OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2025 Rhif 308 (Cy. 62)

2025 No. 308 (W. 62)

ADDYSG, CYMRU

EDUCATION, WALES

Rheoliadau Addysg (Gwybodaeth am Blant mewn Ysgolion Annibynnol) (Peilota) (Cymru) 2025

The Education (Information about Children in Independent Schools) (Pilot) (Wales) Regulations 2025

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn wedi eu gwneud o dan adrannau 537A(1) a (2) a 569(4) a (5) o Ddeddf Addysg 1996. Daw'r Rheoliadau i rym ar 8 Ebrill 2025.

Mae'n ofynnol i berchennog ysgol annibynnol yng Nghymru ddatgelu i awdurdod lleol perthnasol (fel y'i diffinnir yn rheoliad 2), erbyn 20 Mai 2025, wybodaeth benodedig a ddelir ganddo mewn perthynas â phlentyn sy'n ddisgybl cofrestredig yn yr ysgol honno (rheoliad 3).

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: Tegwch mewn Addysg, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ ac mae wedi ei gyhoeddi ar www.llyw.cymru.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under sections 537A(1) and (2) and 569(4) and (5) of the Education Act 1996. The Regulations come into force on 8 April 2025

The proprietor of an independent school in Wales is required to disclose to a relevant local authority (as defined in regulation 2), by 20 May 2025, specified information it holds in relation to a child who is a registered pupil at that school (regulation 3).

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 Equity in Education, Welsh Government, Cathays Park, Cardiff, CF10 3NQ and is published on www.gov.wales.

2025 Rhif 308 (Cy. 62)

ADDYSG, CYMRU

Rheoliadau Addysg (Gwybodaeth am Blant mewn Ysgolion Annibynnol) (Peilota) (Cymru) 2025

Gwnaed	*10 Mawrth 2025*
Gosodwyd gerbron Senedd Cymru	*12 Mawrth 2025*
Yn dod i rym	*8 Ebrill 2025*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 537A(1) a (2) a 569(4) a (5) o Ddeddf Addysg 1996(**1**), ac a freiniwyd bellach ynddynt hwy(**2**), yn gwneud y Rheoliadau a ganlyn:

Enwi, dod i rym a dod i ben

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Gwybodaeth am Blant mewn Ysgolion Annibynnol) (Peilota) (Cymru) 2025.

(2) Daw'r Rheoliadau hyn i rym ar 8 Ebrill 2025 ac maent yn peidio â chael effaith ar 20 Mai 2025.

(**1**) 1996 p. 56. Mewnosodwyd adran 537A gan adran 20 o Ddeddf Addysg 1997 (p. 44), ac fe'i hamnewidiwyd gan baragraff 153 o Atodlen 30 i Ddeddf Safonau a Fframwaith Ysgolion 1998 (p. 31). Fe'i diwygiwyd ymhellach gan O.S. 2010/1158 a chan O.S. 2012/976. *Gweler* adran 579(1) am ystyr "regulations" a "prescribed".

(**2**) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 537A a 569 o Ddeddf Addysg 1996 i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac yna i Weinidogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).

2025 No. 308 (W. 62)

EDUCATION, WALES

The Education (Information about Children in Independent Schools) (Pilot) (Wales) Regulations 2025

Made	*10 March 2025*
Laid before Senedd Cymru	*12 March 2025*
Coming into force	*8 April 2025*

The Welsh Ministers in exercise of the powers conferred on the Secretary of State by sections 537A(1) and (2) and 569(4) and (5) of the Education Act 1996(**1**), and now vested in them(**2**), make the following Regulations:

Title, coming into force and expiry

1.—(1) The title of these Regulations is the Education (Information about Children in Independent Schools) (Pilot) (Wales) Regulations 2025.

(2) These Regulations come into force on 8 April 2025 and cease to have effect on 20 May 2025.

(**1**) 1996 c. 56. Section 537A was inserted by section 20 of the Education Act 1997 (c. 44), and substituted by paragraph 153 of Schedule 30 to the School Standards and Framework Act 1998 (c. 31). It was further amended by S.I. 2010/1158 and by S.I. 2012/976. *See* section 579(1) for the meaning of "regulations" and "prescribed".

(**2**) The functions of the Secretary of State under sections 537A and 569 of the Education Act 1996 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 paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

Dehongli

2. Yn y Rheoliadau hyn—

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

ystyr "awdurdod lleol peilot" ("*pilot local authority*") yw awdurdod lleol a restrir yn Atodlen 1;

ystyr "awdurdod lleol perthnasol" ("*relevant local authority*") yw'r awdurdod lleol peilot y mae'r plentyn yn preswylio fel arfer yn ei ardal;

mae i "disgybl cofrestredig" yr un ystyr â "registered pupil" yn adran 434(5) o'r Ddeddf;

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

mae i "oedran ysgol gorfodol" yr un ystyr â "compulsory school age" yn adran 8 o'r Ddeddf(**1**);

mae i "perchennog" yr un ystyr â "proprietor" yn adran 579(1) o'r Ddeddf(**2**);

ystyr "plentyn" ("*child*") yw person o oedran ysgol gorfodol sy'n preswylio fel arfer yn ardal awdurdod lleol peilot;

ystyr "ysgol annibynnol" ("*independent school*") yw ysgol sydd wedi ei chynnwys yn y gofrestr o ysgolion annibynnol yng Nghymru o dan adran 158 o Ddeddf Addysg 2002(**3**).

Interpretation

2. In these Regulations—

"the Act" *("y Ddeddf")* means the Education Act 1996;

"child" *("plentyn")* means a person of compulsory school age who is ordinarily resident in the area of a pilot local authority;

"compulsory school age" *("oedran ysgol gorfodol")* has the same meaning as in section 8 of the Act(**1**);

"independent school" *("ysgol annibynnol")* means a school included in the register of independent schools in Wales under section 158 of the Education Act 2002(**2**);

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

"pilot local authority" *("awdurdod lleol peilot")* means a local authority listed in Schedule 1;

"proprietor" *("perchennog")* has the same meaning as in section 579(1) of the Act(**3**);

"registered pupil" *("disgybl cofrestredig")* has the same meaning as in section 434(5) of the Act;

"relevant local authority" *("awdurdod lleol perthanasol")* means the pilot local authority in whose area the child is ordinarily resident.

Datgelu gwybodaeth i awdurdod lleol perthnasol

3.—(1) Mae paragraff (2) yn gymwys pan fo perchennog ysgol annibynnol yn dal unrhyw wybodaeth berthnasol.

(2) Rhaid i'r perchennog ddarparu'r wybodaeth berthnasol a ddelir i'r awdurdod lleol perthnasol erbyn 20 Mai 2025.

(3) Yn y rheoliad hwn, ystyr "gwybodaeth berthnasol" yw unrhyw wybodaeth a bennir yn Atodlen 2 mewn perthynas â phlentyn sy'n ddisgybl cofrestredig yn yr ysgol annibynnol.

Disclosure of information to relevant local authority

3.—(1) Paragraph (2) applies where the proprietor of an independent school holds any relevant information.

(2) The proprietor must provide the relevant information held to the relevant local authority by 20 May 2025.

(3) In this Regulation "relevant information" means any of the information specified in Schedule 2 in relation to a child who is a registered pupil at the independent school.

(**1**) Diwygiwyd adran 8 gan adran 52 o Ddeddf Addysg 1997 (p. 44).

(**2**) Diwygiwyd y diffiniad o "proprietor" gan adran 140(1) o Ddeddf Safonau a Fframwaith Ysgolion 1998 (p. 31) a pharagraff 183(a)(iii) o Atodlen 30 iddi. Mae offerynnau diwygio eraill nad ydynt yn berthnasol i'r Rheoliadau hyn.

(**3**) 2002 p. 32. Diwygiwyd adran 158 gan adran 173 o Ddeddf Addysg a Sgiliau 2008 (p. 25) a pharagraff 17 o Atodlen 1 ac Atodlen 2 iddi, a chan adran 54(2) o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 (dccc 2).

(**1**) Section 8 was amended by section 52 of the Education Act 1997 (c. 44).

(**2**) 2002 c. 32. Section 158 was amended by section 173 of and paragraph 17 of Schedule 1 and Schedule 2 to the Education and Skills Act 2008 (c .25) and by section 54(2) of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (anaw. 2).

(**3**) The definition of "proprietor" was amended by section 140(1) of and paragraph 183(a)(iii) of Schedule 30 to the School Standards and Framework Act 1998 (c. 31). There are other amending instruments not relevant to these Regulation

Lynne Neagle

Ysgrifennydd y Cabinet dros Addysg, un o Weinidogion Cymru
10 Mawrth 2025

Cabinet Secretary for Education, one of the Welsh Ministers
10 March 2025

ATODLEN 1 Rheoliad 2

Awdurdodau Lleol Peilot

Cyngor Bwrdeistref Sirol Rhondda Cynon Taf

Cyngor Sir Caerdydd

Cyngor Sir Caerfyrddin

Cyngor Sir Fynwy

Cyngor Gwynedd

Cyngor Sir Powys

Cyngor Sir Ynys Môn

SCHEDULE 1 Regulation 2

Pilot Local Authorities

Cardiff County Council

Carmarthenshire County Council

Gwynedd Council

The Isle of Anglesey County Council

Monmouthshire County Council

Powys County Council

Rhondda Cynon Taff County Borough Council

ATODLEN 2 Rheoliad 3

Yr wybodaeth sydd i'w darparu i'r awdurdod lleol perthnasol

1. Enw'r plentyn (gan gynnwys unrhyw enw blaenorol).

2. Cyfeiriad y plentyn (neu ei gyfeiriad hysbys diwethaf), gan gynnwys cod post.

3. Dyddiad geni'r plentyn.

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Saul Nassé, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd Deddfau Senedd y Brenin.

SCHEDULE 2 Regulation 3

Information to be provided to the relevant local authority

1. The child's name (including any former name).

2. The child's address (or last known address) including postcode.

3. The child's date of birth.

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