 i Ddeddf Addysgu ac Addysg Uwch 1998, hepgor y cofnod ar gyfer "the Nursery Education and Grant-Maintained Schools Act 1996" (p. 50) gan Atodlen 22 i Ddeddf Addysg 2002, hepgor y cofnod ar gyfer "the School Inspections Act 1996" (p. 57) gan baragraff 9 o Atodlen 9 i Ddeddf Addysg 2005 (p. 18), mewnosod y cofnod ar gyfer "the Education Act 1997" (p. 44) gan baragraff 42 o Atodlen 7 i'r Ddeddf honno, mewnosod y cofnod ar gyfer "the Education (Schools) Act 1997" (p. 59) gan adran 6(2) o'r Ddeddf honno, mewnosod y cofnod ar gyfer "the Education (Student Loans) Act 1998" (p. 1) gan adran 6(1) o'r Ddeddf honno, hepgor y cofnod ar gyfer "the Education (Student Loans) Act 1998" gan Atodlen 4 i Ddeddf Addysgu ac Addysg Uwch 1998, mewnosod y cofnod ar gyfer "the Teaching and Higher Education Act 1998" gan baragraff 15 o Atodlen 3 i'r Ddeddf honno, mewnosod y cofnod ar gyfer "the School Standards and Framework Act 1998" (p. 31) gan baragraff 182 o Atodlen 30 i'r Ddeddf honno, mewnosod y cofnod ar gyfer "the Education Act 2002" gan adran 217(2) o'r Ddeddf honno, mewnosod y cofnod ar gyfer "the Higher Education Act 2004" (p. 8) gan adran 54(2) o'r Ddeddf honno, mewnosod y cofnod ar gyfer "the Education Act 2005" (p. 18) gan adran 128(2) o'r Ddeddf honno, mewnosod y cofnod ar gyfer "the Education and Inspections Act 2006" (p. 40) gan adran 191(2) o'r Ddeddf honno, mewnosod y cofnod ar gyfer "the Education and Skills Act 2008" (p. 25) gan adran 174(2) o'r Ddeddf honno, mewnosod y cofnod ar gyfer "the Learner Travel (Wales) Measure 2008" (mccc 2) gan adran 29(2) o'r Mesur hwnnw, mewnosod y cofnod ar gyfer "the Apprenticeships, Skills, Children and Learning Act 2009" (p. 22) gan adran 270(2) o'r Ddeddf honno, mewnosod y cofnod ar gyfer "the Healthy Eating in Schools (Wales) Measure 2009" (mccc 3) gan adran 12(4) o'r Mesur hwnnw, mewnosod y cofnod ar gyfer "the Education Act 2011" (p. 21) gan adran 83(2) o'r Ddeddf honno, mewnosod y cofnod ar gyfer "the Education (Wales) Measure 2011" (mccc 7) gan adran 34(2) o'r Mesur hwnnw, mewnosod y cofnod ar gyfer "the School Standards and Organisation (Wales) Act 2013" (dccc 1) gan adran 101(2) o'r Ddeddf honno, mewnosod y cofnod ar gyfer "the Education (Wales) Act 2014" (dccc 5) gan adran 45 o'r Ddeddf honno, ychwanegu Deddf Addysg Uwch (Cymru) 2015 (dccc 1) at y rhestr o "Education Acts" gan adran 60(2) o'r Ddeddf honno, ychwanegu Deddf Cymwysterau Cymru 2015 (dccc 5) at y rhestr o "Education Acts" gan adran 61(2) o'r Ddeddf honno, ychwanegu Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 (dccc 2) at y rhestr o "Education Acts" gan adran 101(2) o'r Ddeddf honno, ychwanegu Deddf Cwricwlwm ac Asesu (Cymru) 2021 (dsc 4) at y rhestr o "Education Acts" gan adran 72 o'r Ddeddf honno ac ychwanegu Deddf Addysg Drydyddol ac Ymchwil (Cymru) 2022 (dsc 1) at y rhestr o "Education Acts" gan adran 149(2) o'r Ddeddf honno; mae diwygiadau eraill i'r rhestr o "Education Acts" yn adran 578 ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.

(**1**) The list of "Education Acts" was amended so that the entry for "the Education Act 1962" (c. 24) was omitted by the Teaching and Higher Education Act 1998 (c. 30), Schedule 4, the entry for "the Education Act 1967" (c. 3) was omitted by the Education Act 2002 (c. 32), Schedule 22, the entry for "the Education (Student Loans) Act 1990" (c. 6) was omitted by the Teaching and Higher Education Act 1998, Schedule 4, the entry for "the School Teachers' Pay and Conditions Act 1991" (c. 49) was omitted by the Education Act 2002, Schedule 21, paragraph 56, the entry for "the Education (Student Loans) Act 1996" (c. 9) was omitted by the Teaching and Higher Education Act 1998, Schedule 4, the entry for "the Nursery Education and Grant-Maintained Schools Act 1996" (c. 50) was omitted by the Education Act 2002, Schedule 22, the entry for "the School Inspections Act 1996" (c. 57) was omitted by the Education Act 2005 (c. 18), Schedule 9, paragraph 9, the entry for the "the Education Act 1997" (c. 44) was inserted by that Act, Schedule 7, paragraph 42, the entry for "the Education (Schools) Act 1997" (c. 59) was inserted by section 6(2) of that Act, the entry for "the Education (Student Loans) Act 1998" (c. 1) was inserted by section 6(1) of that Act, the entry for "the Education (Student Loans) Act 1998" was omitted was by the Teaching and Higher Education Act 1998, Schedule 4, the entry for "the Teaching and Higher Education Act 1998" was inserted by that Act, Schedule 3, paragraph 15, the entry for "the School Standards and Framework Act 1998" (c. 31) was inserted by that Act, Schedule 30, paragraph 182, the entry for "the Education Act 2002" was inserted by section 217(2) of that Act, the entry for "the Higher Education Act 2004" (c. 8) was inserted by section 54(2) of that Act, the entry for "the Education Act 2005" (c. 18) was inserted by section 128(2) of that Act, the entry for "the Education and Inspections Act 2006" (c. 40) was inserted by section 191(2) of that Act, the entry for "the Education and Skills Act 2008" (c. 25) was inserted by section 174(2) of that Act, the entry for "the Learner Travel (Wales) Measure 2008" (nawm 2) was inserted by section 29(2) of that Measure, the entry for "the Apprenticeships, Skills, Children and Learning Act 2009" (c. 22) was inserted by section 270(2) of that Act, the entry for "the Healthy Eating in Schools (Wales) Measure 2009" (nawm 3) was inserted by section 12(4) of that Measure, the entry for "the Education Act 2011" (c. 21) was inserted by section 83(2) of that Act, the entry for "the Education (Wales) Measure 2011" (nawm 7) was inserted by section 34(2) of that Measure, the entry for "the School Standards and Organisation (Wales) Act 2013" (anaw 1) was inserted by section 101(2) of that Act, the entry for "the Education (Wales) Act 2014" (anaw 5) was inserted by section 45 of that Act, the Higher Education (Wales) Act 2015 (anaw 1) was added to the list of "Education Acts" by section 60(2) of that Act, the Qualifications Wales Act 2015 (anaw 5) was added to the list of "Education Acts" by section 61(2) of that Act, the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (anaw 2) was added to the list of "Education Acts" by section 101(2) of that Act, the Curriculum and Assessment (Wales) Act 2021 (asc 4) was added to the list of "Education Acts" by section 72 of that Act and the Tertiary Education and Research (Wales) Act 2022 (asc 1) was added to the list of "Education Acts" by section 149(2) of that Act; there are other amendments to the list of "Education Acts" in section 578 but none are relevant to these Regulations.

(b) mae i "swyddogaethau addysg" yr ystyr a roddir i "education functions" yn adran 579(1) o Ddeddf 1996(**1**).

Diwygio Rheoliadau Addysg (Trefniadau Apelau Derbyn) (Cymru) 2005

8. Mae Rheoliadau Addysg (Trefniadau Apelau Derbyn) (Cymru) 2005(**2**) wedi eu diwygio fel a ganlyn—

(a) yn rheoliad 3, yn y lle cyntaf y mae'n digwydd hepgorer "Atodlen 1", a

(b) yn rheoliad 5, yn y lle cyntaf y mae'n digwydd hepgorer "Atodlen 2".

Diwygio Rheoliadau Gwybodaeth Ysgolion (Cymru) 2011

9. Yn Rheoliadau Gwybodaeth Ysgolion (Cymru) 2011(**3**), ar ôl paragraff 5 yn Rhan 1 o Atodlen 2 mewnosoder—

"**5A.**—(1) Ar gyfer y flwyddyn dderbyn ysgol 2026 i 2027 a phob blwyddyn ysgol ddilynol, crynodeb o'r cynllun ar gyfer cydlynu trefniadau derbyn yr awdurdod lleol ("y cynllun") gan gynnwys—

(a) disgrifiad cryno o'r modd y gellir gwneud cais i ddisgybl gael ei dderbyn i ysgol o dan y cynllun, gan gynnwys sut i wneud cais ac erbyn pa ddyddiad,

(b) disgrifiad cryno o ba bryd y caiff cynigion derbyn i ysgol eu cyfleu i rieni o dan y cynllun,

(c) disgrifiad cryno o ba bryd y bydd apelau yn erbyn gwrthod lle yn cael eu gwrando,

(d) disgrifiad cryno o'r modd y penderfynir ceisiadau a wneir drwy ddull heblaw cylch derbyn arferol o dan y cynllun, ac

(b) "education functions" ("*swyddogaethau addysg*") has the meaning given in section 579(1) of the 1996 Act(**1**).

Amendments to the Education (Admission Appeals Arrangements) (Wales) Regulations 2005

8. The Education (Admission Appeals Arrangements) (Wales) Regulations 2005(**2**) are amended as follows—

(a) in regulation 3, in the first place it occurs omit "Schedule 1", and

(b) in regulation 5, in the first place it occurs omit "Schedule 2".

Amendments to the School Information (Wales) Regulations 2011

9. In the School Information (Wales) Regulations 2011(**3**), after paragraph 5 in Part 1 of Schedule 2 insert—

"**5A.**—(1) For the admission school year 2026 to 2027 and all subsequent school years, a summary of the scheme for co-ordinating admission arrangements of the local authority ("the scheme") including—

(a) a brief description of how an application for admission to a school under the scheme can be made, including how to apply and by what date,

(b) a brief description of when offers of admission to a school will be communicated to parents under the scheme,

(c) a brief description of when appeals against a refusal of a place will be heard,

(d) a brief description of how applications made otherwise than in a normal admission round will be determined under the scheme, and

(**1**) Mewnosodwyd y diffiniad o "education functions" gan O.S. 2010/1158.
(**2**) O.S. 2005/1398 (Cy. 112), a ddiwygiwyd gan O.S. 2023/420 (Cy. 63); mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.
(**3**) O.S. 2011/1944 (Cy. 211); mae offerynnau diwygio ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.

(**1**) The definition of "education functions" was inserted by S.I. 2010/1158.
(**2**) S.I. 2005/1398 (W. 112), amended by S.I. 2023/420 (W. 63); there are other amending instruments but none is relevant to these Regulations.
(**3**) S.I. 2011/1944 (W. 211); there are amending instruments but none is relevant to these Regulations.

(e) copi o'r ffurflen gais gyffredin ar gyfer y cynllun y cyfeirir ato yn rheoliad 3(1) o Reoliadau Addysg (Cydlynu Trefniadau Derbyn Ysgolion a Diwygiadau Amrywiol) (Cymru) 2024(**1**) ("Rheoliadau 2024").

(2) Yn y paragraff hwn—

mae i "cylch derbyn arferol" ("*a normal admission round*") yr ystyr a roddir yn rheoliad 2(2) o Reoliadau 2024;

ystyr "y cynllun ar gyfer cydlynu trefniadau derbyn yr awdurdod lleol" ("*the scheme for co-ordinating admission arrangements of the local authority*") yw—

(a) cynllun a fabwysiedir gan awdurdod lleol yn unol â rheoliad 2(1) o Reoliadau 2024, neu

(b) cynllun a osodir ar yr awdurdod lleol gan Weinidogion Cymru yn unol ag is-adran 89B(2) o Ddeddf 1998."

(e) a copy of the common application form for the scheme referred to in regulation 3(1) of the Education (Co-ordination of School Admission Arrangements and Miscellaneous Amendments) (Wales) Regulations 2024(**1**) ("the 2024 Regulations").

(2) In this paragraph—

"a normal admission round" has the meaning given in regulation 2(2) of the 2024 Regulations;

"the scheme for co-ordinating admission arrangements of the local authority" means—

(a) a scheme adopted by a local authority pursuant to regulation 2(1) of the 2024 Regulations, or

(b) a scheme imposed on the local authority by the Welsh Ministers pursuant to subsection 89B(2) of the 1998 Act."

Lynne Neagle

Ysgrifennydd y Cabinet dros Addysg, un o Weinidogion Cymru
24 Mai 2024

Cabinet Secretary for Education, one of the Welsh Ministers
24 May 2024

(**1**) O.S. 2024/698 (Cy. 96).

(**1**) S.I. 2024/698 (W. 96).

YR ATODLEN Rheoliad 3(2)

Gofynion Cynllun Cymhwysol

Cyffredinol

1. Rhaid i gynllun cymhwysol—

(a) sicrhau, i'r graddau y bo'n rhesymol ymarferol, fod pob rhiant yn ardal yr awdurdod lleol sy'n gwneud cais ar y ffurflen gais gyffredin yn cael un cynnig i dderbyn plentyn i ysgol a gynhelir o dan y cynllun cymhwysol,

(b) sicrhau, i'r graddau y bo'n rhesymol ymarferol, mewn unrhyw achos pan fo plentyn yn gymwys i gael cynnig i'w dderbyn i fwy nag un ysgol a gynhelir, fod y plentyn yn cael cynnig i'w dderbyn i ba un bynnag o'r ysgolion a gynhelir hynny y mae'r rhiant wedi ei rhoi yn y safle uchaf ar y ffurflen gais gyffredin,

(c) ei gwneud yn ofynnol i ffurflen gais gyffredin gael ei chwblhau, gan alluogi rhiant yn ardal awdurdod lleol—

(i) i ddarparu ei enw a'i gyfeiriad,

(ii) i ddarparu enw, cyfeiriad a dyddiad geni ei blentyn,

(iii) i wneud cais i ddim llai na thair ysgol a gynhelir, pa un a yw unrhyw ysgol a gynhelir y gwneir cais ar ei chyfer o fewn ardal yr awdurdod lleol ai peidio,

(iv) i roi rhesymau dros unrhyw gais, a

(v) i raddio pob cais mewn perthynas ag unrhyw gais arall,

(d) sicrhau y cyhoeddir ffurflen gais gyffredin—

(i) drwy drefnu bod copïau ar gael i'w dosbarthu'n ddi-dâl i rieni ar gais yn swyddfeydd yr awdurdod lleol sy'n ei chyhoeddi, a

(ii) drwy arddangos copi ar wefan yr awdurdod lleol,

(e) nodi ar gyfer pob ysgol a gynhelir y mae'r cynllun cymhwysol yn gymwys iddi ai'r awdurdod lleol ynteu'r corff llywodraethu yw'r awdurdod derbyn,

(f) pan fo'r corff llywodraethu sy'n awdurdod derbyn ar gyfer ysgol a gynhelir o'r fath wedi gwneud trefniadau i gorff arall benderfynu'r drefn flaenoriaeth o dan baragraff 5(b), nodi'r corff hwnnw, ac

SCHEDULE Regulation 3(2)

Requirements of a Qualifying Scheme

General

1. A qualifying scheme must—

(a) ensure, so far as is reasonably practicable, that each parent in the local authority's area who makes an application on the common application form receives a single offer of admission for a child to a maintained school under the qualifying scheme,

(b) ensure, so far as is reasonably practicable, in any case where a child is eligible to be offered admission to more than one maintained school, that the child is offered admission to whichever of those maintained schools is ranked highest by the parent on the common application form,

(c) require a common application form to be completed, enabling a parent in a local authority's area—

(i) to provide their name and address,

(ii) to provide the name, address and date of birth of their child,

(iii) to apply for no fewer than three maintained schools, whether or not any maintained school for which an application is made is within the local authority's area,

(iv) to give reasons for any application, and

(v) to rank each application in relation to any other application,

(d) ensure that a common application form is published—

(i) by copies being made available for distribution without charge to parents on request at the offices of the local authority publishing it, and

(ii) by displaying a copy on the local authority's website,

(e) identify for each maintained school to which the qualifying scheme applies whether it is the local authority or the governing body that is the admission authority,

(f) where the governing body that is the admission authority for such a maintained school has made arrangements for another body to determine the order of priority under paragraph 5(b), identify that body, and

(g) pennu bod rhaid i unrhyw hysbysiad bod cynnig i dderbyn plentyn i ysgol a gynhelir wedi ei dderbyn ddod i law'r awdurdod lleol o fewn 2 wythnos ar ôl y dyddiad cynnig.

Ceisiadau a wneir yng nghwrs cylch derbyn arferol

2. Mewn cysylltiad â cheisiadau a wneir yng nghwrs cylch derbyn arferol, rhaid i gynllun cymhwysol—

(a) ei gwneud yn ofynnol i'r ffurflen gais gyffredin gael ei chyflwyno i'r awdurdod lleol—

(i) erbyn 15 Ionawr yn y flwyddyn gynnig, mewn perthynas â cheisiadau ar gyfer ysgolion cynradd, a

(ii) erbyn 31 Hydref yn y flwyddyn gynnig, mewn perthynas â cheisiadau ar gyfer ysgolion uwchradd,

(b) pennu sut y penderfynir ceisiadau a gyflwynir ar ôl y dyddiadau a grybwyllir yn is-baragraff (a),

(c) ei gwneud yn ofynnol i bob awdurdod lleol, pa un ai ef yw'r awdurdod derbyn ai peidio, anfon at riant unrhyw benderfyniad sy'n cynnig neu'n gwrthod derbyn plentyn i ysgol a gynhelir ar y dyddiad cynnig, a

(d) pennu'r dyddiadau erbyn pryd y mae pob un o'r camau y mae'n ofynnol eu cymryd o dan yr Atodlen hon i'w cyflawni, gan gynnwys pan fo'r dyddiad wedi ei bennu yn yr Atodlen hon.

Ceisiadau ar gyfer ysgolion yn yr ardal

3. Mewn cysylltiad â cheisiadau a wneir ar gyfer ysgol a gynhelir yn ardal yr awdurdod lleol, rhaid i'r cynllun cymhwysol ei gwneud yn ofynnol i'r awdurdod lleol—

(a) pan fo'r cais ar gyfer ysgol a gynhelir y mae'r corff llywodraethu yn awdurdod derbyn iddi, ddarparu i'r corff llywodraethu, neu'r corff y mae'r corff llywodraethu wedi gwneud trefniadau ag ef o dan baragraff 5(b), fanylion—

(i) y cais, a

(ii) unrhyw wybodaeth ategol a ddarperir gan y rhiant,

(b) pan fo'r cais ar gyfer ysgol a gynhelir y mae'r awdurdod lleol yn awdurdod derbyn iddi, benderfynu, drwy gyfeirio at feini prawf derbyn yr ysgol a gynhelir, y drefn flaenoriaeth y pennir safle pob cais i'r ysgol ynddi,

(g) specify that any notification of acceptance for an offer of admission for a child to a maintained school must be received by the local authority within 2 weeks after the offer date.

Applications made in the course of a normal admission round

2. In respect of applications made in the course of a normal admission round, a qualifying scheme must—

(a) require the common application form to be submitted to the local authority—

(i) by 15 January in the offer year, in relation to applications for primary schools, and

(ii) by 31 October in the offer year, in relation to applications for secondary schools,

(b) specify how applications submitted after the dates mentioned in sub-paragraph (a) will be determined,

(c) require each local authority, whether or not it is the admission authority, to send any determination offering or refusing admission to a maintained school to a parent on the offer date, and

(d) specify the dates by which each of the steps required to be taken by this Schedule are to be performed, including where the date is specified in this Schedule.

Applications for in-area schools

3. In respect of applications made for a maintained school in the area of the local authority, the qualifying scheme must require the local authority—

(a) where the application is for a maintained school for which the governing body is the admission authority, to provide to the governing body, or the body with whom the governing body has made arrangements under paragraph 5(b), details—

(i) of the application, and

(ii) any supporting information provided by the parent,

(b) where the application is for a maintained school for which the local authority is the admission authority, to determine by reference to the maintained school's admissions criteria the order of priority in which each application for the school is ranked,

(c) penderfynu yn unol â darpariaethau'r cynllun cymhwysol a yw'r plentyn i gael cynnig i'w dderbyn ynteu a wrthodir ei dderbyn i ysgol a gynhelir yn ei ardal pan fo'n ymddangos i'r awdurdod lleol—

(i) bod plentyn yn ei ardal yn gymwys i gael cynnig i'w dderbyn i fwy nag un ysgol a gynhelir, neu

(ii) nad yw plentyn yn ei ardal yn gymwys i gael cynnig i'w dderbyn i unrhyw ysgol a gynhelir,

(d) gwneud y penderfyniad o dan is-baragraff (c) gan roi sylw—

(i) i unrhyw benderfyniad a wneir o dan is-baragraff (b), a

(ii) i unrhyw benderfyniad y'i hysbysir amdano o dan baragraff 5(c),

(e) mewn unrhyw achos pan fo penderfyniad yr awdurdod lleol o dan is-baragraff (c) yn ymwneud ag ysgol a gynhelir yn ei ardal nad yw'n awdurdod derbyn iddi, hysbysu corff llywodraethu'r ysgol am ei benderfyniad,

(f) ac eithrio pan fo is-baragraff (g) yn gymwys, anfon unrhyw benderfyniad o dan is-baragraff (c) at y rhiant, pa un ai'r awdurdod lleol yw'r awdurdod derbyn ai peidio, ac

(g) o ran unrhyw gais yn ymwneud â phlentyn sy'n byw yn ardal awdurdod lleol gwahanol, hysbysu'r awdurdod lleol hwnnw am ei benderfyniad.

(c) to determine in accordance with the provisions of the qualifying scheme whether the child is to be offered or refused admission to a maintained school in its area where it appears to the local authority—

(i) that a child in its area is eligible to be offered admission to more than one maintained school, or

(ii) that a child in its area is not eligible to be offered admission to any maintained school,

(d) to make the determination under sub-paragraph (c) having regard to—

(i) any determination made under sub-paragraph (b), and

(ii) any determination notified to it under paragraph 5(c),

(e) in any case where the local authority's determination under sub-paragraph (c) relates to a maintained school in its area for which it is not the admission authority, to notify the school's governing body of its determination,

(f) except where sub-paragraph (g) applies, to send any determination under sub-paragraph (c) to the parent, whether or not it is the admission authority, and

(g) with regard to any application relating to a child living in a different local authority's area, to notify that local authority of its determination.

Dyletswyddau ar awdurdod lleol yn ymwneud â cheisiadau ar gyfer ysgolion y tu allan i'r ardal

4.—(1) Mae'r paragraff hwn yn gymwys pan fo rhiant yn ardal awdurdod lleol ("yr awdurdod cartref") yn gwneud cais yn y ffurflen gais gyffredin i blentyn gael ei dderbyn i ysgol a gynhelir yn ardal awdurdod lleol gwahanol ("yr awdurdod cynnal").

(2) Rhaid i'r awdurdod cartref anfon manylion y cais ymlaen i'r awdurdod cynnal, ynghyd ag unrhyw wybodaeth ategol a ddarperir gan y rhiant.

(3) Rhaid i gynllun cymhwysol—

(a) pennu bod rhaid i'r awdurdod cartref, wrth wneud penderfyniad o dan baragraff 3(c) a yw'r plentyn i gael cynnig i'w dderbyn ynteu a wrthodir ei dderbyn i unrhyw ysgol a gynhelir yn ardal yr awdurdod cartref hwnnw y mae cais hefyd wedi ei wneud ar ei chyfer, roi sylw i unrhyw wybodaeth a ddarperir gan yr awdurdod cynnal ynghylch a yw'r plentyn i gael cynnig i'w dderbyn ynteu a wrthodir ei dderbyn i ysgol a gynhelir o fewn ardal yr awdurdod cynnal hwnnw, a

Duties on a local authority relating to applications for out of area schools

4.—(1) This paragraph applies where a parent in the area of a local authority ("the home authority") applies in the common application form for admission to a maintained school in the area of a different local authority ("the maintaining authority").

(2) The home authority must forward details of the application to the maintaining authority, together with any supporting information provided by the parent.

(3) A qualifying scheme must—

(a) specify that, in making a determination under paragraph 3(c) whether the child is to be offered or refused admission to any maintained school in the home authority's area for which an application has also been made, that home authority must have regard to any information provided by the maintaining authority as to whether the child is to be offered or refused admission to a maintained school within that maintaining authority's area, and

(b) ei gwneud yn ofynnol i'r awdurdod cartref anfon at y rhiant unrhyw benderfyniad sy'n cynnig neu'n gwrthod derbyn plentyn i'r ysgol a gynhelir yn ardal yr awdurdod cynnal gan yr awdurdod derbyn ar gyfer yr ysgol honno.

Dyletswyddau corff llywodraethu o dan gynllun cymhwysol

5. Rhaid i gynllun cymhwysol ei gwneud yn ofynnol i bob corff llywodraethu sy'n awdurdod derbyn ar gyfer ysgol a gynhelir—

(a) anfon ymlaen i awdurdod lleol yr ardal y mae ynddi—

(i) manylion unrhyw geisiadau a wneir yn uniongyrchol i'r ysgol a gynhelir yn y cylch derbyn arferol neu fel cais hwyr, a

(ii) unrhyw wybodaeth ategol a ddarperir gan y rhiant, ni waeth a yw'r rhiant sy'n gwneud y cais yn preswylio yn ardal yr awdurdod lleol hwnnw,

(b) penderfynu neu wneud trefniadau i gorff arall (gan gynnwys ei awdurdod lleol) benderfynu, drwy gyfeirio at feini prawf derbyn yr ysgol a gynhelir, y drefn flaenoriaeth y pennir safle pob cais i'r ysgol ynddi, ac

(c) hysbysu neu, pan fo trefniadau wedi eu gwneud o dan is-baragraff (b) i gorff arall (nad yw'n awdurdod lleol iddo) wneud penderfyniad, drefnu i'r corff hwnnw hysbysu ei awdurdod lleol am ei benderfyniad.

(b) require the home authority to send any determination offering or refusing admission to the maintained school in the maintaining authority's area by the admission authority for that school to the parent.

Duties of a governing body under a qualifying scheme

5. A qualifying scheme must require each governing body which is the admission authority for a maintained school—

(a) to forward to the local authority in whose area it is situated—

(i) details of any applications made directly to the maintained school in the normal admission round or as a late application, and

(ii) any supporting information provided by the parent regardless of whether the parent making the application resides in that local authority's area,

(b) to determine or make arrangements for another body (including its local authority) to determine by reference to the maintained school's admissions criteria the order of priority in which each application for the school is ranked, and

(c) to notify or, where arrangements have been made under sub-paragraph (b) for another body (not being its local authority) to make a determination, to arrange for that body to notify its local authority of its determination.

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