



**Cynulliad Cenedlaethol Cymru  
The National Assembly for Wales**

**Cofnod y Trafodion  
The Record of Proceedings**

**Dydd Mawrth, 17 Mawrth 2009  
Tuesday, 17 March 2009**

**Cynnwys**  
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(Wales) Measure

Yn y golofn chwith, cofnodwyd y trafodion yn yr iaith y llefarwyd hwy ynnddi yn y Siambr.  
Yn y golofn dde, cynhwyswyd cyfieithiad o'r areithiau hynny.

In the left-hand column, the proceedings are recorded in the language in which they were spoken in the Chamber. In the right-hand column, a translation of those speeches has been included.

*Cyfarfu'r Cynulliad am 1.30 p.m. gyda'r Llywydd (Dafydd Elis-Thomas) yn y Gadair.  
The Assembly met at 1.30 p.m. with the Presiding Officer (Dafydd Elis-Thomas) in the Chair.*

**Y Llywydd:** Galwaf y Cynulliad i drefn.

**The Presiding Officer:** I call the Assembly to order.

## **Cwestiynau i'r Prif Weinidog Questions to the First Minister**

### **Severn Crossing Tolls**

**Q1 Mohammad Asghar:** What representations has the First Minister received about the Severn crossing tolls? OAQ(3)1802(FM)

**The First Minister (Rhodri Morgan):** Not many. In recent months, I have received one letter from a member of the public, and I have answered one Assembly question on the Severn bridges' toll payment methods.

**Mohammad Asghar:** The ever-increasing toll means that Wales's businesses cannot benefit as much as would be possible otherwise, and tourism, unfortunately, can lose out when compared with places on the Bristol side of the Severn bridge. Members of the Federation of Small Businesses from the English side of the Severn will be faced with the toll when they travel to their conference in Newport this weekend. They urge the UK Government to follow the lead of the Scottish Government and to abolish such tolls. Does the First Minister agree that a freeze on toll increases or, preferably, a reduction in tolls, or even their abolition would send the right message to people on this side of the Severn in these difficult economic times?

**The First Minister:** Anything that Governments can do to reduce the burden on business is to be welcomed. That is partially shown by the fact that the cut in value-added tax is now reflected in the Severn bridge toll, which is lower than it would have been otherwise. The retail prices index inflation drop also means that there is a reflected drop in the rate of increase, although that is not the same as a freeze or an abolition. Over the remaining eight years of the Severn bridge concession, we would all welcome anything

### **Tollau ar Bontydd Hafren**

**C1 Mohammad Asghar:** Pa sylwadau mae'r Prif Weinidog wedi'u cael ynghylch tollau ar bontydd Hafren? OAQ(3)1802(FM)

**Y Prif Weinidog (Rhodri Morgan):** Dim llawer. Dros y misoedd diwethaf, yr wyf wedi cael un llythyr gan aelod o'r cyhoedd, ac yr wyf wedi ateb un cwestiwn Cynulliad ynghylch dulliau talu tollau ar bontydd Hafren.

**Mohammad Asghar:** Mae pris cynyddol y doll yn golygu na all busnesau Cymru fanteisio cymaint ag a fyddai'n bosibl fel arall, a gall twristiaeth, yn anffodus, fod ar ei cholled o'i chymharu â lleoedd ar ochr Bryste i bont Hafren. Bydd aelodau'r Ffederasiwn Busnesau Bach ar ochr Lloegr afon Hafren yn gorfod talu'r doll pan fyddant yn teithio i'w cynhadledd yng Nghasnewydd y penwythnos hwn. Maent yn annog Llywodraeth y DU i ddilyn esiampl Llywodraeth yr Alban a dileu tollau o'r fath. A yw'r Prif Weinidog yn cytuno y byddai rhewi'r cynnydd ym mhreis y tollau neu, yn ddelfrydol, lleihau'r tollau, neu hyd yn oed eu dileu, yn anfon y neges gywir i bobl ar yr ochr hon i afon Hafren yn ystod y cyfnod economaidd anodd hwn?

**Y Prif Weinidog:** Croesawir unrhyw beth y gall Llywodraethau ei wneud i leihau'r baich ar fusnesau. Gwelir hynny'n rhannol yn y ffaith bod y toriad mewn treth ar werth yn awr yn cael ei adlewyrchu yn y doll ar bont Hafren, sy'n is nag y buasai fel arall. Mae'r gostyngiad yn chwyddiant y mynegai prisiau manwerthu hefyd yn golygu bod gostyngiad cyfatebol yng nghyfradd y cynnydd, er nad yw hynny'r un fath â rhewi neu ddileu'r tollau. Dros yr wyth mlynedd sy'n weddill o'r consesiwn ar gyfer pontydd Hafren,

that can be done to keep the level of increase modest, to freeze the toll, or to get rid of it.

**William Graham:** First Minister, I might stimulate some letters to you on this matter if I remind you that the cost of the two bridges was £308 million but that the amount collected from tolls to date, on both bridges, is more than £700 million. Based on the present level of revenue, the concession will end in 2016. Presumably, you are making representations to ensure that the tolls end as soon as possible. If not, why not?

**The First Minister:** The private finance initiative scheme that was brought in by a Government of your political colour has had exactly that consequence. In other words, the level of tolls necessary after building the bridge is more than double its gross cost, because you also have the rolled-up interest payments and the repayment of capital to cover over the 25 years from the mid 1990s, which is when the second Severn bridge was built. The company also incorporated the first Severn bridge at that time so that there would be a unified toll payment method. We are actively engaged with the UK Government on considering the consequences after 2016, because we want to programme in our wish to have responsibility for the tolls. They could be used to fund the building of an M4 relief road around Newport. That would be a welcome method of keeping the burden roughly where it is today but of getting an additional road. However, whether that is possible to negotiate, we do not yet know.

**Michael German:** First Minister, I welcome your invitation for us to table more questions on the Severn tolls to generate interest on this matter, which is of great concern to many, and I have asked you about it before. Before we get to the issue of the £1 billion at 1989 prices required to be paid in tolls before the bridges return to public ownership, let us look at the current issue of people being able to pay by credit or debit card. In a previous answer, you told me that there were technical reasons still to be dealt with before tolls could be collected by electronic methods. Is one of those the matter of who pays the bank charges? Is it the customer who is using the

byddem i gyd yn croesawu unrhyw beth y gellir ei wneud i gadw lefel y cynnydd yn isel, i rewi'r doll, neu i gael gwared â hi.

**William Graham:** Brif Weinidog, efallai y byddaf yn ysgogi rhywfaint o lythrau atoch ynghylch y mater hwn os y'ch atgoffaf mai £308 miliwn oedd cost y ddwy bont ond bod y swm a gasglwyd o dollau hyd yn hyn, ar y ddwy bont, yn fwy na £700 miliwn. Ar sail lefel bresennol y refeniw, bydd y consesiwn yn dod i ben yn 2016. Mae'n debyg eich bod yn cyflwyno sylwadau i sicrhau y bydd y tollau'n dod i ben cyn gynted â phosibl. Os nad ydych, pam?

**Y Prif Weinidog:** Mae'r cynllun mentrau cyllid preifat, a gyflwynwyd gan Lywodraeth o'r un lliw gwleidyddol â chi, wedi arwain at yr union ganlyniad hwnnw. Mewn geiriau eraill, mae lefel y tollau sy'n angenrheidiol ar ôl adeiladu'r bont yn fwy na dwbl ei chost grynswth, oherwydd rhaid ichi hefyd dalu'r llog cronedig ac ad-dalu cyfalaf ar gyfer y 25 mlynedd ers canol y 1990au, sef pryd adeiladwyd ail bont Hafren. Ymgorfforodd y cwmni'r bont gyntaf ar yr adeg honno er mwyn sicrhau y ceid dull talu tollau unedig. Yr ydym yn gweithio gyda Llywodraeth y DU i ystyried y canlyniadau ar ôl 2016, oherwydd mae arnom eisiau cynnwys ein dymuniad i fod yn gyfrifol am y tollau. Gellid eu defnyddio i ariannu'r gwaith o adeiladu ffordd liniaru'r M4 o gwmpas Casnewydd. Byddai'r dull hwnnw o gadw'r baich yn fras lle y mae heddiw, gan adeiladu heol ychwanegol, yn cael ei groesawu. Fodd bynnag, ni wyddom eto pa un ai a fyddai modd trafod hynny ai peidio.

**Michael German:** Brif Weinidog, croesawaf eich gwahoddiad inni gyflwyno rhagor o gwestiynau ynghylch tollau pontydd Hafren i ennyn diddordeb yn y mater hwn, sydd o bwys mawr i nifer o bobl, ac yr wyf wedi'ch holi yn ei gylch o'r blaen. Cyn inni drafod mater yr £1 biliwn, yn ôl prisiau 1989, y mae angen ei dalu mewn tollau cyn i'r pontydd fod yn berchen i'r cyhoedd unwaith eto, gadewch inni edrych ar y mater presennol ynghylch ei gwneud yn bosibl i bobl dalu gyda cherdyn credyd neu gerdyn debyd. Mewn ateb blaenorol, dywedasoeh wrthyf fod angen ymdrin â rhesymau technegol o hyd cyn y gellid casglu tollau drwy ddulliau

road, is it Severn River Crossing plc, or is it Her Majesty's Government in London who will pay? Perhaps you could give me an answer to that.

**The First Minister:** Following our recent exchange of correspondence, I wrote to Geoff Hoon, the Secretary of State for Transport, passing on the view of the Assembly that there should be an expeditious move to enable people who do not happen to have the cash on them to pay by credit or debit card on the Severn bridges. The issue that is causing the dispute is that the Severn bridges concession company says that any on-costs arising from the financial processing of anything other than cash should be met by the Government, whereas the Government's view—both the Highways Agency and the Department for Transport—is that the company should be willing to meet it, given that it is such a small amount. That is where the dispute lies. We have said that, whoever is right, they should not hang about too much; this problem should be solved expeditiously over the next few months. It is plainly absurd that you cannot use debit or credit cards for such an important crossing into Wales.

### Post-16 Education

**Q2 Peter Black:** Will the First Minister make a statement on the funding of post-16 education? OAQ(3)1812(FM)

**The First Minister:** Further education institutions, sixth forms and training providers in Wales receive over £500 million per annum in recurrent funding from the Assembly Government. Recently, an additional £87 million has been provided over three years for post-16 learning, including £25 million to substantially increase the number of modern apprenticeships.

**Peter Black:** You will know that the vast majority of colleges in my region of South Wales West have received cuts in their core funding of between 5 and 7.5 per cent this year. Although there may well be money

electronig. Ai un o'r rheini yw'r mater ynghylch pwy a fydd yn talu'r costau banc? Ai'r cwsmer sy'n defnyddio'r ffordd, Severn River Crossing ccc, ynteu Lywodraeth Ei Mawrhydi yn Llundain a fydd yn talu? Efallai y gallech roi ateb imi ynghylch hynny.

**Y Prif Weinidog:** Yn dilyn ein gohebiaeth ddiweddar, ysgrifennais at Geoff Hoon, yr Ysgrifennydd Gwladol dros Drafnidiaeth, gan gyfleu safbwynt y Cynulliad y dylid symud yn gyflym i alluogi pobl nad yw'r arian parod yn digwydd bod ganddynt i dalu gyda cherdyn credyd neu gerdyn debyd ar bontydd Hafren. Y mater sy'n peri'r anghytundeb yw y dywed cwmni consesiynau pontydd Hafren y dylai unrhyw argostau sy'n codi pan fydd unrhyw beth heblaw arian parod yn cael ei brosesu'n ariannol gael eu talu gan y Llywodraeth, a safbwynt y Llywodraeth—yr Asiantaeth Priffyrdd a'r Adran Drafnidiaeth ill dwy—yw y dylai'r cwmni fod yn barod i'w dalu, ac ystyried bod y swm mor fach. Dyna lle mae'r anghytundeb. Yr ydym wedi dweud, ni waeth pwy sy'n gywir, na ddylent oedi'n rhy hir; dylid datrys y broblem hon yn gyflym dros yr ychydig fisoedd nesaf. Mae'n gwbl afresymol na allwch ddefnyddio cardiau debyd na chardiau credyd ar gyfer ffordd mor bwysig i mewn i Gymru.

### Addysg ôl-16

**C2 Peter Black:** A wnaiff y Prif Weinidog ddatganiad am gyllido addysg ôl-16? OAQ(3)1812(FM)

**Y Prif Weinidog:** Mae sefydliadau addysg bellach, dosbarthiadau chwech a darparwyr hyfforddiant yng Nghymru yn cael dros £500 miliwn y flwyddyn mewn cyllid rheolaidd gan Lywodraeth y Cynulliad. Yn ddiweddar, darparwyd £87 miliwn yn ychwanegol dros dair blynedd ar gyfer dysgu ôl-16, gan gynnwys £25 miliwn i sicrhau cynnydd sylweddol yn nifer y prentisiaethau modern.

**Peter Black:** Gwyddoch fod mwyafrif helaeth y colegau yn fy ardal, sef Gorllewin De Cymru, wedi cael toriadau gwerth rhwng 5 a 7.5 y cant yn eu cyllid craidd eleni. Er efallai y bydd arian ar gael drwy ProAct a'r

available through ProAct and the apprenticeships schemes, none of it will replace that core funding, as there will be costs involved in providing the training required under those schemes. Given the need to upskill the workforce and to respond to the recession by investing in education and training, can you suggest to the college principals involved how they should deliver your agenda with such savage cuts in their funding?

**The First Minister:** I do not know whether I would accept the word 'savage'. It is true that there are two big processes going on. The first of those is the levelling out of the difference between what sixth forms get paid for doing the same job as further education colleges, so that by 2010 they will be paid the same amount for the same unit of learning. Secondly, within the FE sector, there is a further process of harmonisation, because some colleges were getting more than others for the same unit of learning. Therefore, there are two lots of harmonisation going on. Within that process, there are, almost inevitably, winners and losers, which is unfortunate. However, at the same time, there is the money to be bid for, which FE colleges can seek under ProAct, ReAct and the apprenticeships schemes. We have put in an additional £100 million for the tail-end of this year and the next financial year.

**Nerys Evans:** Yr wyf ar ddeall, drwy un o'r undebau athrawon, fod rhai ysgolion wedi clywed bod ffigurau'r setliad ariannol yn anghywir, a'u bod yn trafod hynny â swyddogion ar hyn o bryd. Yn amlwg, mae hynny'n achosi pryder mawr, gan fod rhai ysgolion wedi dechrau prosesu diswyddiadau ac yn y blaen. A oes modd rhoi system ar waith ar fyrder i swyddogion wirio setliadau ariannol yr ysgolion hynny sydd wedi colli'r symiau mwyaf? Mae hwn yn amser pryderus i'r ysgolion hynny. Yn sgil y camgymeriadau a wnaethpwyd, a oes angen system o'r fath er mwyn i ysgolion gael hyder yn y system ariannu?

**Y Prif Weinidog:** Yr ydych wedi codi pwynt pwysig ynglŷn â'r hyn sy'n digwydd i gysylltu'r gweithgareddau o fewn y system

cynlluniau prentisiaethau, ni fydd dim ohono'n disodli'r cyllid craidd, oherwydd bydd rhagor o gostau'n codi o ddarparu'r hyfforddiant y mae ei angen dan y cynlluniau hynny. Ac ystyried yr angen i uwchsgilio'r gweithlu ac i ymateb i'r dirwasgiad drwy fuddsoddi mewn addysg a hyfforddiant, a allwch awgrymu i benaethiaid y colegau sy'n ymwneud â'r mater sut y dylent gyflawni eich agenda gyda thoriadau mor syfrdanol yn eu cyllid?

**Y Prif Weinidog:** Ni wn pa un ai a fyddwn yn derbyn y gair 'syfrdanol'. Mae'n wir bod dwy broses fawr ar waith. Y gyntaf o'r rheini yw gwastatáu'r gwahaniaeth yn yr hyn a delir i ddsbarthiadau chwech am wneud yr un gwaith â cholegau addysg bellach, er mwyn sicrhau, erbyn 2010, y telir yr un swm iddynt am yr un uned o ddysgu. Yn ail, o fewn y sector addysg bellach, ceir proses harmonieiddio bellach, oherwydd yr oedd rhai colegau'n cael mwy na rhai eraill am yr un uned o ddysgu. Felly, mae harmonieiddio wrthi'n mynd rhagddo mewn dwy ffordd. O fewn y broses honno, yn anochel, bron, bydd rhai ar eu hennill a rhai ar eu colled, ac mae hynny'n anffodus. Fodd bynnag, ar yr un pryd, mae'r arian ar gael y gellir gwneud cais amdano, a gall colegau addysg bellach ei geisio dan ProAct, ReAct a'r cynlluniau prentisiaethau. Yr ydym wedi darparu £100 miliwn yn ychwanegol ar gyfer diwedd y flwyddyn hon a'r flwyddyn ariannol nesaf.

**Nerys Evans:** I am given to understand, through one of the teaching unions, that some schools have been told that the financial settlement figures are incorrect, and that they are discussing this with officials at the moment. Obviously, that is a cause for great concern, because many schools have already started the process of making redundancies. Would it be possible to implement a system to check the financial settlements of those schools that have lost the largest sums, as a matter of urgency? This is a worrying time for those schools. In the wake of the mistakes that were made, should such a system be established to ensure that schools have faith in the funding system?

**The First Minister:** You have raised an important point about what happens to link activities within the Welsh-medium

addysg cyfrwng Cymraeg a'r hyn sy'n digwydd pan fydd pobl wedi dod i ddiwedd eu gyrfa ysgol amser llawn, gan symud ymlaen i fywyd y tu hwnt i'r ysgol. Byddwn yn cynnig gwelliant i'r Mesur Arfaethedig ynghylch Dysgu a Sgiliau (Cymru) y prynhawn yma i gryfhau'r sefyllfa ac i roi mwy o sicrwydd ynglŷn â'r gallu i ddod o hyd i gyrsiau drwy gyfrwng y Gymraeg, er mwyn i bobl barhau â'u hastudiaethau drwy gyfrwng y Gymraeg wedi iddynt adael addysg amser llawn.

1.40 p.m.

**Paul Davies:** Yr wyf yn siŵr bod y Prif Weinidog yn cytuno bod y chweched dosbarth yn chwarae rhan bwysig yn addysg ein pobl ifanc mewn ysgolion. Mae wedi cyfeirio at y Mesur arfaethedig y byddwn yn ei drafod yn nes ymlaen y prynhawn yma. Mae'n debyg y bydd y Mesur arfaethedig yn rhoi mwy o ddewis i bobl ifanc. A yw'r Prif Weinidog yn credu y gall y Mesur arfaethedig fygwth dyfodol y chweched dosbarth yn ein hysgolion drwy symud at system fwy trydyddol?

**Y Prif Weinidog:** Yn y pen draw, mae'n anodd cyfiawnhau rhoi mwy o arian neu fwy o adnoddau cyhoeddus i chweched dosbarth am yr un gamp addysgol â choleg addysg bellach. Os yw chweched dosbarth yn gwneud yr un gwaith â choleg addysg bellach, dylai gael yr un arian, ac i'r gwrthwyneb. Felly, yr ydym yn ceisio harmonieiddio'r tâl a geir am y gweithgaredd addysgu, hynny yw, yr uned ddysgu. Ni fydd hynny'n digwydd dros nos. Mae'r broses wedi bod ar waith am bedair blynedd eisoes, a chredaf fod dwy flynedd arall i ddod cyn y bydd yr harmonieiddio'n digwydd 100 y cant—erbyn 2010. Nid wyf yn meddwl bod hynny'n fygythiad; mae'n addasiad, a hynny dros bum mlynedd, os nad chwe blynedd, gyda'r cam olaf yn digwydd ymhen 18 mis.

**Jeff Cuthbert:** First Minister, I am sure that you agree that, under the 14-19 pathways, we expect, through the collaborative agenda, to see a shared use of resources between the further education sector, schools, and work-based learning providers. We trust that this will result in the more cost-effective use of

education system and what happens when people finish their full-time school career, and move on to life beyond school. We will move an amendment to the Proposed Learning and Skills (Wales) Measure this afternoon, to improve the situation and to give greater assurances as to the availability of Welsh-medium courses, so that people can continue to study through the medium of Welsh once they have left full-time education.

**Paul Davies:** I am sure that the First Minister would agree that sixth forms play an important role in the education of young people in schools. He has touched upon the proposed Measure that we will discuss later this afternoon. It seems that the proposed Measure will give young people more choice. Does the First Minister believe that the proposed Measure could threaten the future of sixth forms in our schools by moving towards a more tertiary system?

**The First Minister:** At the end of the day, it is hard to justify giving more funding or more public resources to a sixth form for the same educational achievement as that of a further education college. If a sixth form is undertaking the same work as a further education college, it should receive the same funding, and visa versa. Therefore, we are trying to harmonise the payment that is awarded for educational activities, that is, the unit of learning. This will not happen overnight. The process has been under way for four years already, and I think that there are another two years to go before 100 per cent harmonisation takes place—by 2010. I do not think that it is a threat; it is an adjustment, over a period of five years, if not six, with the final stage taking place 18 months from now.

**Jeff Cuthbert:** Brif Weinidog, yr wyf yn siŵr y cytunwch ein bod, dan y llwybrau 14-19, yn disgwyl, drwy'r agenda gydweithredol, gweld defnyddio adnoddau'n cael ei rannu rhwng y sector addysg bellach, ysgolion a darparwyr dysgu seiliedig ar waith. Yr ydym yn ffyddiog y bydd hyn yn



cash and physical and human resources. Do you share my view that in terms of the ProAct scheme, for which we would expect FE colleges to procure work from the companies that win ProAct funding, it is important that the human resource development advisers, who seek to guide companies, give as much emphasis to what can be offered by FE colleges as to what can be offered by work-based learning providers or, indeed, other providers?

**The First Minister:** This issue about the harmonisation of funding to ensure a level playing field between further education colleges and sixth forms with regard to post-16 education has existed for as long as the Assembly has been in existence. I think that we all remember the remarkable co-operation between Cynog Dafis, as Chair of the Post-16 Education and Training Committee, and Tom Middlehurst, as the Minister then responsible for that area. They both agreed that this should be done. The question is: how long does it take to achieve the nirvana of a level playing field in funding between the two kinds of providers? We believe that we will achieve that level playing field in 2010. We believe that that is right. It should not be done overnight and it certainly will not be, in that we will have been in existence for 11 years before it happens.

Secondly, on the issue of HRD advisers, if you have any evidence that they are in some way biased against FE colleges and in favour of work-based learning, then let me know what that evidence is. I understand the concerns that FE colleges might have about that, depending on the background of the HRD advisers, but I think that they do need to challenge and, if there is any evidence of bias, they should let me or John Griffiths or Jane Hutt know.

arwain at ffyrdd mwy cost-effeithiol o ddefnyddio arian parod ac adnoddau ffisegol a dynol. A rannwch fy safbwynt, o ran y cynllun ProAct, y byddem yn disgwyl i golegau addysg bellach gaffael gwaith ar ei gyfer gan y cwmnïau sy'n ennill cyllid ProAct, ei bod yn bwysig bod yr ymgynghorwyr datblygu adnoddau dynol, sy'n ceisio arwain y cwmnïau, yn rhoi cymaint o bwyslais ar yr hyn y gall colegau addysg bellach ei gynnig ag a roddir ar yr hyn y gall darparwyr dysgu seiliedig ar waith neu, yn wir, ddarparwyr eraill, ei gynnig?

**Y Prif Weinidog:** Mae'r mater hwn ynghylch harmonieiddio cyllid er mwyn sicrhau chwarae teg rhwng colegau addysg bellach a dosbarthiadau chwech yng nghyswllt addysg ôl-16 wedi bodoli ers dechrau oes y Cynulliad. Credaf ein bod i gyd yn cofio'r cydweithio aruthrol rhwng Cynog Dafis, Cadeirydd y Pwyllgor Addysg a Hyfforddiant Ôl-16, a Tom Middlehurst, sef y Gweinidog a oedd yn gyfrifol am y maes hwnnw ar y pryd. Cytunodd y ddau ohonynt y dylid gwneud hyn. Y cwestiwn yw: faint o amser y mae'n ei gymryd i sicrhau gwynfyd lle ceir chwarae teg o ran cyllid rhwng y ddau fath o ddarparwr? Credwn y byddwn yn sicrhau'r chwarae teg hwnnw yn 2010. Credwn fod hynny'n briodol. Ni ddylid ei wneud dros nos ac, yn sicr, ni fydd hynny'n wir, oherwydd byddwn wedi bodoli am 11 mlynedd cyn i hynny ddigwydd.

Yn ail, ynghylch yr ymgynghorwyr datblygu adnoddau dynol, os oes gennych unrhyw dystiolaeth bod ganddynt duedd mewn unrhyw ffordd yn erbyn colegau addysg bellach ac o blaid dysgu seiliedig ar waith, rhowch wybod imi beth yw'r dystiolaeth honno. Yr wyf yn deall y pryderon sydd gan golegau addysg bellach o bosibl ynghylch hynny, gan ddibynnu ar gefndir yr ymgynghorwyr datblygu adnoddau dynol, ond credaf fod angen iddynt herio ac, os oes unrhyw dystiolaeth o duedd, dylent roi gwybod imi, i John Griffiths neu i Jane Hutt.

**The Leader of the Welsh Liberal Democrats (Kirsty Williams):** Given the state of the Welsh economy and our low skills base, do you believe that cutting FE college core funding and funding to sixth forms is a coherent response to the current economic crisis?

**The First Minister:** We have made an additional £87 million available now, on top of the core funding. I do not think that that means that FE colleges will be worse off; they simply have to change their approach and not be so reliant on core funding. I know that some have lost out. If they had an above-average level of investment in courses for the post-19 sector, they have tended to do badly out of the changes, but if they had a heavy concentration on the post-16 to 19 sector, they have done relatively well out of the changes. In order to achieve a level playing field between FE colleges and sixth forms, there have again been winners and losers. So, the pattern will be very varied. However, with the additional £87 million having gone into the post-16 sector, we believe that there will be, in the end, a relatively small number of losers, most of whom will be able—although they will have to bid for it—to come out of this with a fair degree of funding, although it will not be recurrent core funding.

**Kirsty Williams:** First Minister, do you believe that asking FE colleges to bid in future for an increasingly important part of their budget is the way to increase stability and long-term planning in that sector? What proportion of the ProAct money and the apprenticeships money do you anticipate will end up in the budget of the FE sector? What is your response to the school sector, which will, of course, not benefit from ProAct or money from apprentices?

**The First Minister:** You are undoubtedly right about the second point. On ProAct, there is £48 million in the kitty for it—£1 million for the tail-end of this financial year and £47 million for the year to come. That is a large pot of money that is not available anywhere else in the UK. Half of that is the wage subsidy, so we can reduce that sum to

**Arweinydd Democratiaid Rhyddfrydol Cymru (Kirsty Williams):** Ac ystyried cyflwr economi Cymru a'n sylfaen sgiliau isel, a gredwch fod torri cyllid craidd colegau addysg bellach a chyllid dosbarthiadau chwech yn ymateb rhesymegol i'r argyfwng economaidd?

**Y Prif Weinidog:** Yr ydym wedi darparu £87 miliwn yn ychwanegol yn awr, ar ben y cyllid craidd. Ni chredaf fod hynny'n golygu y bydd colegau addysg bellach yn waeth eu byd; yn syml, bydd yn rhaid iddynt newid eu ffyrdd o weithredu a pheidio â dibynnu gymaint ar gyllid craidd. Gwn fod rhai ar eu colled. Os ydynt wedi cael lefel buddsoddiad sy'n uwch na'r cyfartaledd mewn cyrsiau ar gyfer y sector ôl-19, maent wedi tueddu i wneud yn wael yn sgil y newidiadau, ond os ydynt wedi cael crynodiad uchel yn y sector ôl-16 i 19, maent wedi gwneud yn gymharol dda yn sgil y newidiadau. Er mwyn sicrhau chwarae teg rhwng colegau addysg bellach a dosbarthiadau chwech, unwaith eto, bu rhai ar eu hennill a rhai ar eu colled. Felly, bydd y patrwm yn amrywiol iawn. Fodd bynnag, gan fod yr £87 miliwn ychwanegol wedi mynd i'r sector ôl-16, credwn mai cymharol fach, yn y pen draw, fydd nifer y rhai ar eu colled, a bydd modd i'r rhan fwyaf o'r rheini—er y bydd yn rhaid iddynt wneud cais amdano—gael cyfradd deg o gyllid yn y pen draw, er na fydd yn gyllid craidd rheolaidd.

**Kirsty Williams:** Brif Weinidog, a gredwch mai gofyn i golegau addysg bellach wneud cais yn y dyfodol am ran gynyddol bwysig o'u cyllideb yw'r ffordd i wella sefydlogrwydd a chynllunio hirdymor yn y sector hwnnw? Pa gyfran o'r arian ProAct ac arian y prentisiaethau yr ydych yn rhagweld a fydd yn cael ei gynnwys yng nghyllideb y sector addysg bellach yn y pen draw? Beth yw eich ymateb i'r sector ysgolion, na fydd, wrth gwrs, yn elwa o ProAct na'r arian yn sgil prentisiaid?

**Y Prif Weinidog:** Yr ydych yn sicr yn iawn am yr ail bwynt. O ran ProAct, mae £48 miliwn yn y gronfa ar ei gyfer—£1 miliwn ar gyfer diwedd y flwyddyn ariannol hon a £47 miliwn ar gyfer y flwyddyn i ddod. Mae honno'n gronfa fawr o arian nad yw ar gael yn unrhyw fan arall yn y DU. Mae hanner hynny'n gymhorthdal cyflogau, felly gallwn

£24 million. It is a little early to say what proportion will be for work-based learning, and what proportion will be for further education colleges. I will write to you as soon as we have an indication of how it is breaking down. We know, for instance, that Coleg Sir Gâr is being proactive and is grabbing quite a lot of the ProAct money that has been promised to four companies in Carmarthen. That is good. Not every college will be able to do that, but we hope that many of them will be ringing up Coleg Sir Gâr and asking them how it does that. By mid summer, perhaps, I will be able to write to you with an indication of how things are going.

**Kirsty Williams:** I appreciate the offer of a letter, First Minister, but you are saying to FE colleges now that they can plug the gap in their funding by using ProAct money. Therefore, you must have an expectation as to how much of that budget will eventually go into those colleges so that you can be assured in saying that they do not need to worry because that money is available. Therefore, we do not need to wait until the summer to see how it pans out. I would like to know now what proportion of that money you anticipate will end up in our FE colleges' budgets so that they can be assured that they will not see a shortfall in funding. When your letter arrives in the summer, we will then be able to see whether you have delivered on your expectations.

**The First Minister:** That is the wrong way around. There is no reserved portion of the £24 million that is available for training courses. It is not reserved; it is a matter of bidding for the money. So, it would be premature of me to make an estimate now. We do not know how proactive some of our FE colleges will be in getting ProAct moneys. Coleg Sir Gâr, for instance, appears to be very proactive. Other colleges may follow that model, but they may not be so proactive. I cannot guarantee that they will be as good as Coleg Sir Gâr appears to be. However, they should be ringing up Coleg Sir Gâr and asking, 'How did you do it? Can you take our income generation expert through how you did it so that we can see whether our FE college can be as active as

ostwng y swm hwnnw i £24 miliwn. Mae'n rhy gynnar i ddweud beth fydd y gyfran ar gyfer dysgu seiliedig ar waith, a pha gyfran fydd ar gyfer colegau addysg bellach. Ysgrifennaf atoch cyn gynted ag y mae gennym syniad o sut y bydd yn cael ei ddosrannu. Gwyddom er enghraifft, fod Coleg Sir Gâr yn rhagweithiol a'i fod yn cipio cryn lawer o'r arian ProAct sydd wedi cael ei addo i bedwar cwmni yng Nghaerfyrddin. Mae hynny'n dda. Ni fydd pob coleg yn gallu gwneud hynny ond gobeithiwn y bydd llawer ohonynt yn ffonio Coleg Sir Gâr ac yn gofyn iddo sut mae'n gwneud hynny. Erbyn canol yr haf, efallai, gallaf ysgrifennu atoch i roi syniad ichi o sut mae pethau'n mynd.

**Kirsty Williams:** Gwerthfawrogaf y cynnig o lythyr, Brif Weinidog, ond yr ydych yn dweud wrth golegau AB yn awr y gallant gau'r bwlch yn eu cyllid drwy ddefnyddio arian ProAct. Felly, rhaid bod gennych syniad o faint o'r gyllideb honno fydd maes o law'n mynd i'r colegau hynny er mwyn gallu dweud â sicrwydd nad oes angen iddynt boeni gan fod yr arian hwnnw ar gael. Felly, nid oes angen inni ddisgwyl tan yr haf i weld sut y aiff pethau. Hoffwn wybod yn awr pa gyfran o'r arian hwnnw yr ydych yn rhagweld fydd yn mynd i gyllidebau ein colegau AB fel y gallant fod yn sicr na fydd ganddynt ddiffyg yn eu cyllid. Pan fydd eich llythyr yn cyrraedd yn yr haf, gallwn weld wedyn a ydych wedi gwireddu eich disgwyliadau.

**Y Prif Weinidog:** Mae hynny o chwith gennych. Nid oes elfen o'r £24 miliwn sydd ar gael wedi cael ei neilltuo ar gyfer cyrsiau hyfforddi. Nid yw wedi'i neilltuo; mae'n fater o wneud cais am yr arian. Felly, mae'n rhy gynnar imi roi amcangyfrif yn awr. Ni wyddom pa mor rhagweithiol fydd rhai o'n colegau AB wrth ymgeisio am arian ProAct. Mae'n ymddangos bod Coleg Sir Gâr, er enghraifft, yn rhagweithiol iawn. Efallai y gwnaiff colegau eraill ddilyn y model hwnnw, ond efallai na fyddant mor rhagweithiol. Ni allaf warantu y byddant cystal ag y mae Coleg Sir Gâr yn ôl pob golwg. Fodd bynnag, dylent fod yn ffonio Coleg Sir Gâr ac yn gofyn, 'Sut wnaethoch chi hynny? A allwch dywys ein harbenigwr cynhyrchu incwm drwy'r hyn a wnaethoch

you with local companies that have had ProAct funding?'

chi i ni gael gweld a all ein coleg AB ninnau fod mor weithgar â chi gyda chwmnïau lleol sydd wedi cael cyllid ProAct?'

### Vulnerable People

**Q3 Darren Millar:** What action is the Welsh Assembly Government taking to support vulnerable people? OAQ(3)1813(FM)

**The First Minister:** We work hard to support vulnerable people to live independently in their own homes. In this context, I am pleased to say that recent sharp falls in delayed transfers of care figures are to be welcomed, as is the potential for improving services for carers represented by the proposed carers LCO. Sustainability of services for vulnerable people depends on a combination of public services and voluntary effort and we want to support them both.

**Darren Millar:** Thank you for your answer, First Minister. One thing that you failed to mention was the disabled facilities grants and the opportunities that they can provide to improve quality of life for vulnerable people and to help them maintain their independence. However, according to local government performance indicators, the average time taken to deliver a disabled facilities grant in Wales is a shameful 453 days, with some people waiting over two years for installations in their homes. Will you therefore consider, as an Assembly Government, making extra cash available to local authorities to clear this backlog of disabled facilities grants and to help stimulate the economy in Wales by supporting the many small contractors who undertake this kind of work?

**The First Minister:** This is a new definition of conservatism, that the answer to every problem is to throw cash at it. When I hear Conservative speeches by George Osborne, he seems to be saying the reverse. There is a totally unacceptable variation in the performance of the 22 local authorities in Wales in providing disabled facilities grants.

### Pobl Agored i Niwed

**C3 Darren Millar:** Pa gamau mae Llywodraeth Cynulliad Cymru yn eu cymryd i gefnogi pobl agored i niwed? OAQ(3)1813(FM)

**Y Prif Weinidog:** Yr ydym yn gweithio'n galed i gynorthwyo pobl agored i niwed i fyw'n annibynnol yn eu cartrefi eu hunain. Yn y cyd-destun hwn, yr wyf yn falch o ddweud bod y gostyngiadau sylweddol yn ddiweddar yn y ffigurau oedi wrth drosglwyddo gofal i'w croesawu, fel mae'r potensial i wella'r gwasanaethau i ofalwyr a gynrychiolir gan y gorchymyn cymhwysedd deddfwriaethol arfaethedig ynglŷn â gofalwyr. Mae cynaliadwyedd gwasanaethau i bobl agored i niwed yn dibynnu ar gyfuniad o wasanaethau cyhoeddus ac ymdrech wirfoddol ac yr ydym am gefnogi'r naill a'r llall.

**Darren Millar:** Diolch ichi am eich ateb, Brif Weinidog. Un peth na soniasoch amdano yw'r grantiau cyfleusterau i'r anabl a'r cyfleoedd y gallant eu darparu i wella ansawdd bywyd i bobl sy'n agored i niwed a'u helpu i gynnal eu hannibyniaeth. Fodd bynnag, yn ôl dangosyddion perfformiad llywodraeth leol, mae'r amser a gymer ar gyfartaledd i ddarparu grant cyfleusterau i'r anabl yng Nghymru yn 453 diwrnod cywilyddus, gyda rhai pobl yn disgwyl dros ddwy flynedd i gael gwaith wedi'i wneud yn eu cartrefi. A wnewch chi, felly, fel Llywodraeth y Cynulliad, ystyried darparu arian ychwanegol i'r awdurdodau lleol i glirio'r dagfa hon o ran grantiau cyfleusterau i'r anabl ac i helpu economi Cymru drwy gefnogi'r llu o gontractwyr bach sy'n gwneud y math hwn o waith?

**Y Prif Weinidog:** Mae hwn yn ddiffiniad newydd o geidwadaeth, mai'r ateb i bob problem yw taflu arian ati. Pan glywaf areithiau Ceidwadol gan George Osborne, mae'n ymddangos ei fod ef yn dweud y gwrthwyneb. Mae amrywiadau cwbl annerbyniol ym mherfformiad y 22 o awdurdodau lleol yng Nghymru o ran

We know that and local government knows that. Local government has to get its slowest-performing authorities, which take an average of 1,100 days, I believe—almost three years—to provide a DFG, to perform as well as the best, who provide it within three or four months. That is a completely unacceptable variation in standards of performance. You said that I had failed to mention that, but it was implicit in my answer in talking about supporting people to live independently. If you have had hospital treatment or if you deteriorate generally in the way that we all will eventually, then grab rails, stairlifts and whatever else it might be are essential in order to be able to live independently. So, I agree with you that DFGs are absolutely vital. I also agree that some local authorities in Wales are unacceptably slow in getting provisions under DFGs installed in people's homes.

1.50 p.m.

**Bethan Jenkins:** We all acknowledge that among the largest groups of vulnerable people in Wales are children, and I welcome the new legislation in relation to child poverty. Could you shed some light on the strategies that will follow as a result of that legislation and the milestones that the Government will put in place? In addition, will you consider doing what the UK Government is currently doing and put statutory obligations on Ministers to reach targets? That is not currently part of the new legislation.

**The First Minister:** It is about milestones and targets. The path that we have followed, which is the path that the UK Government is also proposing to follow, has been to use the pattern used for the Equality Bill, whereby public authorities—including us, local government and health trusts and boards—will all have a duty to provide an annual report on how they have advanced this particular agenda, whether new policies and programmes check off against that agenda, and what effect they have on reducing child

darparu grantiau cyfleusterau i'r anabl. Yr ydym ni'n gwybod hynny ac mae llywodraeth leol yn gwybod hynny. Rhaid i lywodraeth leol gael yr awdurdodau sy'n perfformio'n fwyaf araf, sy'n cymryd 1,100 o ddiwrnodau ar gyfartaledd, yr wyf yn credu—bron i dair blynedd—i ddarparu grant cyfleusterau i'r anabl, i berfformio cystal â'r gorau, sy'n ei ddarparu o fewn tri neu bedwar mis. Mae hwnnw'n amrywiad cwbl annerbyniol yn y safonau perfformiad. Dywedasoeh nad oeddwn wedi crybwyll hynny, ond yr oedd ymhlyg yn fy ateb wrth sôn am gynorthwyo pobl i fyw'n annibynnol. Os ydych wedi cael triniaeth ysbty neu os ydych yn dirywio'n gyffredinol yn y ffordd y bydd pawb ohonom maes o law, yna mae canllawiau bach, lifft grisiau ac unrhyw beth arall yn hanfodol er mwyn gallu byw'n annibynnol. Felly, cytunaf â chi fod grantiau cyfleusterau i'r anabl yn gwbl dyngedfennol. Cytunaf hefyd fod rhai awdurdodau lleol yng Nghymru yn annerbyniol o araf yn cael darpariaethau o dan y grant wedi'u gosod yng nghartrefi pobl.

**Bethan Jenkins:** Yr ydym i gyd yn cydnabod mai un o'r grwpiau mwyaf o bobl agored i niwed yng Nghymru yw plant, a chroesawaf y ddeddfwriaeth newydd sy'n ymdrin â thlodi plant. A allech fwrw rhyw oleuni ar y strategaethau a fydd yn dilyn o ganlyniad i'r ddeddfwriaeth honno a'r cerrig milltir y bydd y Llywodraeth yn eu sefydlu? Yn ogystal, a wnewch chi ystyried yr hyn y mae Llywodraeth y DU yn ei wneud ar hyn o bryd a rhoi rhwymedigaethau statudol ar Weinidogion i gyrraedd targedau? Nid yw hynny'n rhan o'r ddeddfwriaeth newydd ar hyn o bryd.

**Y Prif Weinidog:** Mae a wnelo â cherrig milltir a thargedau. Y llwybr yr ydym ni wedi ei ddilyn, sef y llwybr y mae Llywodraeth y DU hefyd yn bwriadu ei ddilyn, fu defnyddio'r patrwm a ddefnyddiwyd ar gyfer y Mesur Cydraddoldeb, lle bydd gan awdurdodau cyhoeddus—gan gynnwys ni, llywodraeth leol ac ymddiriedolaethau a byrddau iechyd—i gyd ddyletswydd i ddarparu adroddiad blynyddol ar sut y maent wedi symud yr agenda neilltuol hon ymlaen, pa un a yw polisïau a rhaglenni newydd yn

poverty, in the same way that they must do now with regard to disability, gender, sexual orientation and other aspects of the equalities agenda. There will be targets, milestones, annual reports and a duty placed on public bodies to show how they are achieving the intended long-term outcome of eliminating child poverty by 2020.

**The Leader of the Opposition (Nick Bourne):** Since 2002, 48 jobcentres have closed across Wales. I do not think that you opposed those closures at the time, despite warnings that they would have a serious impact on the unemployed, and, clearly, that problem has become more serious. What are you doing now to plug that gap and to address the fact that many people in Wales must travel a long distance to sign up or to seek jobs because of these closures in towns throughout Wales? I will not go through the whole list, as it would take too long, but Llandeilo, Fishguard, Ebbw Vale, Monmouth, Tenby, Denbigh, and, in the Deputy First Minister's constituency, Holyhead, Llangefni and Beaumaris, have all lost jobcentres. What are you doing about it?

**The First Minister:** It is not a matter for us to do something about. You are doing your usual weekly finger-pointing, but it is a matter for your parliamentary colleagues to take up with James Purnell, the Secretary of State. The process of closing jobcentres was going ahead apace, and it has now been stopped by the Government. I do not know whether it will be able to reopen any of the offices that it has closed. The sharpness of the rise in unemployment throughout the United Kingdom did not exactly take everyone by surprise—not once we knew that there was a recession—but no-one anticipated that there would be this sharp rise in unemployment. The Department for Work and Pensions is trying to get as many staff in place as it believes that it needs in order to provide interviews in a timely manner. This morning, I read James Purnell's stout defence of the time that it takes to get an interview. I think that he is said that it is down from 12

ategu'r agenda honno, a pha effaith y maent yn ei chael ar leihau tlodi ymysg plant, yn yr un ffordd ag y mae'n rhaid iddynt ei wneud yn awr yng nghyswllt anabledd, rhyw, tueddfryd rhywiol ac agweddau eraill ar yr agenda cydraddoldeb. Bydd targedau, cerrig milltir, adroddiadau blynyddol a dyletswydd yn cael eu rhoi ar gyrff cyhoeddus i ddangos sut y maent yn gwireddu'r canlyniad hirdymor a fwriedir, sef dileu tlodi plant erbyn 2020.

**Arweinydd yr Wrthblaid (Nick Bourne):** Er 2002, mae 48 o ganolfannau gwaith wedi cau ledled Cymru. Ni chredaf ichi wrthwynebu hynny ar y pryd, er gwaethaf rhybuddion y câi effaith ddifrifol ar bobl ddi-waith, ac, yn amlwg, mae'r broblem honno wedi dwysáu. Beth ydych chi'n ei wneud yn awr i gau'r bwlch hwnnw ac i fynd i'r afael â'r ffaith ei bod yn rhaid i lawer o bobl yng Nghymru deithio pellter mawr i ymgofrestru neu i geisio swyddi am fod y canolfannau hyn wedi cau mewn trefi ar hyd a lled Cymru? Nid af drwy'r rhestr gyfan, oherwydd byddai'n cymryd yn rhy hir, ond mae Llandeilo, Abergwaun, Glynebwy, Trefynwy, Dinbych-y-pysgod, Dinbych, ac, yn etholaeth y Dirprwy Brif Weinidog, Caerdybi, Llangefni a Biwmares, i gyd wedi colli canolfannau gwaith. Beth ydych chi'n ei wneud ynglŷn â hynny?

**Y Prif Weinidog:** Nid yw'n fater i ni wneud rhywbeth yn ei gylch. Yr ydych wrthi'n pwyntio bys fel y gwnewch bob wythnos, ond mater ydyw i'ch cyd-Aelodau seneddol ei godi gyda James Purnell, yr Ysgrifennydd Gwladol. Yr oedd y broses o gau canolfannau gwaith yn mynd rhagddi ar frys, ond bellach cafodd ei hatal gan y Llywodraeth. Ni wn a all ailagor unrhyw rai o'r swyddfeydd y mae wedi'u cau. Nid oedd sydynrwydd y cynnydd mewn diweithdra ledled y Deyrnas Unedig yn hollol annisgwyl mewn gwirionedd—nid unwaith yr oeddem yn gwybod bod dirwasgiad—ond nid oedd neb wedi rhagweld y ceid y cynnydd sydyn hwn mewn diweithdra. Mae'r Adran Gwaith a Phensiynau yn ceisio cael cynifer o staff ag y cred y mae eu hangen arni mewn swyddi er mwyn darparu cyfweliadau yn eu pryd. Y bore yma, darllenais amddiffyniad glew James Purnell o'r amser a gymer i gael cyfweliad. Credaf iddo ddweud ei fod wedi

days to 11.2 days, therefore, he says that the situation is not affecting access to interviews and jobseekers' advice. The point that you make is right: in rural Wales, long distances are being travelled. However, James Purnell says that the service is still being provided far more quickly than during previous recessions.

**Nick Bourne:** You have now done your weekly 'It's not me, guv' stunt. This is something for you to take up with the Labour Government at Westminster. Time and again, you have referred to a close working relationship with Westminster, but you are now talking about James Purnell as if he were on another planet. Perhaps he might as well be, as you do not seem to have had any contact with him about this serious problem. The evidence that—[*Interruption.*] Someone on your benches is asking who James Purnell is; it seemed to be Leighton Andrews. It seems a serious issue, First Minister—

**The Presiding Officer:** Order. It is not appropriate to refer to any remark that may or may not have been made, and which I did not hear. Reference was made to an individual Member, and I ask you to withdraw the assertion that the Member said anything. I cannot see him, because, from my viewpoint, he is behind the First Minister, but I would certainly have heard him.

**Nick Bourne:** You are absolutely right, and if he did, it would not be a matter of consequence either.

**The Presiding Officer:** Order. On a point of order, Leighton Andrews.

**Leighton Andrews:** I did not make reference to the Secretary of State, James Purnell, at any stage. The only comment that I made to colleagues sitting next to me was that the leader of the opposition appeared to be excessively grumpy.

**Nick Bourne:** Not a bit of it. He adds to the jollity of this place, as always.

First Minister, to return to the serious issue of the closure of jobcentres throughout Wales

gostwng o 12 diwrnod i 11.2 diwrnod, felly, dywed nad yw'r sefyllfa'n amharu ar y gallu i gael cyfweiliadau a chyngor ar geisio am swyddi. Mae'r pwynt a wneuch yn gywir: yng nghefn gwlad Cymru, caiff pellteroedd mawr eu teithio. Fodd bynnag, dywed James Purnell fod y gwasanaeth yn dal i gael ei ddarparu'n llawer cyflymach nag yn ystod dirwasgiadau blaenorol.

**Nick Bourne:** Yr ydych chithau yn awr wedi gwneud eich stynt wythnosol 'Nid fi sydd ar fai, wir-yr'. Mae hyn yn rhywbeth i chi ei godi gyda'r Llywodraeth Lafur yn San Steffan. Dro ar ôl tro, yr ydych wedi cyfeirio at berthynas waith agos â San Steffan, ond yn awr yr ydych yn siarad am James Purnell fel pe bai ar blaned arall. Efallai y byddai man a man iddo fod, gan nad yw'n ymddangos ichi gael unrhyw gysylltiad ag ef ynglŷn â'r broblem ddifrifol hon. Mae'r dystiolaeth—[*Torri ar draws.*] Mae rhywun ar eich meinciau'n gofyn pwy yw James Purnell; credaf mai Leighton Andrews ydoedd. Mae'n ymddangos yn fater difrifol, Brif Weinidog—

**Y Llywydd:** Trefn. Nid yw'n briodol cyfeirio at unrhyw sylw a wnaethpwyd neu nas gwnaethpwyd efallai, ac na chlywais i mohono. Cyfeiriwyd at Aelod unigol, a gofynnaf ichi dynnu'r haeridat i'r Aelod ddweud rhywbeth yn ôl. Ni allaf ei weld, oherwydd, o'r fan lle'r wyf fi, mae y tu ôl i'r Prif Weinidog, ond byddwn yn sicr wedi ei glywed.

**Nick Bourne:** Yr ydych yn hollol iawn, ac os gwnaeth hynny, ni fyddai'n fater o unrhyw bwys ychwaith.

**Y Llywydd:** Trefn. Ar bwynt o drefn, Leighton Andrews.

**Leighton Andrews:** Ni chyfeiriaais at yr Ysgrifennydd Gwladol, James Purnell, ar unrhyw adeg. Yr unig sylw a wneuthum i gyd-Aelodau sy'n eistedd wrth fy ochr oedd bod arweinydd yr wrthblaid yn ymddangos yn eithriadol o sarrug.

**Nick Bourne:** Ddim o gwbl. Mae'n ychwanegu at firi'r lle hwn, fel bob amser.

Brif Weinidog, i ddychwelyd at fater difrifol cau canolfannau gwaith ledled Cymru o dan

on your watch and that of the Labour Government at Westminster, there have been 48 closures, many of which are in Valleys communities represented by some of the people sitting behind you. This is a serious issue and I wonder what you are doing, because the advice that we have received is that people are travelling long distances to sign on and to seek jobs. Furthermore, you might also care to deal with the issue of the enormous number of unprocessed claims—the backlog in Newport alone has risen to 1,000, from 398 in December, and in Llanelli it has risen by 102 per cent. That is a serious issue. What are you doing to address the massive backlog of unprocessed claims if, as you say, the closure of jobcentres makes no difference to the system?

**The First Minister:** Unprocessed claims in the Newport jobcentre is, quite plainly, not a matter for me to do something about. That is why I said that you were doing your weekly finger-pointing: you do not wish to make a distinction between our responsibilities and those of the Westminster Government. It may be convenient for you to elide that distinction and imply that, in some way, I am a Minister of the Westminster Government or that James Purnell is, in fact, a Minister in the Welsh Assembly Government. However, that is plainly not the case. Unprocessed claims in Newport are a matter for you to ask Cheryl Gillan, your opposite number in the House of Commons, to take up with James Purnell. If she is not doing that, then I think that you ought to raise the matter with David Cameron and say, 'I cannot get the Shadow Secretary of State to raise this issue with James Purnell'. There is no point in raising it with me. All I can say is that I have reasonably frequent meetings with James Purnell and, if there are issues of that nature that you wish to draw to my attention, I can draw them to the attention of the Secretary of State for Wales and the Secretary of State for Work and Pensions. That is all that I can do. There is absolutely no purpose whatsoever in this idle finger-pointing and the implication that I—or the Assembly Government—am responsible for unprocessed jobcentre claims in the Newport jobcentre.

eich teyrnasiad chi a theyrnasiad y Llywodraeth Lafur yn San Steffan, cafodd 48 swyddfa eu cau, llawer ohonynt mewn cymunedau yn y Cymoedd a gynrychiolir gan rai o'r bobl sy'n eistedd y tu ôl ichi. Mae hwn yn fater difrifol a hoffwn wybod beth yr ydych yn ei wneud, oherwydd y wybodaeth yr ydym wedi'i chael yw bod pobl yn teithio pellteroedd mawr i gofrestru'n ddi-waith ac i geisio swyddi. Ar ben hynny, efallai yr hoffech hefyd ddelio â mater nifer enfawr y ceisiadau nad ydynt wedi cael eu prosesu—mae'r nifer sydd wedi cronni yng Nghasnewydd yn unig wedi codi i 1,000, o 398 ym mis Rhagfyr, ac yn Llanelli mae wedi codi 102 y cant. Mae hwnnw'n fater difrifol. Beth ydych chi'n ei wneud i fynd i'r afael â'r dagfa enfawr o geisiadau nad ydynt wedi cael eu prosesu os nad yw cau'r canolfannau gwaith, fel y dywedwch, yn gwneud unrhyw wahaniaeth i'r system?

**Y Prif Weinidog:** Yn hollol amlwg, nid yw ceisiadau sydd heb gael eu prosesu yng nghanolfan gwaith Casnewydd yn fater i mi fynd i'r afael ag ef. Dyna pam y dywedais eich bod wrthi'n pwyntio bys fel y gwnewch yn wythnosol: nid ydych am wahaniaethu rhwng ein cyfrifoldebau ni a chyfrifoldebau Llywodraeth San Steffan. Efallai ei bod yn hwylus ichi i anwybyddu'r gwahaniaeth hwnnw ac awgrymu fy mod i, mewn rhyw ffordd, yn un o Weinidogion Llywodraeth San Steffan neu fod James Purnell, mewn gwirionedd, yn Weinidog yn Llywodraeth Cynulliad Cymru. Fodd bynnag, nid dyna'r sefyllfa yn amlwg. Mater ichi ofyn i Cheryl Gillan, yr Aelod cyfatebol i chi yn Nhŷ'r Cyffredin, ei godi gyda James Purnell yw ceisiadau nad ydynt wedi cael eu prosesu yng Nghasnewydd. Os nad yw'n gwneud hynny, yna credaf y dylech godi'r mater gyda David Cameron a dweud, 'Ni allaf gael Ysgrifennydd Gwladol yr Wrthblaid i godi'r mater hwn gyda James Purnell'. Nid oes diben ichi ei godi gyda mi. Y cyfan y gallaf ei ddweud yw fy mod yn cael cyfarfodydd gweddol reolaidd gyda James Purnell ac, os oes materion o'r math hwnnw yr hoffech eu dwyn i'm sylw, gallaf eu dwyn i sylw Ysgrifennydd Gwladol Cymru a'r Ysgrifennydd Gwladol dros Waith a Phensiynau. Dyna'r cyfan y gallaf ei wneud. Nid oes unrhyw ddiben o gwbl yn y pwyntio bys ofer hwn a'r awgrymu fy mod i—neu



Lywodraeth y Cynulliad—yn gyfrifol am geisiadau nad ydynt wedi cael eu prosesu yng nghanolfan gwaith Casnewydd.

**Nick Bourne:** I am surprised that you make so light of it. Cheryl Gillan needs no lessons from you on raising matters at Westminster: she does so repeatedly and effectively. However, I am asking you what you are doing about it. You are the person who, as First Minister, makes so much of this line of communication with Labour at Westminster. If you are raising the issue, I am surprised that you did not say so in response to the first question. If you have raised it, let us hear what happened in response. If you have not raised it, will you do so, because you obviously do not seem to be aware of the seriousness of this issue? It is a serious problem and it is about time that you did raise it.

**The First Minister:** I was only saying that you should raise it with Cheryl Gillan because I think that it is a natural conclusion for me to draw that if you are raising the issue with me, it is evident that something has gone wrong in Westminster on your side and that your side has failed to get satisfaction. Otherwise, you would not be bothering, would you? It is a bit of a condemnation of the Shadow Secretary of State if Nick Bourne thinks that it is necessary to raise the issue here in the Assembly when it is as plain as a pikestaff to everyone who has ever done a GCSE, O-Level or A-level in the British constitution that work and pensions matters are reserved to the Westminster Government. Take them up in Parliament. Yes, we can take them up as well and, of course, I undertake to take up this issue where there is any evidence of a backlog of claims. I made the point to you earlier that I had just read a defence—it was described in one of the newspapers as a stout defence—that said that the length of time that it takes to process claims is now down to 11.2 days, compared with 12 days previously. I will re-read that and then I will take the issue up with James Purnell.

**Nick Bourne:** We, at last, seem to be making a little progress. However, I have repeatedly

**Nick Bourne:** Yr wyf yn synnu eich bod yn trin hyn mor ysgafn. Nid oes angen gwersi gennych chi ar Cheryl Gillan ar godi materion yn San Steffan: gwnaiff hynny dro ar ôl tro ac yn effeithiol. Fodd bynnag, yr wyf yn gofyn i chi beth yr ydych chi'n ei wneud ynglŷn â hyn. Chi yw'r unigolyn sydd, fel Prif Weinidog, yn sôn cymaint am y llinell gyfathrebu hon â Llafur yn San Steffan. Os ydych yn codi'r mater, yr wyf yn synnu na ddywedasoeh hynny mewn ymateb i'r cwestiwn cyntaf. Os ydych wedi ei godi, gadewch inni glywed beth a ddigwyddodd mewn ymateb. Os nad ydych wedi ei godi, a wnewch chi hynny, oherwydd mae'n amlwg nad ydych yn ôl pob golwg yn ymwybodol o ddifrifoldeb y mater hwn? Mae'n broblem ddifrifol ac mae'n bryd ichi ei chodi.

**Y Prif Weinidog:** Dywedais y dylech ei godi gyda Cheryl Gillan oherwydd credaf ei fod yn gasgliad naturiol i mi ddod iddo, os ydych yn codi'r mater gyda mi, ei bod yn amlwg fod rhywbeth wedi mynd o chwith yn San Steffan ar eich ochr chi ac nad yw eich ochr chi wedi gallu cael boddhad. Fel arall, ni fyddech yn trafferthu, na fyddech? Mae'n dipyn o gondemniad ar Ysgrifennydd Gwladol yr Wrthblaid os yw Nick Bourne yn credu ei bod yn rhaid codi'r mater yma yn y Cynulliad er ei bod mor amlwg â thrwyn ar wyneb i unrhyw un sydd erioed wedi gwneud TGAU, Lefel O neu Safon Uwch ym maes cyfansoddiad Prydain fod materion gwaith a phensiynau wedi cael eu cadw'n ôl gan Lywodraeth San Steffan. Codwch nhw yn y Senedd. Gallwn, gallwn ninnau eu codi hefyd ac, wrth gwrs, yr wyf yn ymrwymo i godi'r mater hwn lle mae tystiolaeth fod tagfa o geisiadau. Gwneuthum y pwynt wrthych yn gynharach fy mod newydd ddarllen amddiffyniad—fe'i disgrifiwyd gan un o'r papurau newydd fel amddiffyniad glew—a ddywedai fod y cyfnod o amser a gymerir i brosesau ceisiadau wedi gostwng erbyn hyn i 11.2 diwrnod, o'i gymharu â 12 diwrnod yn flaenorol. Ailddarllenaf hynny ac yna byddaf yn codi'r mater gyda James Purnell.

**Nick Bourne:** O'r diwedd, mae'n ymddangos ein bod yn gwneud mymryn o

asked you what you have raised in discussions with James Purnell. You have not said that you have had any discussions; all you keep saying is that you have read something in the newspaper. You are not First Minister for reading something in the newspaper. We expect you to raise issues with Westminster where they impact on the unemployed in this country, because that has a direct bearing on everything that we do in this place. Have you had discussions with James Purnell? If so, what progress have you made?

**The First Minister:** We have had three discussions with James Purnell over the last six months, but not regarding the issue that you are now raising with me of a backlog of claims in the Newport office. However, now that you have raised it with me, I will raise it with him.

**Joyce Watson:** I would like to return to the question of what the Government is doing to support vulnerable people. Today is best known as St Patrick's Day, but it is also World Social Work Day. In the wake of recent high-profile cases, it is a day to recognise and value the essential work that social workers do to support vulnerable people in Wales.

2.00 p.m.

Does the First Minister agree that we need to continue to support the profession and improve services in Wales, and that it is vital to strengthen the leadership and accountability of social services within local government? With that in mind, could he provide an update on the recently closed consultation on the role and accountability of a director of social services, which proposed the introduction of a new requirement for directors of social services to report annually to the council concerned?

gynnydd. Fodd bynnag, yr wyf wedi gofyn ichi dro ar ôl tro beth yr ydych wedi'i godi mewn trafodaethau gyda James Purnell. Nid ydych wedi dweud eich bod wedi cael unrhyw drafodaethau; y cyfan a ddywedwch o hyd yw eich bod wedi darllen rhywbeth yn y papur newydd. Nid am eich bod wedi darllen rhywbeth yn y papur newydd yr ydych yn Brif Weinidog. Yr ydym yn disgwyl ichi godi materion gyda San Steffan pan fyddant yn effeithio ar bobl ddi-waith yn y wlad hon, oherwydd mae hynny'n effeithio'n uniongyrchol ar bopeth a wnawn yma. A ydych wedi cael trafodaethau gyda James Purnell? Os ydych, pa gynnydd ydych chi wedi ei wneud?

**Y Prif Weinidog:** Yr ydym wedi cael tair trafodaeth gyda James Purnell dros y chwe mis diwethaf, ond nid ynglŷn â'r mater yr ydych yn ei godi gyda mi yn awr, sef tagfa o geisiadau yn swyddfa Casnewydd. Fodd bynnag, gan eich bod wedi ei godi gyda mi yn awr, byddaf finnau yn ei godi gydag ef.

**Joyce Watson:** Hoffwn ddod yn ôl at y cwestiwn ynglŷn â'r hyn y mae'r Llywodraeth yn ei wneud i gynorthwyo pobl agored i niwed. Mae heddiw'n fwyaf adnabyddus fel Diwrnod Sain Padrig, ond mae hefyd yn Ddiwrnod Gwaith Cymdeithasol y Byd. Yn sgil achosion uchel eu proffil yn ddiweddar, mae'n ddiwrnod i gydnabod a gwerthfawrogi'r gwaith hanfodol y mae gweithwyr cymdeithasol yn ei wneud i gynorthwyo pobl agored i niwed yng Nghymru.

A yw'r Prif Weinidog yn cytuno bod angen inni barhau i gefnogi'r proffesiwn a gwella gwasanaethau yng Nghymru, a'i bod yn hanfodol cryfhau arweinyddiaeth ac atebolrwydd gwasanaethau cymdeithasol o fewn llywodraeth leol? A chofio hynny, a allai roi'r wybodaeth ddiweddaraf inni ar yr ymgynghoriad a ddaeth i ben yn ddiweddar ar rôl ac atebolrwydd cyfarwyddwr gwasanaethau cymdeithasol, a oedd yn cynnig cyflwyno gofyniad newydd i gyfarwyddwyr gwasanaethau cymdeithasol roi adroddiad i'r cyngor dan sylw yn flynyddol?

**The First Minister:** Having been married to a social worker for 20 years—not that I stopped being married to her, but she stopped being a social worker—who was a childcare social worker for most of that period, I am very conscious of issues relating to social work and social work qualifications, stress and management issues. I think that we need to prize this profession more than we do. Everybody accepts that social workers, and child social workers in particular, have a terrible fear that a case involving one of their clients will go seriously wrong in some way and that, as a result, their name will be splashed all over the newspapers. The same is true of paediatricians. That is a disincentive for people deciding which profession to go into to choose social work. It is difficult to recruit paediatricians to the NHS because of disputed child protection cases and, following the case of baby P, it will probably be harder to recruit people to childcare-related social work as well. That is sad, but true. People do not want to have to live with the fear of having their names splashed all over the newspapers if something goes wrong, when they are trying to carry out their duties. However, that is not to exclude the fact that some social workers or paediatricians may occasionally make poor professional judgments. I agree that this issue needs to be highlighted and I am pleased that you have drawn our attention to the fact that it is not just St Patrick's Day today. If we are to get effective children's services, it is important that councils recognise their responsibilities. Directors of social services need their role to be highlighted and that role should not be seen as being in some way subsidiary to the director of education or any of the other top jobs in local government.

### The Smoking Ban

**Q4 Christine Chapman:** Will the First Minister make a statement on the effects of the smoking ban in Wales?  
OAQ(3)1788(FM)

**Y Prif Weinidog:** A minnau wedi bod yn briod â gweithwraig gymdeithasol am 20 mlynedd—nid fy mod wedi rhoi'r gorau i fod yn briod â hi, ond rhoddodd hi'r gorau i fod yn weithwraig gymdeithasol—a oedd yn weithwraig gymdeithasol ym maes gofal plant am y rhan fwyaf o'r cyfnod hwnnw, yr wyf yn ymwybodol iawn o faterion yn ymwneud â gwaith cymdeithasol a chymwysterau gofal cymdeithasol, straen a phroblemau rheoli. Yr wyf yn meddwl bod angen inni werthfawrogi mwy ar y proffesiwn hwn nag a wnawn. Mae pawb yn derbyn bod gan weithwyr cymdeithasol, a gweithwyr cymdeithasol ym maes plant yn enwedig, ofn dychrynlyd y bydd achos sy'n ymwneud ag un o'u cleientiaid hwy yn mynd o chwith mewn rhyw ffordd ac y bydd eu henwau, yn sgil hynny, yn britho'r papurau newydd i gyd. Mae'r un peth yn wir am bediatregwyr. Mae hynny'n anghymhelliaid i bobl sy'n penderfynu i ba broffesiwn i fynd iddi ddewis gwaith cymdeithasol. Mae'n anodd recriwtio pediatregwyr i'r GIG oherwydd achosion o amddiffyn plant y ceir anghydfod yn eu cylch ac, yn dilyn achos babi P, mae'n siŵr y bydd yn anos recriwtio pobl ym maes gwaith cymdeithasol sy'n gysylltiedig â gofal plant hefyd. Mae hynny'n drist, ond mae'n wir. Nid oes ar bobl eisiau gorfod byw gyda'r ofn y bydd eu henwau ar draws y papurau newydd i gyd os oes rhywbeth yn mynd o'i le, a hwythau'n ceisio cyflawni eu dyletswyddau. Fodd bynnag, nid yw hynny'n golygu nad yw rhai gweithwyr cymdeithasol neu bediatregwyr yn gwneud penderfyniadau proffesiynol gwael weithiau. Cytunaf fod angen tanlinellu'r mater hwn ac yr wyf yn falch ichi dynnu ein sylw at y ffaith nad Dydd San Padraig yn unig yw hi heddiw. Os ydym am gael gwasanaethau plant effeithiol, mae'n bwysig bod cynghorau'n arddel eu cyfrifoldebau. Mae angen tynnu sylw at rôl cyfarwyddwyr gwasanaethau cymdeithasol, ac ni ddylid ystyried y rôl honno'n israddol i rôl y cyfarwyddwr addysg nac unrhyw un o'r swyddi uchel eraill mewn llywodraeth leol.

### Y Gwaharddiad ar Ysmygu

**C4 Christine Chapman:** A wnaiff y Prif Weinidog ddatganiad am effeithiau'r gwaharddiad ar ysmygu yng Nghymru?  
OAQ(3)1788(FM)

**The First Minister:** The ban on smoking in public places has been successful in protecting bar workers and the public from the serious health risks of exposure to somebody else's tobacco smoke. Compliance with the legislation has been remarkably high, air quality in hospitality-related settings has improved significantly, and the legislation now has more public support than it did at the time of its passing.

**Christine Chapman:** Two years on from the introduction of the ban, the positive effects that it has had on health in wider society are clear. We know that many people were sceptical about it, but I am really pleased, as are many of us here, with the stand that Wales took on this issue. While we must celebrate the great strides that have been made, there is still a need to change attitudes towards smoking, particularly among young people. We know that tobacco addiction continues to contribute to wider health inequalities in more disadvantaged areas and it is the young people from those areas who are most likely to smoke and the least likely to give up. First Minister, do you agree that, to protect children from the harmful effects of smoking, we must continue to educate them, discourage them from smoking, and target those areas that have the widest health inequalities?

**The First Minister:** I certainly agree. Although it is possible for us to celebrate the fact that there is early evidence from Scotland and Wales that there has been a 17 per cent and a 9 per cent reduction respectively in the number of heart attack admissions to hospitals in the two years since the ban on smoking in public places was introduced in Scotland, which is brilliant, that does not impress young people because they all think that they are immortal. The recruitment of new smokers, especially from blue-collar areas of high deprivation, is continuing apace. That is not acceptable. We need to try to choke off the supply of new smokers who are being recruited before the smoking chokes them off once and for all.

**Y Prif Weinidog:** Mae'r gwaharddiad ar ysmegu mewn mannau cyhoeddus wedi bod yn llwyddiannus o ran diogelu gweithwyr bar a'r cyhoedd rhag y peryglon iechyd difrifol sy'n gysylltiedig â mwg tybaco rhywun arall. O ran cydymffurfio â'r ddeddfwriaeth, mae'r lefelau wedi bod yn uchel tu hwnt, mae ansawdd yr aer mewn lleoliadau lletygarwch wedi gwella'n sylweddol, ac erbyn hyn mae mwy o'r cyhoedd yn cefnogi'r ddeddfwriaeth nag adeg ei phasio.

**Christine Chapman:** Ddwy flynedd ers cyflwyno'r gwaharddiad, mae'r effeithiau cadarnhaol ar iechyd yn y gymdeithas ehangach yn amlwg. Gwyddom i lawer o bobl fod yn amheus yn ei gylch, ond yr wyf yn hynod falch, fel llawer ohonom yma, o'r safiad a wnaeth Cymru yn hyn o beth. Er ei bod yn rhaid inni ddathlu'r camau gwych a gymerwyd, mae angen mynd ati o hyd i newid agweddau at ysmegu, yn enwedig ymhlith pobl ifanc. Gwyddom fod bod yn gaeth i dybaco yn dal i gyfrannu at anghydraddoldebau iechyd ehangach mewn ardaloedd mwy amddifad. Pobl ifanc o'r ardaloedd hynny yw'r rhai mwyaf tebygol o ysmegu a'r lleiaf tebygol o roi'r gorau iddi. Brif Weinidog, er mwyn diogelu ein plant rhag effeithiau niweidiol ysmegu, a gytunwch ei bod yn rhaid inni barhau i'w haddysgu, eu hannog i beidio ag ysmegu, a thargedu'r ardaloedd hynny sydd â'r anghydraddoldebau ehangaf o ran iechyd?

**Y Prif Weinidog:** Yn bendant, yr wyf yn cytuno. Er ei bod yn bosibl inni ddathlu'r ffaith bod tystiolaeth gynnar o Gymru a'r Alban yn dangos bod nifer y bobl sydd wedi cael eu derbyn i'r ysbyty yn sgil trawiad ar y galon wedi gostwng 17 y cant yn yr Alban a 9 y cant yng Nghymru yn ystod y ddwy flynedd ers cyflwyno'r gwaharddiad ar ysmegu mewn mannau cyhoeddus yn yr Alban—ac mae hynny'n wych—nid yw hynny'n cael argraff ar bobl ifanc gan eu bod i gyd yn meddwl eu bod am fyw am byth. Parhau mae'r niferoedd sy'n dechrau ysmegu, yn enwedig mewn ardaloedd coler las lle ceir llawer o amddifadedd. Nid yw hynny'n dderbyniol. Mae angen inni geisio atal y cyflenwad o ysmygwyr newydd sy'n dechrau arni cyn i'r ysmegu eu hatal hwy unwaith ac am byth.

**Andrew R.T. Davies:** Hopefully, everyone would agree with the benefits of the smoking ban, not least the improvements to people's lives and in the environment of community spaces, but one of its side effects has been to push smokers outside public buildings. While I was on the way to the Chamber today, I overheard a news story about a north Wales hospital that has had to use security staff to move smokers away from its front entrance. What assistance is the Government giving to local authorities and other public bodies to try to facilitate a better understanding of people's desire to smoke, but also to provide outdoor communal space for smokers, so that the difficulties of their congregating outside the entrances to public buildings to smoke can be alleviated?

**The First Minister:** We have all seen this phenomenon. When we go to hospitals, we notice the almost festive ring of cigarette butts at the front entrance, which confirms the sad fact that nicotine is a highly addictive substance. People who are thoroughly addicted still want their fix even when they are in hospital for smoking-related problems. They still have to have that fix of nicotine because it is so highly addictive. It is a sad sight.

I do not think that it would be possible for us to help hospitals, for example, to build smoking shelters for patients, as it would not be acceptable. There may be other circumstances in which we could justify providing assistance to build a shelter, but I do not know. I do not think that a local authority would dare to ask us for money to build a smoking shelter. However, if that was what it wanted to do, I suspect that it would find the money from its own resources—if it felt that, in negotiations with employees' trade unions, for example, it had to provide a shelter—but we would not want to include that in the revenue support grant.

**David Lloyd:** Yn dilyn llwyddiant y gwaharddiad ar ysmegu mewn adeiladau cyhoeddus a chan gyfeirio at gwestiwn

**Andrew R.T. Davies:** Byddai pawb, gobeithio, yn cytuno â manteision y gwaharddiad ar ysmegu, gan ei fod yn fwy na dim wedi gwella bywydau pobl ac amgylchedd lleoedd cymunedol. Fodd bynnag, un o'i sgil effeithiau yw'r ffaith ei fod yn gwthio ysmegwyr y tu allan i adeiladau cyhoeddus. Pan oeddwn ar y ffordd i'r Siambr heddiw, digwyddais glywed stori newyddion am ysbyty yn y gogledd sydd wedi gorfod defnyddio staff diogelwch i symud ysmegwyr o'r brif fynedfa. Pa gymorth y mae'r Llywodraeth yn ei roi i awdurdodau lleol a chyrff cyhoeddus eraill i geisio hybu gwell dealltwriaeth o awydd pobl i ysmegu, ond hefyd i ddarparu lle cymunedol y tu allan i ysmegwyr, er mwyn lliniaru'r anawsterau sy'n gysylltiedig â hwy'n ymgynnull y tu allan i fynedfaoedd adeiladau cyhoeddus i ysmegu?

**Y Prif Weinidog:** Mae pawb ohonom wedi gweld y ffenomenon hon. Pan awn i ysbytai, byddwn yn dal sylw ar gylch o fonion sigarêts, a'r rheini'n ein croesawu bron, wrth y brif fynedfa. Mae hynny'n cadarnhau'r ffaith drist bod nicotin yn sylwedd hynod gaethiwus. Mae pobl sy'n gaeth iawn dal am ddiwallu eu chwant hyd yn oed pan fyddant yn yr ysbyty oherwydd problemau sy'n gysylltiedig ag ysmegu. Maent yn dal yn gorfod cael y nicotin hwnnw oherwydd ei fod mor hynod gaethiwus. Mae'n olygfa drist.

Nid wyf yn meddwl y byddai'n bosibl inni gynorthwyo ysbytai, er enghraifft, i adeiladu llochesi ysmegu i gleifion, gan na fyddai'n dderbyniol. Efallai y ceir amgylchiadau eraill lle gallem gyfiawnhau darparu cymorth i adeiladu lloches ysmegu, ond nid wyf yn gwybod. Nid wyf yn meddwl y byddai awdurdod lleol yn meiddio gofyn inni am arian i adeiladu lloches ysmegu. Fodd bynnag, pe bai arno eisiau gwneud hynny, tybiwn y byddai'n dod o hyd i'r arian o'i adnoddau ei hun—pe bai'n teimlo ei bod yn rhaid iddo ddarparu lloches, o siarad ag undebau llafur gweithwyr, er enghraifft—ond ni fyddem am gynnwys hynny yn y grant cynnal refeniw.

**David Lloyd:** Following the success of the ban on smoking in public places and in reference to Christine Chapman's question,

Christine Chapman, a gytunwch fod angen mynd cam ymhellach drwy ei wneud yn anos i bobl ifanc gael gafael ar sigarennau? Mae ysmygwyr Cymru yn dechrau ysmegu pan ydynt yn 11 oed, ar gyfartaledd. A gytunwch fod angen mabwysiadu strategaeth rheoli tybaco yng Nghymru, fel sydd eisoes yn digwydd yng ngwledydd eraill Prydain? Crybwyllais hynny wrth y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol yr wythnos diwethaf, ac yr oedd hi'n cytuno.

**Y Prif Weinidog:** Bu llawer o siarad am godi'r oedran cyfreithiol pan gaiff pobl brynu sigarennau o 16 i 18 oed. Mae Dai yn iawn i ddweud bod y mwyafrif o ysmygwyr ifanc yn dechrau pan fyddant yn iau na 16 oed, a hynny pan fyddant yn 11 neu'n 12 oed efallai. O ganlyniad i'r strategaeth gyffredinol i wahardd ysmegu yng Nghymru, mae Llywodraeth y Cynulliad wedi sefydlu clybiau Bygiau Baco ar gyfer plant rhwng naw ac 11 oed. Yn rhan o'r strategaeth honno, mae cystadlaethau atal ysmegu ar gyfer dosbarthiadau o blant rhwng 11 a 13 oed. Ceir hefyd yr hyn a elwir yn ASSIST—treial rhoi'r gorau i ysmegu mewn ysgolion—sef rhaglen gefnogaeth gan gyfoedion ar gyfer plant rhwng 12 a 13 oed. Derbyniwn mai o naw hyd at 13 oed yw'r oeddrannau allweddol, oherwydd dyna pan fydd y recriwtio'n dechrau. Os yw pobl ifanc yn dechrau ysmegu pan ydynt mor ifanc, mae'n anodd iddynt roi'r gorau i'r arfer gan ei fod mor gaethiwus a chan iddo fynd yn rhan o'u bywydau mor gynnar.

**Eleanor Burnham:** There is evidence to show that many young mothers smoke around their young children. What is the Assembly Government doing to try to educate young mothers and fathers about the health benefits of giving up, particularly in their own homes, where children cannot get away from the smoke?

**The First Minister:** Young people are our priority and young mothers belong to a slightly older age group than the one that I have just referred to. I will therefore ask Edwina Hart to reply to you directly on the programmes that there are to try to persuade young mothers that smoking is not healthy, and that it is not a good thing for passive smoke to be inhaled by young children whose

do you agree that we need to go one step further by making it more difficult for young people to get hold of cigarettes? Smokers in Wales start smoking when they are 11 years old, on average. Would you agree that we need to adopt a tobacco management strategy in Wales, as there is in the other countries of Britain? I mentioned this to the Minister for Health and Social Services last week, and she agreed with me.

**The First Minister:** There has been a great deal of talk about raising the legal age at which people can buy cigarettes from 16 to 18. Dai is right to say that the majority of young smokers start smoking when they are younger than 16 years old, perhaps even as young as 11 or 12. As a result of the general strategy to prohibit smoking in Wales, the Assembly Government has set up Smokebugs clubs for young people aged between nine and 11. As a part of that strategy, there are smoking prevention competitions for classes of children aged between 11 and 13. There is also what is called ASSIST—a stop smoking in schools trial—which is a peer support programme for children aged between 12 and 13 years old. We accept that the crucial ages are between nine and 13, because that is when the recruitment starts, as it were. If young people start smoking when they are that young, it becomes difficult for them to shake the habit as it is so addictive and as it has been a part of their lives from such an early age.

**Eleanor Burnham:** Ceir tystiolaeth sy'n dangos bod llawer o famau ifanc yn ysmegu o gwmpas eu plant ifanc. Beth mae Llywodraeth y Cynulliad yn ei wneud i geisio addysgu mamau a thadau ifanc am y manteision iechyd sy'n gysylltiedig â rhoi'r gorau iddi, yn enwedig yn eu cartrefi eu hunain, lle na all plant ddianc rhag y mwg?

**Y Prif Weinidog:** Pobl ifanc yw ein blaenoriaeth ac mae mamau ifanc yn perthyn i grŵp oed ychydig yn hŷn na'r un yr wyf newydd gyfeirio ato. Felly, gofynnaf i Edwina Hart eich ateb yn uniongyrchol ynghylch y rhaglenni a geir i geisio perswadio mamau ifanc nad yw ysmegu'n iach, ac nad yw'n beth da i blant ifanc, y mae eu hysgyfaint yn datblygu, anadlu mwg ail-

lungs are developing.

### Research and Development

**Q5 Lesley Griffiths:** What is the Welsh Assembly Government doing to support research and development in Wales? OAQ(3)1789(FM)

**The First Minister:** We have restructured our industrial support system to encourage more research and development in Wales, recognising Wales's longstanding deficiency in private sector research and development. We now use the job creation grant so that regional selective assistance is available to such projects, and we have used special-purpose financing vehicles to support the composite wing programme at Airbus and the innovation works campus of its parent company, EADS, in Newport.

2.10 p.m.

**Lesley Griffiths:** Thank you for that answer, First Minister. The Lisbon growth and jobs strategy set a target of investing 3 per cent of Europe's gross domestic product by 2010 in public and private research and development. For various reasons, not least the economic downturn, it is now accepted that the target will not be met. Indeed, research and development investment across the EU continues to slip further behind that of the United States. One reason cited for that, which also applies here in Wales, is that levels of private sector investment are much lower in Europe than in America. Given the current climate, what can the Government do to turn the situation around and help Wales to buck the trend? In light of recent global economic events, is it time that we reassessed our entire research and development strategy in Wales by taking a similar, collective approach to that of the economic summit mechanism?

**The First Minister:** That is an interesting idea. There is some positive evidence, for example, Welsh companies won the European structural funds award for the best

law.

### Ymchwil a Datblygu

**C5 Lesley Griffiths:** Beth mae Llywodraeth Cynulliad Cymru yn ei wneud i gefnogi ymchwil a datblygu yng Nghymru? OAQ(3)1789(FM)

**Y Prif Weinidog:** Yr ydym wedi ailstrwythuro ein system cefnogi diwydiannau i annog mwy o ymchwil a datblygu yng Nghymru, gan gydnabod y diffyg hirdsefydlog mewn ymchwil a datblygu yn y sector preifat yng Nghymru. Yr ydym bellach yn defnyddio'r grant creu swyddi er mwyn sicrhau bod cymorth rhanbarthol dewisol ar gael ar gyfer prosiectau o'r fath, ac yr ydym wedi defnyddio cyfryngau cyllido arbennig i gefnogi rhaglen adenydd cyfansawdd Airbus a champws gwaith arloesol ei riant gwmni, EADS, yng Nghasnewydd.

**Lesley Griffiths:** Diolch ichi am yr ateb hwnnw, Brif Weinidog. Pennwyd targed gan strategaeth twf a swyddi Lisbon, sef buddsoddi 3 y cant o gynnyrch mewnwladol crynswth Ewrop mewn ymchwil a datblygu cyhoeddus a phreifat erbyn 2010. Am amrywiol resymau, y dirywiad economaidd yn bennaf, derbynnir yn awr na chyrhaeddir y targed. Yn wir, mae buddsoddiad mewn ymchwil a datblygu ledled yr UE yn parhau i ddisgyn ymhellach y tu ôl i'r buddsoddiad a geir yn yr Unol Daleithiau. Un rheswm am hynny, sydd hefyd yn berthnasol yma yng Nghymru, yw bod lefelau buddsoddi'r sector preifat yn is o lawer yn Ewrop nag yn America. Ac ystyried yr hinsawdd bresennol, beth all y Llywodraeth ei wneud i wrthdroi'r sefyllfa a helpu Cymru i fynd yn groes i hynny? A chofio'r digwyddiadau economaidd diweddar ledled y byd, a yw'n bryd inni ailasesu ein strategaeth ymchwil a datblygu drwyddi draw yng Nghymru, gan ddefnyddio mecanwaith cyfunol, tebyg i fecanwaith yr uwchgynhadledd economaidd?

**Y Prif Weinidog:** Mae hwnnw'n syniad diddorol. Ceir rhywfaint o dystiolaeth gadarnhaol, er enghraifft, mae cwmnïau o Gymru wedi ennill dyfarniad cronfeydd

technology support programme twice in a row. The first was for the Opto-electronics Technology and Incubation Centre technium in St Asaph 18 months ago and, a couple of months ago, the second was for the DIPLE project—Digital, Industrial, Packaging, Lean, Environmental—which is the printing innovation centre in Swansea University. Therefore, you can use structural funds, regional selective assistance, the RegioStars awards for innovation that I mentioned, and the special programmes that we have done with two big aerospace-related companies, namely Airbus, and EADS, its parent company. Those programmes are to get some big projects going that will hire big numbers of research and development scientists and engineers and keep them in Wales, enabling them to pursue scientific and engineering careers at the very top level internationally.

**Jonathan Morgan:** Lesley Griffiths's question demonstrated the problem of a lower level of private sector involvement, not just in Wales, but throughout the UK, in comparison with other parts of the world. However, I have been informed that new commercial clinical trials are no longer being accepted by the Cardiff and Vale NHS Trust. I do not know the reason for that, but there is a danger that, once an organisation starts to say 'no', the people knocking on its door will simply go elsewhere to carry out that research and development work. Do you agree that the NHS has a huge capacity for healthcare innovation, research and development and that what the reorganisation of the NHS should be looking at now is how we can improve its ability to undertake clinical trials and develop new medicines, thus making healthcare technology appraisal organisations champions of innovation? Furthermore, do you agree that we should be using the opportunity of the reorganisation of the NHS in Wales to ensure that it provides a greater degree of research and development and that it is open to new ideas?

**The First Minister:** I agree entirely, Jonathan. The NHS is a massive resource that is available to the private sector, on the right terms, to produce intellectual property, the benefits of which filter down to the patients

strwythurol Ewropeaidd am y rhaglen orau o ran cefnogi technoleg ddwywaith yn olynol. Rhoddwyd y cyntaf am Ganolfan Dechnoleg a Deori Optoelectroneg Technium yn Llanelwy 18 mis yn ôl ac, ychydig fisoedd yn ôl, rhoddwyd yr ail am brosiect DIPLE—Digital, Industrial, Packaging, Lean, Environmental—sef y ganolfan arloesedd argraffu ym Mhrifysgol Abertawe. Felly, gallwch ddefnyddio arian strwythurol, cymorth rhanbarthol dewisol, dyfarniadau RegioStars am arloesedd y soniais amdanynt, a'r rhaglenni arbennig yr ydym wedi'u gwneud gyda'r ddau gwmmi awyrofod mawr, sef Airbus ac EADS, ei riant gwmmi. Bwriad y rhaglenni hynny yw rhoi prosiectau mawr ar waith—prosiectau a fydd yn cyflogi nifer fawr o beirianyddion a gwyddonwyr ymchwil a datblygu ac yn eu cadw yng Nghymru, gan eu galluogi i ddilyn gyrfaeodd ym maes gwyddoniaeth a pheirianeg ar y lefel uchaf un yn rhyngwladol.

**Jonathan Morgan:** Yng nghwestiwn Lesley Griffiths, tynnwyd sylw at y broblem sy'n gysylltiedig â'r ffaith bod y sector preifat yn cyfrannu llai, nid yng Nghymru'n unig, ond ledled y DU, o'i gymharu â rhannau eraill o'r byd. Fodd bynnag, yr wyf wedi cael gwybod nad yw treialon clinigol masnachol bellach yn cael eu derbyn gan Ymddiriedolaeth GIG Caerdydd a'r Fro. Nid wyf yn gwybod y rheswm am hynny, ond ceir perygl, ar ôl i sefydliad ddechrau dweud 'na', y bydd pobl sy'n curo wrth ei ddrws yn mynd i rywle arall i gynnal y gwaith ymchwil a datblygu hwnnw. A gytunwch fod gan y GIG gapasiti enfawr ar gyfer arloesedd, ymchwil a datblygu ym maes gofal iechyd, ac y dylid edrych yn awr, wrth ad-drefnu'r GIG, ar sut y gallwn wella ei allu i gynnal treialon clinigol a datblygu meddyginiaethau newydd, gan wneud sefydliadau sy'n gwerthuso technoleg gofal iechyd yn hyrwyddwyr arloesedd? Heblaw am hynny, a gytunwch y dylem fod yn defnyddio'r cyfle a ddaw yn sgil ad-drefnu'r GIG yng Nghymru i sicrhau ei fod yn gwneud mwy o waith ymchwil a datblygu a'i fod yn agored i syniadau newydd?

**Y Prif Weinidog:** Cytunaf yn llwyr, Jonathan. Mae'r GIG yn adnodd enfawr sydd ar gael i'r sector preifat, ar y telerau cywir, i gynhyrchu eiddo deallusol. Bydd y manteision sy'n gysylltiedig â hynny'n



and, sometimes, financially, even down to a particular NHS trust, as was the case with the sterile maggots business, which is a spin-off from the Princess of Wales Hospital in Bridgend. It does not sound terribly nice, but it is a brilliant project. At least part of the intellectual property dividend will go to the national health service, where the first trials were carried out. Penn Pharmaceuticals recently made a major investment, as a clinical trials-related organisation, of £12 million in Tredegar. That will increase the number of people whom it employs to about 360 or 370 in the Heads of the Valleys, where such jobs are like gold dust and highly valued. That is the paradox: the NHS is a public sector organisation, but big private sector pharmaceutical companies in the USA love working with it simply because of the resource available to it; that is, the number of patients of a similar type on whom they can try out new medication, under the right terms, to establish whether it is therapeutic. That gives it serious credibility throughout the world: if it has been found to work in the NHS, people know that that means that it can be sold worldwide. Therefore, there is a unique potential partnership between the big private sector pharma and the NHS, and the NHS in Wales is attuned to that.

**Gareth Jones:** Brif Weinidog, a wnewch chi gadarnhau bod cyngor arbenigol am ymchwil a datblygu ar gael yn rhwydd fel rhan o'r rhaglen Cymorth Hyblyg i Fusnesau Llywodraeth Cymru'n Un? A wnewch chi ddatgan pa gymorth a chyngor pellach sydd ar gael i fusnesau o dan y rhaglen honno?

**Y Prif Weinidog:** Mae dwy, os nad tair, agwedd ar y rhaglen sydd ar gael. Ceisiais amlinellu hyn wrth ateb cwestiwn Lesley Griffiths, ond anghofiais un agwedd arno. Os proses, dyfais neu wasanaeth newydd ydyw, gallwch wneud cais am grant tuag at y dyfeisgarwch ei hun. Cafwyd erthygl diddorol ar gwmni bach sydd wedi'i leoli ger Hwlfordd, sef Reason Innovate Cyf., sydd wedi dyfeisio peiriant golchi dillad cartref hollol newydd a llawer gwyrddach na'r hyn sydd ar gael heddiw. Rhoddodd Llywodraeth y Cynulliad grant o £45,000 i'r cwmni dair neu bedair blynedd yn ôl er mwyn helpu'r

cyrraedd y cleifion ac weithiau, yn ariannol, yr ymddiriedolaeth GIG benodol hyd yn oed, fel y digwyddodd gyda'r busnes cynrhon di-haint, a ddeilliodd o Ysbyty Tywysoges Cymru ym Mhen-y-bont ar Ogwr. Nid yw'n swnio'n beth braf iawn, ond mae'n brosiect gwych. Bydd o leiaf hanner budd yr eiddo deallusol yn mynd i'r gwasanaeth iechyd gwladol, lle cynhaliwyd y treialon cyntaf. Yn ddiweddar, gwnaeth cwmni fferyllol Penn, sy'n sefydliad sy'n cynnal treialon clinigol, fuddsoddiad pwysig o £12 miliwn yn Nhredeggar. Bydd hynny'n cynyddu nifer y bobl a gyfloga i oddeutu 360 neu 370 ym Mlaenau'r Cymoedd, lle mae swyddi o'r fath fel aur ac yn cael eu gwerthfawrogi'n fawr. Dyna'r paradocs: mae'r GIG yn sefydliad sector cyhoeddus, ond mae cwmnïau fferyllol mawr yn y sector preifat yn UDA wrth eu boddau'n gweithio ag ef oherwydd yr adnoddau sydd ar gael iddo; hynny yw, nifer y cleifion tebyg y gallant dreialu meddyginiaethau newydd arnynt, dan y telerau cywir, i benderfynu a yw'n therapiwtig ai peidio. Mae hynny'n rhoi hygredded iddo ledled y byd: os yw'n gweithio yn y GIG, gŵyr pobl bod hynny'n golygu y gellir ei werthu ledled y byd. Felly, ceir cyfle i gael partneriaeth unigryw rhwng y cwmnïau fferyllol mawr yn y sector preifat a'r GIG, ac mae'r GIG yng Nghymru yn deall hynny.

**Gareth Jones:** First Minister, will you confirm that expert advice on research and development is easily available as part of the Flexible Support for Business programme of the One Wales Government? Will you state what further help and advice is available to businesses under this programme?

**The First Minister:** There are two if not three aspects to the programme available. I tried to address this in my reply to Lesley Griffiths's question, but I forgot to include one aspect. If it is a new process, invention or service, you can apply for a grant towards the innovation itself. There was an interesting article about a small company based near Haverfordwest, namely Reason Innovate Ltd, which has invented a brand-new home washing machine that is much greener than the best available at present. The Welsh Assembly Government gave a £45,000 grant to the company three or four years ago to

ddyfais i ddatblygu'n rhywbeth sydd bellach wedi'i phrofi yn yr ystyr ymarferol. Grant gwobr teilyngdod ymchwil a thechnoleg i fusnesau yw hwnnw tuag at ddyfais, gwasanaeth neu broses newydd. Hefyd, gallwch wneud cais am gymorth rhanbarthol dewisol yn yr un modd â phe baech yn sefydlu ffatri newydd. Serch hynny, nid oes yn rhaid ichi sefydlu ffatri bellach; gallwch sefydlu rhaglen o waith ymchwil a datblygu a chael hyd at 20 y cant—os cofiaf yn iawn—o gostau'r cyflogaeth wedi'u talu. Hefyd, gall y cronfeydd strwythurol fod yn berthnasol am grantiau tuag at ddyfeisgarwch ac arloesedd yn y maes technoleg newydd.

**Jenny Randerson:** The need for a science policy has been raised many times here. As I am sure that you are aware, Wales currently receives only 1.5 to 2 per cent of UK research investment in the life sciences, for example. In contrast, Scotland has a very successful life sciences strategy, and regular reports are produced there. I gather that the Welsh Development Agency used to produce reports of this nature, but they are no longer produced. Perhaps you could clarify that.

Investment in the life sciences is part of a key need for a science strategy and for a more proactive approach to scientific research and development. You have had—I believe—on your desk, since the end of last year, the report by Professor Christopher Pollock on the idea of a permanent office of chief scientific officer for the Welsh Assembly Government. When do you plan to publish it, and when do you plan to make a decision on its recommendations?

**The First Minister:** I would contest some of your assertions. You said that there is a need for a science policy in Wales; surely, you are familiar with the science policy that we have now had for some three years. I am shocked at your assertion that we do not have a science policy, because it is completely wrong.

The issue about the comparison with Scotland is relevant in that, some 40 years

help to develop the device into something that has now been tested in the practical sense. That was a a small firms merit award for research and technology grant for a new invention, service or process. You can also apply for regional selective assistance as you would if you were setting up a new factory. However, you no longer have to set up a factory; you can set up a programme of research and development and receive up to 20 per cent—if I remember correctly—of employment costs paid. In addition, the structural funds can be relevant to provide grants towards innovation in the field of new technology.

**Jenny Randerson:** Mae'r angen am bolisi gwyddoniaeth wedi cael ei godi yma droeon. Fel yr wyf fi'n siŵr eich bod yn gwybod, ar hyn o bryd dim ond 1.5 i 2 y cant o fuddsoddiad ymchwil y DU mewn gwyddorau bywyd a gaiff Cymru, er enghraifft. I'r gwrthwyneb, mae gan yr Alban strategaeth gwyddorau bywyd lwyddiannus dros ben, a chynhyrchir adroddiadau rheolaidd yno. Caf ar ddeall yr arferai Awdurdod Datblygu Cymru gynhyrchu adroddiadau o'r anian hyn, ond ni chânt eu cynhyrchu mwyach. Efallai y gallech egluro hynny.

Mae buddsoddi mewn gwyddorau bywyd yn rhan o angen allweddol am strategaeth gwyddoniaeth a dull gweithredu sy'n fwy rhagweithiol yng nghyswllt ymchwil a datblygiad gwyddonol. Yr wyf yn credu i adroddiad yr Athro Christopher Pollock fod ar eich desg ers diwedd y llynedd ynghylch syniad swydd barhaol prif swyddog gwyddonol ar gyfer Llywodraeth Cynulliad Cymru. Pryd ydych yn bwriadu ei gyhoeddi, a phryd ydych yn bwriadu penderfynu ar ei argymhellion?

**Y Prif Weinidog:** Byddwn yn gwrthwynebu rhai o'ch honiadau. Dywedasoed fod angen polisi gwyddoniaeth yng Nghymru; siawns eich bod yn gyfarwydd â'r polisi gwyddoniaeth a fu gennym ers oddeutu tair blynedd bellach. Caf fy synnu gan eich honiad nad oes gennym bolisi gwyddoniaeth, oherwydd mae hynny'n gwbl anghywir.

Mae'r gymhariaeth â'r Alban yn berthnasol oherwydd, oddeutu 40 mlynedd yn ôl,

ago, Scotland decided to make the Tayside area a life sciences cluster through an innovative and entrepreneurial vice-chancellor of the University of Dundee. It was pushed hard, it became successful and now it is a major centre of life sciences innovation at university and private sector level. They get a lot of research council funding; they have gone in big, and have done it over decades, going back the late 1960s.

However, the Scottish comparison is also relevant to your final question about the Pollock report. I will be having a meeting, video conference or telephone call with the chief scientific adviser in Scotland at the end of this week. I will then be able to give further consideration to the content of the Pollock report, because that was the one area that was missing from it, namely a measurement of exactly what benefit Scotland had received from having a chief scientific adviser to the Government as a whole, as distinct from half a dozen separate scientific officers. I am sure that that will help me to finalise the conclusions or response to the Pollock report.

### Skills and Training

**Q6 Helen Mary Jones:** Will the First Minister make a statement on the different initiatives regarding skills and training available to workers facing redundancy in Wales, especially within our Welsh businesses? OAQ(3)1817(FM)

**The First Minister:** There is a range of initiatives to help Welsh businesses. There are established workforce development programmes, but more recently, due to the rapid nature of the downturn, ProAct has been brought in to provide additional assistance for companies to avoid redundancies during the present downturn. ReAct is targeted at those individuals for whom ProAct did not come in in time, and who have been made redundant, enabling them to get back into work quickly with an employer subsidy as well as a training subsidy.

**Helen Mary Jones:** Given the importance of

penderfynodd yr Alban wneud ardal Tayside yn glwstwr gwyddorau bywyd drwy is-ganghellor arloesol ac entrepreneuriaidd ym Mhrifysgol Dundee. Cafodd ei wthio'n galed, llwyddodd ac mae bellach yn un o'r prif ganolfannau arloesedd gwyddorau bywyd ar lefel prifysgol a sector preifat. Maent yn cael llawer o gyllid cyngor ymchwil; maent wedi cymryd cam mawr ac maent wedi cyflawni hynny dros ddegawdau, gan fynd yn ôl i ddiwedd y 1960au.

Fodd bynnag, mae'r gymhariaeth â'r Alban hefyd yn berthnasol i'ch cwestiwn olaf ynghylch adroddiad Pollock. Byddaf yn cael cyfarfod, fideo gynhadledd neu alwad ffôn gyda phrif gynghorydd gwyddonol yr Alban ddiwedd yr wythnos yma. Byddaf wedyn yn gallu ystyried cynnwys adroddiad Pollock ymhellach, oherwydd hwnnw oedd yr un maes a oedd ar goll ohono, sef mesur yn union pa fudd oedd yr Alban yn ei gael o fod â phrif gynghorydd gwyddonol i'r Llywodraeth yn ei chyfanrwydd, yn hytrach na hanner dwsin o swyddogion gwyddonol ar wahân. Yr wyf yn ffyddiog y bydd hynny'n fy helpu i lunio casgliadau terfynol neu ymateb i adroddiad Pollock.

### Sgiliau a Hyfforddiant

**C6 Helen Mary Jones:** A wnaiff y Prif Weinidog ddatganiad am y mentrau gwahanol sy'n ymwneud â sgiliau a'r hyfforddiant sydd ar gael i weithwyr sy'n wynebu colli eu swyddi yng Nghymru, yn enwedig yn ein busnesau Cymreig? OAQ(3)1817(FM)

**Y Prif Weinidog:** Mae amryw o fentrau ar gael i helpu busnesau Cymreig. Ceir rhaglenni datblygu'r gweithlu sydd wedi ennill eu plwyf, ond yn fwy diweddar, oherwydd cyflymder y dirywiad, mae ProAct wedi cael ei gyflwyno i ddarparu cymorth ychwanegol i gwmnïau i osgoi dileu swyddi yn ystod y dirywiad hwn. Mae ReAct wedi'i dargedu at yr unigolion hynny nad oedd ProAct ar gael iddynt mewn da bryd, ac sydd wedi colli eu swyddi, er mwyn eu galluogi i ddychwelyd i waith yn gyflym gyda chymhorthdal cyflogwr yn ogystal â chymhorthdal hyfforddi.

**Helen Mary Jones:** Ac ystyried

manufacturing that still exists in Wales, and how badly it has been affected by the current economic downturn, will you make a statement on the support that is being given to workers within manufacturing in particular?

2.20 p.m.

**The First Minister:** We have received 90 applications for the ProAct scheme, with virtually all of them from manufacturing companies—I think that two of them are not from manufacturing. As we move from the pilot phase over the next few weeks—we will be going into the full funding phase on 1 April—we would expect to be able to speed up the rate of confirmation and approval. Some 18 companies have had applications approved so far, and, obviously, we would expect to see that number rise rapidly. Those companies are virtually all in manufacturing, including a more than average sprinkling in Carmarthenshire.

**David Melding:** It is now fairly clear, in the view of most commentators, that the recovery will not start in 2009, and that it may not start until the end of 2010. This is a severe economic recession—we all are keeping our fingers crossed that it is nothing worse. The latest unemployment figures will be published tomorrow; the general predictions, even in papers such as the *Financial Times*—which is hardly given to wild predictions—is that the level of unemployment will increase to over 3 million people during 2010. Many of those people will be unemployed for quite some time, which is inevitable as the economy will only slowly recover.

Do you agree that one way in which to improve Wales's economic base would be to look at training that encourages people to form their own enterprises, and to be ambitious about growing those enterprises? In many particularly depressed parts of the United States, this was the aim; it was not about having one-man bands, but about trying to get people to join together if they had, for example, been made redundant from a particular enterprise, to go with their own type of product and to develop it. Should we

pwysigrwydd gweithgynhyrchu yng Nghymru o hyd, ac effaith andwyol y dirywiad economaidd presennol arno, a wnewch ddatganiad am y gefnogaeth sy'n cael ei rhoi i weithwyr ym maes gweithgynhyrchu yn benodol?

**Y Prif Weinidog:** Yr ydym wedi cael 90 o geisiadau ar gyfer y cynllun ProAct, ac mae'r cwbl bron o gwmnïau gweithgynhyrchu—credaf mai dau ohonynt a ddaw o feysydd heb fod yn weithgynhyrchu. Wrth inni symud ymlaen o'r cam peilot dros yr ychydig wythnosau nesaf—byddwn yn mynd i'r cam cyllido llawn ar 1 Ebrill—byddem yn disgwyl gallu cyflymu'r gyfradd cadarnhau a chymeradwyo. Cymeradwywyd ceisiadau oddeutu 18 o gwmnïau hyd yn hyn, ac, yn amlwg, byddem yn disgwyl gweld y nifer hwnnw'n codi'n gyflym. Mae'r cwmnïau hynny i gyd bron yn perthyn i faes gweithgynhyrchu, gan gynnwys mwy na'r llong llaw cyfartalog yn sir Gaerfyrddin.

**David Melding:** Mae'n weddol glir yn awr, yng ngolwg y rhan fwyaf o sylwebwyr, na fydd yr adferiad yn dechrau yn 2009, ac efallai na fydd yn dechrau tan ddiwedd 2010. Mae hwn yn ddirwasgiad economaidd difrifol—yr ydym i gyd yn croesi ein bysedd nad yw'n ddim byd gwaeth. Bydd y ffigurau diweithdra diweddaraf yn cael eu cyhoeddi yfory; at ei gilydd rhagfynegir, hyd yn oed mewn papurau newydd megis y *Financial Times*—nad yw'n adnabyddus am ragfynegiadau gwyllt—y bydd lefel diweithdra'n codi i dros 3 miliwn o bobl yn ystod 2010. Bydd nifer o'r bobl hynny'n ddi-waith am gryn amser, sy'n anochel gan mai dim ond yn araf y bydd yr economi'n gwella.

A ydych yn cytuno mai un ffordd o wella sylfaen economaidd Cymru fyddai edrych ar hyfforddiant sy'n annog pobl i ffurfio eu mentrau eu hunain, a bod yn uchelgeisiol am dyfu'r mentrau hynny? Mewn nifer o rannau dirwasgedig iawn o'r Unol Daleithiau, dyma oedd y nod; nid oedd yn ymwneud â chael cwmnïau un dyn, ond â cheisio cael pobl i ddod at ei gilydd os oeddent, er enghraifft, wedi colli eu gwaith o gwmni penodol, er mwyn symud ymlaen â'u math hwy o gynnyrch a'i ddatblygu. Oni ddylem fod yn

not be doing as much as possible of that over the next year or two, so that people can retrain and then develop enterprises that would become medium or even larger enterprises in due course?

**The First Minister:** You said that it is now becoming clear that the recession is going to go on well beyond 2009, and maybe into late 2010. I thought that you were going to refer to the fact that a person such as Ben Bernanke, the chairman of the Federal Reserve in the USA—one of the most important people in this area, with a duty to predict—made quite the opposite prediction yesterday, which I read in this morning's papers. He said that the recession would be over by the end of this year. I hope that he is right, but, as you say, it is finger-crossing time. I would like to think that he could be right, but I have my doubts, as you probably do, as to whether that could be true. Secondly, there is a dispute among experts about the shape of the recession—whether it will be V-shaped, U-shaped, W-shaped, L-shaped, or any other shape. We still do not know that. By the end of the first half of this year, people will perhaps start to think more clearly about the shape of this recession.

The final point that you make is absolutely right. Many of the good businesses of the next upturn will start during the recession. A recession is a good time to start a new business, because necessity is the mother of invention: if you have been made redundant and have had a redundancy settlement, you can start a business. You can acquire assets very cheaply, because it is easier during a recession to get a rent-free period at a factory or office, and to acquire second-hand office chairs and telephone equipment and so on from businesses that have gone bust. We should never forget that many good businesses start during a recession, and we need to encourage that process as much as possible.

### Renewable Energy Targets

**Q7 Mick Bates:** Will the First Minister give an update on progress towards reaching renewable energy targets for Wales? OAQ(3)1792(FM)

gwneud cymaint â phosibl o hynny dros y flwyddyn neu ddwy nesaf, er mwyn i bobl allu ailhyfforddi ac wedyn datblygu mentrau a fyddai'n datblygu yn gwmnïau canolig neu hyd yn oed mwy maes o law?

**Y Prif Weinidog:** Dywedasoch ei bod yn awr yn glir y bydd y dirwasgiad yn mynd y tu hwnt i 2009, ac efallai hyd at ddiwedd 2010. Yr oeddwn yn meddwl eich bod am gyfeirio at y ffaith bod unigolyn megis Ben Bernanke, cadeirydd y Gronfa Ffederal yn UDA—un o'r bobl bwysicaf un yn y maes hwn, gyda dyletswydd i ragfynegi—wedi gwneud rhagfynegiad cwbl groes ddoe, a ddarllenais yn y papurau newydd bore yma. Dywedodd y byddai'r dirwasgiad ar ben erbyn diwedd eleni. Gobeithiaf ei fod yn iawn, ond, fel y dywedwch, mae'n amser i groesi bysedd. Hoffwn feddwl y gallai fod yn iawn, ond mae gennyf fy amheumon, fel chithau mae'n debyg, ynghylch a allai hynny fod yn wir. Yn ail, ceir anghydfod ymysg arbenigwyr ynghylch siâp y dirwasgiad—ai fydd ar siâp V, siâp U, siâp W, siâp L, neu unrhyw siâp arall. Nid ydym yn dal yn gwybod hynny. Erbyn diwedd hanner cyntaf eleni, efallai y bydd pobl yn dechrau meddwl yn gliriach am siâp y dirwasgiad hwn.

Mae'r pwynt olaf a wnewch yn hollol iawn. Bydd nifer o fusnesau da'r cynnydd nesaf yn dechrau yn ystod y dirwasgiad. Mae dirwasgiad yn amser da i ddechrau busnes newydd, oherwydd angenrheidrwydd sydd wrth wraidd pob dyfais: os ydych wedi colli eich swydd ac wedi cael setliad dileu swydd, gallwch ddechrau busnes. Gallwch brynu asedau'n rhad iawn, oherwydd ei bod yn haws cael cyfnod heb rent mewn ffatri neu swyddfa a phrynu cadeiriau swyddfa ac offer ffôn ail law ac yn y blaen yn ystod dirwasgiad gan fusnesau sydd wedi mynd i'r wal. Ni ddylem fyth anghofio bod nifer o fusnesau da yn dechrau yn ystod dirwasgiad, ac mae angen inni annog y broses honno cymaint ag y bo modd.

### Targedau Ynni Adnewyddadwy

**C7 Mick Bates:** A wnaiff y Prif Weinidog roi'r wybodaeth ddiweddaraf am y cynnydd tuag at gyrraedd targedau ynni adnewyddadwy Cymru? OAQ(3)1792(FM)

**The First Minister:** We estimate that there are about 3,000 MW of renewable development projects currently in the pipeline, and investment in those, if they were all to come off, would total in excess of £8.5 billion.

**Mick Bates:** I admire your aspirational answer. Let us look at some facts. Take wind power development: the latest figures that I have show that there is currently approximately 60 MW being produced—sorry, 11 of those windfarms are still being built—against a target of 800 MW by 2010. The figure that you gave does not reflect how far behind your Government is with this target. If mid Wales was to reach the potential outlined in TAN 8, over the next 20 years at least £25 million of benefit would be pumped into our communities. That is an immense amount of money, given that we are now in recession, and that it is likely to continue for some time. What actions are you taking to reach those wind-power targets and to ensure that that money gets into our communities, because that money could mean the difference between the survival and the disappearance of so many rural services?

**The First Minister:** I think that you are being unduly downbeat. The figure of 60 MW that you mentioned in terms of what is currently being produced may or may not be right; I do not know. However, there is a 100 MW offshore windfarm being constructed now on Rhyl flats, and the 750 MW Gwynt y Môr construction has received full consent and can proceed. The 350 MW Prenergy Power Ltd biomass power station in Port Talbot has received consent, so that is 1,200 MW that have received full consent and are ready to go. On top of that, I think that there are some 600 MW that have not yet received consent but are available via the Forestry Commission leasing arrangement that we have secured—it has not applied for planning permission yet. That will take you up to 1,800 MW if those go through, although I imagine that not all of them will do so; inevitably, some will fall by the wayside.

**Y Prif Weinidog:** Yr ydym yn amcangyfrif bod oddeutu 3,000 MW o brosiectau datblygu adnewyddadwy ar y gweill ar hyn o bryd, a byddai'r buddsoddiad yn y rheini dros £8.5 biliwn., pe baent yn cael eu rhoi ar waith.

**Mick Bates:** Yr wyf yn edmygu eich ateb sy'n llawn dyhead. Gadewch inni edrych ar rai ffeithiau. Ystyriwn ddatblygiadau pŵer gwynt: mae'r ffigurau diweddaraf sydd gennyf yn dangos bod oddeutu 60 MW yn cael ei gynhyrchu ar hyn o bryd—mae'n ddrwg gennyf, mae 11 o'r ffermydd gwynt hynny'n dal yn cael eu hadeiladu—o'i gymharu â tharged o 800 MW erbyn 2010. Nid yw'r ffigur a roddasoch yn adlewyrchu pa mor bell ar ei hôl hi mae eich Llywodraeth yng nghyswllt y targed hwn. Os yw canolbarth Cymru am gyrraedd y potensial a amlinellir yn TAN 8, dros yr 20 mlynedd nesaf, byddai o leiaf £25 miliwn o fudd yn mynd i mewn i'n cymunedau. Mae hwnnw'n swm enfawr o arian, ac ystyried ein bod mewn dirwasgiad yn awr, a bod hwnnw'n debygol o barhau am gryn amser. Pa gamau yr ydych yn eu cymryd i gyrraedd y targedau pŵer gwynt hynny a sicrhau bod yr arian hwnnw'n cyrraedd ein cymunedau, oherwydd gallai'r arian hwnnw olygu'r gwahaniaeth rhwng goroesiad a thranc cynifer o wasanaethau gwledig?

**Y Prif Weinidog:** Yr wyf yn meddwl eich bod yn rhy ddigalon. Efallai fod y ffigur 60 MW y soniasoch amdano o ran yr hyn sy'n cael ei gynhyrchu ar hyn o bryd yn iawn; nid wyf yn gwybod. Fodd bynnag, mae fferm wynt ar y môr 100 MW wrthi'n cael ei hadeiladu yn awr ar draethellau'r Rhyl, ac mae datblygiad 750 MW Gwynt y Môr wedi cael caniatâd llawn a gall fwrw ymlaen. Mae gorsaf bŵer biomas 350 MW Prenergy Power Cyf ym Mhort Talbot wedi cael caniatâd, felly mae hynny'n 1,200 MW sydd wedi cael caniatâd llawn ac sy'n barod i fynd. Ar ben hynny, credaf fod oddeutu 600 MW nad ydynt eto wedi cael caniatâd ond sydd ar gael drwy drefniant lesio'r Comisiwn Coedwigaeth yr ydym wedi'i sicrhau—nid yw wedi gwneud cais am ganiatâd cynllunio eto. Bydd hynny'n mynd â chi i fyny i 1,800 MW os rhoddir y rheini ar waith, er fy mod yn dychmygu na chânt i gyd eu rhoi ar waith; yn anochel bydd rhai ohonynt yn methu.

**Leanne Wood:** I am sure that you are aware that the latest science suggests that we could now be looking at rises in sea levels of around 1m, so the situation is becoming more serious and more urgent. I was concerned to read an answer given by Mike O'Brien recently to a question asked in the House of Commons, in which he said that, in 2007, of all the renewable energy produced in the UK, 49 per cent was generated in England, 42 per cent was generated in Scotland, only 7 per cent was generated in Wales, and 2 per cent was generated in the six counties. Why is the figure for Wales so low in comparison to that for Scotland and England? You mentioned the number of wind projects that are in the pipeline, but, in addition to those, what other measures are in place to radically increase the amount of renewable energy that we produce in Wales over the next year?

**The First Minister:** The reason why Scotland's figure for renewable energy production is so high today is the burst in hydro-electric production seen in the years immediately after the war—it is not of recent origin. If you consider today's developments, I do not think that any other part of the UK has as much work in progress in this area as we do. Therefore, it depends on whether you ask what has received consent and is ready to go in terms of what will be built in 2009 and 2010, as far as we know—unless developers change their mind—namely the Prenergy Power Ltd development in Port Talbot, the Gwynt y Môr development near Rhyl, and the Rhyl flats 100 MW offshore windfarm, which is under construction now. If all those are constructed, that is 1,200 MW, which would increase the Welsh share very sharply. It all depends on which year you count it from. I do not think that we could say that the planning and development regime in Wales, whether the responsibility for windfarms and developments over 50 MW is devolved to us or not, has been resistant to some promising areas of development in terms of our renewable energy resource.

**Leanne Wood:** Yr wyf yn siŵr eich bod yn gwybod bod y wyddoniaeth ddiweddaraf yn awgrymu y gallem yn awr fod yn edrych ar lefelau'r môr yn codi oddeutu 1m, felly mae difrifoldeb a brys y sefyllfa'n tyfu. Yr oedd yn flin gennyf ddarllen ateb a roddwyd gan Mike O'Brien yn ddiweddar i gwestiwn a ofynnwyd yn Nhŷ'r Cyffredin, pan ddywedodd, yn 2007, o'r holl ynni adnewyddadwy a oedd yn cael ei gynhyrchu yn y DU, yr oedd 49 y cant yn cael ei gynhyrchu yn Lloegr, yr oedd 42 y cant yn cael ei gynhyrchu yn yr Alban, dim ond 7 y cant oedd yn cael ei gynhyrchu yng Nghymru, ac yr oedd 2 y cant yn cael ei gynhyrchu yn y chwe sir. Pam mae'r ffigur ar gyfer Cymru mor isel o'i gymharu â'r ffigur ar gyfer Lloegr a'r Alban? Soniasoch am nifer y prosiectau gwynt sydd ar y gweill, ond, ar ben y rheini, pa fesurau eraill sydd ar waith i gynyddu'n radical faint o ynni adnewyddadwy yr ydym yn ei gynhyrchu yng Nghymru dros y flwyddyn nesaf?

**Y Prif Weinidog:** Y rheswm dros gael ffigur mor uchel yn yr Alban yng nghyswllt cynhyrchu ynni adnewyddadwy heddiw yw'r cynnydd mewn cynhyrchu trydan dŵr a welwyd yn ystod y blynyddoedd yn syth ar ôl y rhyfel—nid rhywbeth diweddar mohono. Os ystyriwch ddatblygiadau heddiw, nid wyf yn meddwl bod gan unrhyw ran arall o'r DU gymaint o waith ar y gweill yn y maes hwn â ni. Felly, mae'n dibynnu ar a ydych yn gofyn beth sydd wedi cael caniatâd ac sy'n barod i fwrw ymlaen o ran yr hyn a fydd yn cael ei adeiladu yn 2009 a 2010, cyn belled ag y gwyddom—oni bai y bydd datblygwyr yn newid eu meddwl—sef datblygiad Prenergy Power Cyf ym Mhort Talbot, datblygiad Gwynt y Môr ger y Rhyl, a fferm wynt ar y môr 100 MW traethellau'r Rhyl, sydd wrthi'n cael ei hadeiladu ar hyn o bryd. Os caiff y rheini i gyd eu codi, mae hynny'n 1,200 MW, a fyddai'n cynyddu cyfran Cymru'n sylweddol. Mae'r cyfan yn dibynnu ar ba flwyddyn yr ydych yn cyfrif ohoni. Nid wyf yn meddwl y gallem ddweud bod y drefn cynllunio a datblygu yng Nghymru, boed y cyfrifoldeb dros ffermydd gwynt a datblygiadau dros 50 MW wedi'i ddatganoli i ni ai peidio, wedi gwrthwynebu rhai meysydd datblygu addawol o ran ein hadnodd ynni adnewyddadwy.

In terms of the Forestry Commission leasing system that we have brought in, we have made 0.5 per cent of the commission's estate available, in principle, by point felling areas to make way for wind turbines. If that comes off, that is another 600 MW. I do not imagine that all those projects will get planning permission, but if a fair number do, you are up to around 1,700 MW, which is a substantial share of the total British contribution.

### Y Dirwasgiad Byd-eang

**C8 Gareth Jones:** A wnaiff y Prif Weinidog ddatganiad am ei flaenoriaethau ar gyfer y tymor hwn ac ystyried y dirwasgiad byd-eang? OAQ(3)1822(FM)

**Y Prif Weinidog:** Yn ogystal â mynd i'r afael ag effeithiau uniongyrchol y dirwasgiad economaidd byd-eang, yr ydym hefyd yn ceisio creu cerrig sylfaen i adeiladu dyfodol iachach arnynt.

**Gareth Jones:** Mae'r dirwasgiad byd-eang yn taflu ei gysgod ar bron bopeth yr ydym yn ei wneud yn y Cynulliad. Yr wyf yn siŵr y byddwch yn cytuno bod sicrhau swyddi a chefnogi busnesau yn un o brif flaenoriaethau Llywodraeth Cymru'n Un. Yr wyf wrth fy modd y bydd Venue Cymru yn Llandudno, ar 30 Mawrth, yn croesawu'r digwyddiad cyntaf mewn cyfres o ddiwyddiadau, a elwir yn Dod Drwyddi, sydd wedi ei anelu at gefnogi busnesau yn ystod y dirwasgiad hwn. A wnewch chi ymrwymo i sicrhau y bydd y digwyddiad hwn yn denu'r cyhoeddusrwydd ehangaf posibl fel bod busnesau y mae angen help a chyingor arnynt yn gallu goroesi'r storom economaidd hon? A wnewch chi gadarnhau y bydd Llywodraeth Cymru'n Un yn rhoi ystyriaeth o ddifrif i gynnal digwyddiad fel hwn eto yn y dyfodol?

2.30 p.m.

**Y Prif Weinidog:** Byddwn yn rhoi cymaint o gyhoeddusrwydd ag y gallwn drwy'r Ffederasiwn Busnesau Bach, Cydffederasiwn Diwydiant Prydain a Fforwm Economaidd Gogledd Cymru. Byddwn yn ceisio sicrhau bod gan bobl yr hawl i fod yn bresennol er mwyn clywed y

O ran system lesio'r Comisiwn Coedwigaeth yr ydym wedi'i chyflwyno, yr ydym wedi darparu 0.5 y cant o ystad y comisiwn, mewn egwyddor, drwy gwympo coed ardaloedd i wneud lle ar gyfer tyrbinau gwynt. Os bydd hynny'n llwyddo, mae'n 600 MW arall. Nid wyf yn dychmygu y caiff yr holl brosiectau hynny ganiatâd cynllunio, ond os bydd nifer gweddol yn llwyddo, yr ydych wedi codi i oddeutu 1,700 MW, sy'n gyfran sylweddol o gyfanswm cyfraniad Prydain.

### Global Recession

**Q8 Gareth Jones:** Will the First Minister make a statement on his priorities for this term in light of the global recession? OAQ(3)1822(FM)

**The First Minister:** In addition to addressing the immediate impacts of the global economic downturn, we are also attempting to create the foundations on which we can build for a healthier recovery.

**Gareth Jones:** The global recession is casting its shadow over almost everything that we do in the Assembly. I am sure that you will agree that safeguarding jobs and supporting businesses is one of the One Wales Government's main priorities. I am delighted that Venue Cymru in Llandudno, on 30 March, will welcome the first in a series of events that will aim to support businesses during the recession. Will you commit to ensuring that the event receives as much publicity as possible so that businesses that need help and advice can weather this economic storm? Will you confirm that the One Wales Government will give serious consideration to holding an event like this again in the future?

**The First Minister:** We will give as much publicity as possible through the Federation of Small Businesses, the Confederation of British Industry and the North Wales Economic Forum. We will try to ensure that people have the right to be present, so that they can hear the various messages and share



gwahanol negeseuon ac i roi gwybod am bethau nad ydynt yn gweithio cystal ag y dylent. Y broblem dros y misoedd diwethaf yw bod rhaglen gymorth yn cael ei chynnig, ond wrth i bobl geisio cael gafael ar arian a chredyd, nid yw'r broses yn gweithio fel y dylai, gan fod pobl yn camddehongli bwriad y rhaglen. Felly, bwriedir cynnal pum cyfarfod: yn Llandudno, Aberystwyth, y Drenewydd, Abertawe a Chaerdydd. Os bydd angen rhagor o gyfarfodydd, byddwn yn ystyried hynny ar ôl mis Ebrill.

**Alun Cairns:** Over recent weeks, the Welsh Assembly Government has increased business rates for the coming financial year by almost 5 per cent, while inflation is much lower. Coupled with that, *The Sunday Times* this week highlighted the top 10 places in the United Kingdom that have the highest proportion of empty premises on the high street. Holyhead was first on the list, and Barry was also included within the top ten. Bearing in mind that business rates are a tool that you can use to offer support to local businesses during this recession, do you not think that your 5 per cent inflation-busting increase is damaging to businesses, not only on the high street, but across the whole of Wales?

**The First Minister:** That would be true if we did not have two good rate relief schemes in existence for small businesses, which have been widely welcomed. I entirely accept what you said about empty premises; I have raised the issue in answer to other questions over the past month. I understand that Holyhead and Milford Haven are among the top two or three towns in the United Kingdom in terms of the proportion of shops on the high street that are boarded up. That is sad, but it has been a weakness in the economies of Holyhead and Milford Haven for the best part of the last decade, and is not attributable to any recent changes in rates, whether it is rates going up in general, or rates coming down due to our rate relief schemes.

#### Communication Needs of Stroke Survivors

**Q9 Huw Lewis:** What is the Welsh Assembly Government doing to ensure the

information about things that do not work as well as they should. The problem over the last few months has been that a programme of assistance has been offered, but that, as people try to access funding and credit, the process does not work as it should, as people misunderstand the programme's aim. Therefore, the intention is to hold five meetings: in Llandudno, Aberystwyth, Newtown, Swansea and Cardiff. If more meetings are necessary, we will consider that after April.

**Alun Cairns:** Dros yr wythnosau diwethaf, mae Llywodraeth Cynulliad Cymru wedi cynyddu ardrethi busnes bron 5 y cant ar gyfer y flwyddyn ariannol nesaf, er bod chwyddiant yn llawer is. Ochr yn ochr â hynny, yn *The Sunday Times* yr wythnos hon, tynnwyd sylw at y 10 lle yn y Deyrnas Unedig sydd â'r gyfran uchaf o eiddo gwag ar y stryd fawr. Caerdybi oedd ar frig y rhestr, ac yr oedd y Bari hefyd yn y deg uchaf. A chofio bod ardrethi busnes yn offeryn y gallwch ei ddefnyddio i gynnig cefnogaeth i fusnesau lleol yn ystod y dirwasgiad hwn, onid ydych yn credu bod eich cynnydd o 5 y cant, sydd lawer uwch na chwyddiant, yn niweidiol i fusnesau, nid ar y stryd fawr yn unig, ond ledled Cymru gyfan?

**Y Prif Weinidog:** Byddai hynny'n wir pe na bai gennym ddau gynllun rhyddhad ardrethi da ar waith ar gyfer busnesau bach, sydd wedi cael cryn groeso. Derbyniaf yn llwyr yr hyn a ddywedasoch am eiddo gwag; yr wyf wedi codi'r mater mewn ateb i gwestiynau eraill dros y mis diwethaf. Deallaf fod Caerdybi ac Aberdaugleddau ymysg y ddwy neu dair tref yn y Deyrnas Unedig sydd â'r gyfran uchaf o siopau ar y stryd fawr â'u ffenestri dan goed. Mae hynny'n drist, ond mae hwn wedi bod yn wendid yn economïau Caerdybi ac Aberdaugleddau dros y rhan fwyaf o'r degawd diwethaf, ac ni ellir priodoli hynny i unrhyw newidiadau diweddar mewn ardrethi, boed hynny'n ardrethi sy'n cynyddu'n gyffredinol, neu leihad mewn ardrethi yn sgil ein cynlluniau rhyddhad ardrethi.

#### Anghenion Cyfathrebu Goroewyr Strôc

**C9 Huw Lewis:** Beth mae Llywodraeth Cynulliad Cymru yn ei wneud i sicrhau y

communication needs of stroke survivors are met? OAQ(3)1810(FM)

**The First Minister:** We have set a programme of work to direct improvements in stroke services, from prevention and treatment through to rehabilitation. This programme requires the development and implementation of a long-term care plan for stroke patients that includes referral to rehabilitation services such as speech and language therapy.

**Huw Lewis:** I know that progress is being made, but this is an important issue that I felt needed raising in the Chamber today. Almost everyone will know someone who has either suffered a stroke or is directly affected by someone who has had a stroke. There can be many long-term effects for people who survive a stroke. Access to rehabilitation and support is vital, and the standard of immediate care is crucial for survival rates and long-term recovery. I am sure that you would agree that access to services and their availability are vital to stroke sufferers who have communication disabilities. Would you consider attending an event on 31 March 2009 that is being organised at the Assembly by the Royal College of Speech & Language Therapists and the Stroke Association, to see for yourself the hard work undertaken by workers and carers to maintain a high profile for the communication needs of stroke survivors?

**The First Minister:** Having been a carer for a stroke victim for some years—although no longer, sadly—and after another member of my family suffered a stroke more than 20 years ago, I am well aware of what happens when people lose their speech through a stroke, before recovering part of it. An audit is currently being undertaken under the stroke services improvement programme, and that covers the issue of speech and language therapy. The results of that audit are being analysed, and a report is expected by early May. I will ask Edwina Hart, the Minister for Health and Social Services, to write to you after that audit has been completed. Of course, I will see whether I can include the

caiff anghenion cyfathrebu goroeswyr strôc eu diwallu? OAQ(3)1810(FM)

**Y Prif Weinidog:** Yr ydym wedi pennu rhaglen waith i gyfeirio gwelliannau mewn gwasanaethau strôc, o atal a thrin i adsefydlu. Mae'r rhaglen yn gofyn am ddatblygu a gweithredu cynllun gofal tymor hir ar gyfer cleifion strôc sy'n cynnwys popeth o atgyfeirio i wasanaethau adsefydlu megis therapi iaith a lleferydd.

**Huw Lewis:** Gwn fod cynnydd yn cael ei wneud, ond gan fod hwn yn fater mor bwysig, teimlwn fod angen ei godi yn y Siambr heddiw. Bydd bron pawb yn nabod rhywun sydd naill ai wedi dioddef strôc neu sy'n cael eu heffeithio'n uniongyrchol gan rywun sydd wedi cael strôc. Gall y rheini sy'n goroesi strôc wynebu llawer o effeithiau hirdymor. Mae gallu cael gafael ar wasanaethau adsefydlu a chefnogaeth yn hollbwysig, ac mae safon y gofal a roddir ar unwaith yn hanfodol ar gyfer cyfraddau goroesi ac adferiad tymor hir. Yr wyf yn siŵr y byddech yn cytuno bod cael mynediad at wasanaethau a'u hargaeledd yn hanfodol ar gyfer dioddefwyr strôc sydd ag anableddau cyfathrebu. A fyddech yn ystyried mynychu digwyddiad ar 31 Mawrth 2009 a gynhelir yn y Cynulliad gan Goleg Brenhinol y Therapyddion Iaith a Lleferydd a'r Gymdeithas Strôc, i weld â'ch llygaid eich hun y gwaith caled a wneir gan weithwyr a gofalwyr i gynnal proffil uchel ar gyfer anghenion cyfathrebu'r rheini sy'n goroesi strôc?

**Y Prif Weinidog:** Ar ôl gofalu am unigolyn a ddioddefodd strôc am flynyddoedd—er nad wyf mwyach, yn anffodus—ac ar ôl i aelod arall o'm teulu ddioddef strôc dros 20 mlynedd yn ôl, yr wyf yn ymwybodol iawn o'r hyn sy'n digwydd pan fydd pobl yn colli eu lleferydd ar ôl strôc, cyn adennill rhywfaint ohono. Mae archwiliad ar waith ar hyn o bryd dan y rhaglen gwella gwasanaethau strôc, ac mae hwnnw'n rhoi sylw i faterion therapi iaith a lleferydd. Mae canlyniadau'r arolwg hwnnw'n cael eu dadansoddi, a disgwylir adroddiad ddechrau mis Mai. Gofynnaf i Edwina Hart, y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol, ysgrifennu atoch ar ôl i'r

event on 31 March in my diary.

**Darren Millar:** You will be aware that one of the proposals in the secondary care review in north Wales was the removal of stroke rehabilitation services from HM Stanley hospital, and their relocation to Ysbyty Glan Clwyd. I support that proposal, but one problem with it is that it will lead to a 20 per cent reduction in the number of beds, at a time when we are being told by the Royal College of Physicians, and others, that stroke services are worse in Wales than in other parts of the United Kingdom. Could you give us an assurance that people in north Wales will not be disadvantaged by the reconfiguration of these services?

**The First Minister:** If there is any suggestion that they will be disadvantaged, then I would expect that to be taken up by north Wales Assembly Members and brought to the attention of Edwina Hart or myself. On the issue of the changeover from HM Stanley to Ysbyty Glan Clwyd—which I was pleased to hear you support—I am not sure about the bed pattern, but the import of Huw Lewis's question was that this is not all about beds. Sometimes, there will be fewer beds, but if there are more speech and language therapists, or other rehabilitation workers, or a quicker intervention, then you may need fewer overnight stays, or shorter ones, because there is a better support system in place. I am not sure, so I will ask Edwina to reply to you on the issue of beds, and whether that could prejudice the quality of care for your constituents who are recovering from strokes.

**Alun Davies:** First Minister, I am sure that you will agree that that rehabilitation support network plays a crucial part in anyone's recovery from a stroke. I am sure that you are also aware that there are no dedicated specialist speech and language therapists, or any Stroke Association communication support services, available in Powys. Do you agree that it is important that we have a consistency of service throughout Wales, no matter where people live, or which condition they suffer from?

archwiliad hwnnw ddod i ben. Wrth gwrs, bydd rhaid gweld a allaf gynnwys y digwyddiad ar 31 Mawrth yn fy nyddiadur.

**Darren Millar:** Byddwch yn ymwybodol mai un o'r cynigion yn yr adolygiad o ofal eilaidd yn y gogledd oedd cael gwared ar wasanaethau adsefydlu ar ôl strôc yn ysbyty HM Stanley, a'u hail-leoli yn Ysbyty Glan Clwyd. Cefnogaf y cynnig hwnnw, ond un broblem sydd ynghlwm ag ef yw y bydd yn arwain at 20 y cant yn llai o welyau, ar adeg pan fo Coleg Brenhinol y Ffisigwyr, ac eraill, yn dweud wrthym fod gwasanaethau strôc yn waeth yng Nghymru nag mewn rhannau eraill o'r Deyrnas Unedig. A allwch roi sicrwydd na fydd pobl yn y gogledd yn cael eu rhoi dan anfantais ar ôl ad-drefnu'r gwasanaethau hyn?

**Y Prif Weinidog:** Os oes unrhyw awgrym y cânt eu rhoi dan anfantais, yna byddwn yn disgwyl i Aelodau Cynulliad y gogledd godi hynny a thynnu sylw Edwina Hart neu finnau at y mater. O ran trosglwyddo o HM Stanley i Ysbyty Glan Clwyd—ac yr oeddwn yn falch o glywed eich bod yn cefnogi hynny—nid wyf yn siŵr beth yw'r patrwm gwelyau, ond hanfod cwestiwn Huw Lewis oedd nad mater sy'n ymwneud â gwelyau yn unig yw hwn. Weithiau, bydd llai o welyau, ond os oes mwy o therapyddion iaith a lleferydd, neu weithwyr adsefydlu eraill, neu ymyriad cynt, yna efallai y bydd llai o angen i aros dros nos, neu bydd cleifion yn aros llai o amser, oherwydd ceir system gefnogi well. Nid wyf yn siŵr, felly gofynnaf i Edwina ateb eich cwestiwn o ran gwelyau, ac a allai hynny darfu ar ansawdd y gofal i'ch etholwyr sy'n ceisio gwella ar ôl strôc.

**Alun Davies:** Brif Weinidog, yr wyf yn siŵr y byddwch yn cytuno bod y rhwydwaith cefnogi adsefydlu hwnnw'n chwarae rhan allweddol pan fo rhywun yn ceisio gwella ar ôl strôc. Yr wyf yn siŵr eich bod hefyd yn ymwybodol nad oes therapyddion iaith a lleferydd, nac unrhyw wasanaethau cefnogi cyfathrebu gan y Gymdeithas Strôc, ar gael ym Mhowys. A ydych yn cytuno ei bod yn bwysig bod gennym wasanaeth cyson ledled Cymru, pa le bynnag y mae pobl yn byw, neu ba bynnag gyflwr y maent yn dioddef ohono?

**The First Minister:** That is the main import of the letter that Edwina Hart sent to the chairs of the LHBs and national health service trusts in Wales on 4 March, with replies due back by 13 March. I have not seen the replies that have come in, but this was intended to ensure that there is no repeat of the underspend on the additional support money that the Minister for Health and Social Services gave last year. We want to ensure that the money is spent, and that it is spent consistently to raise standards in the areas that are lagging behind the best.

**Andrew R.T. Davies:** I echo the sentiments of previous speakers. The Stroke Association's Lost Without Words campaign made two simple recommendations to the Government. The first was to audit the need for speech therapists locally, and the second was for that local audit to be passed on to the national level for decision-making. Could you confirm that that is happening? This campaign was launched back in June of last year, and here we are in March 2009.

**The First Minister:** I will ask Edwina Hart to reply to you on the detail of that. I mentioned in answer to an earlier question that an audit is now under way, and will be finished by early May. When it is complete, you will get a copy of the letter that I will ask Edwina Hart to write to Huw Lewis on the subject. The funding that was given on a one-off basis in the current financial year is being converted into recurrent funding for the financial year starting on 1 April, in a couple of weeks' time. Edwina Hart has said that she wants an assurance that, by 1 April, every organisation, every LHB and every trust in Wales will have their annual operating framework ready, so that all stroke patients are admitted to dedicated, co-located, acute stroke beds, staffed by a specialist, multi-disciplinary acute stroke rehabilitation team.

**Ann Jones:** Will you join me in congratulating all those who were brave enough to abseil down Bodelwyddan Castle recently to raise money for those who suffer

**Y Prif Weinidog:** Dyna yw prif neges y llythyr a anfonodd Edwina Hart at gadeiryddion y byrddau iechyd lleol ac ymddiriedolaethau'r gwasanaeth iechyd gwladol yng Nghymru ar 4 Mawrth, a disgwylir atebion i'r llythyr hwnnw erbyn 13 Mawrth. Nid wyf wedi gweld yr atebion sydd wedi dod i law, ond diben hwn oedd sicrhau nad yw'r arian ar gyfer cefnogaeth ychwanegol a roddodd y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol y llynedd yn cael ei danwario unwaith eto. Yr ydym am sicrhau y caiff yr arian ei wario, ac y caiff ei wario'n gyson i godi safonau yn yr ardaloedd sydd fwyaf ar ei hôl hi.

**Andrew R.T. Davies:** Atefaff sylwadau'r siaradwyr blaenorol. Gwnaeth ymgyrch Ar Goll Heb Eiriau y Gymdeithas Strôc ddau argymhelliad syml i'r Llywodraeth. Y cyntaf oedd archwilio'r angen am therapyddion lleferydd yn lleol, a'r ail oedd y dylid cyflwyno'r archwiliad lleol hwnnw i'r lefel genedlaethol er mwyn gwneud penderfyniadau. A allwch gadarnhau bod hyn yn digwydd? Lanswyd yr ymgyrch hon ym mis Mehefin y llynedd, ac yr ydym nawr ym mis Mawrth 2009.

**Y Prif Weinidog:** Gofynnaf i Edwina Hart roi ateb manwl ichi am hynny. Soniais wrth ateb cwestiwn yn gynharach bod archwiliad ar waith erbyn hyn, ac y caiff ei gwblhau erbyn dechrau mis Mai. Pan fydd wedi'i gwblhau, cewch gopi o'r llythyr y byddaf yn gofyn i Edwina Hart ei ysgrifennu at Huw Lewis ar y pwnc. Mae'r cyllid a roddwyd ar sail un-tro yn y flwyddyn ariannol gyfredol yn cael ei drosglwyddo i gyllid rheolaidd yn y flwyddyn ariannol sy'n dechrau ar 1 Ebrill, ymhen cwpwl o wythnosau. Mae Edwina Hart wedi dweud ei bod hi am gael sicrwydd, erbyn 1 Ebrill, y bydd fframwaith gweithredu blynyddol pob sefydliad, pob bwrdd iechyd lleol a phob ymddiriedolaeth yng Nghymru yn barod, fel bo'r holl gleifion strôc yn cael eu rhoi mewn gwelyau penodedig ar gyfer strôc aciwt sydd wedi'u cydleoli, a bod y staff yn rhan o dîm adsefydlu strôc aciwt amlddisgyblaethol ac arbenigol.

**Ann Jones:** A wnewch ymuno â mi i longyfarch y rheini a oedd yn ddigon dewr i abseilio lawr Castell Bodelwyddan yn ddiweddar i godi arian ar gyfer dioddefwyr

from strokes and their families, and to raise awareness of the illness? Will you also congratulate the many volunteers who run stroke clubs up and down Wales, assisting stroke victims and their families with communication problems? As importantly, will you ensure that your Government does everything that it can to provide the necessary funding for those important voluntary sector clubs that give stroke victims the opportunity to return into society? Will we put some funding into those organisations?

2.40 p.m.

**The First Minister:** As I mentioned in answer to the question from Andrew R.T. Davies, the Minister, Edwina Hart, has laid it on the line to every chair of every trust and local health board that they must have their annual operating framework to give a guarantee that that service will be available from 1 April of this year. We all accept that voluntary sector efforts are strong in this area because it knows what we also know as politicians, namely that strokes are the great neglected area of the national health service. Heart attacks and cancer are more glamorous areas that attract attention, funding and political prioritisation, but strokes for some reason never have. It is important that we make good that historic deficit in giving priority to stroke care and stroke patients.

**Chris Franks:** First Minister, earlier this month you mentioned the formal target for all stroke patients to be assessed and treated by specialist teams. Are we on track to achieve this target? As we have heard, the Welsh Government has invested extra millions of pounds in services, but as has been mentioned, it is not just about money; it is also about systems of dealing with stroke patients. Therefore, will you congratulate ambulance workers and staff at the Royal Glamorgan Hospital, particularly Dr Richard Dewar, who have developed 24-hour brain scanning services for stroke sufferers?

strôc a'u teuluoedd, ac i godi ymwybyddiaeth am y salwch? A wnewch hefyd longyfarch y gwirfoddolwyr lu sy'n rhedeg clybiau strôc ym mhob cwr o Gymru, gan gynorthwyo dioddefwyr strôc a'u teuluoedd gyda phroblemau cyfathrebu? Ac yr un mor bwysig, a wnewch sicrhau bod eich Llywodraeth yn gwneud ei gorau glas i ddarparu'r cyllid angenrheidiol ar gyfer y clybiau sector gwirfoddol pwysig hynny sy'n rhoi cyfle i ddioddefwyr strôc gamu'n ôl i gymdeithas? A wnawn ni roi rhywfaint o gyllid i'r mudiadau hyn?

**Y Prif Weinidog:** Fel y soniais wrth ateb cwestiwn gan Andrew R.T. Davies, mae'r Gweinidog, Edwina Hart, wedi dweud yn blwmp ac yn blaen wrth holl gadeiryddion pob ymddiriedolaeth a bwrdd iechyd lleol bod rhaid iddynt roi sicrwydd yn eu fframwaith gweithredu blynyddol y bydd y gwasanaeth hwnnw ar gael o 1 Ebrill ymlaen eleni. Mae pob un ohonom yn derbyn bod ymdrechion y sector gwirfoddol yn gryf yn y maes hwn oherwydd bod y sector yn gwybod, fel yr ydym ni fel gwleidyddion yn gwybod, bod gwasanaethau strôc wedi cael eu hesgeuluso gan y gwasanaeth iechyd gwladol. Mae trawiadau ar y galon a chanser yn feysydd mwy atyniadol sy'n denu sylw, cyllid a blaenoriaeth gan wleidyddion, ond am ryw reswm nid yw strociau wedi llwyddo i wneud hynny. Mae'n bwysig ein bod yn cywiro'r diffyg hanesyddol drwy roi blaenoriaeth i ofal strôc a chleifion strôc.

**Chris Franks:** Brif Weinidog, soniasoch yn gynharach y mis hwn am y targed ffurfiol y bydd pob claf strôc yn cael ei asesu a'i drin gan dimau arbenigol. A ydym ar y trywydd cywir i gyflawni'r targed hwn? Fel yr ydym wedi clywed, mae Llywodraeth Cymru wedi buddsoddi miliynau o bunnoedd yn ychwanegol mewn gwasanaethau, ond fel y soniwyd, nid mater sy'n ymwneud ag arian yn unig ydyw; mae a wnelo hefyd â systemau ar gyfer delio â chleifion strôc. Felly, a wnewch longyfarch gweithwyr ambiwlans a staff yn Ysbyty Brenhinol Morgannwg, yn enwedig Dr Richard Dewar, sydd wedi datblygu gwasanaethau sganio ymennydd 24 awr ar gyfer y rheini sy'n dioddef strôc?

**The First Minister:** I certainly share the congratulations that are due to innovations in care of that nature. When you ask whether we are on track, we will know by 1 April. The Minister, Edwina Hart, has made it clear that there will be ructions if we are not on track. She is insisting that the £2.5 million recurrent funding, starting from 1 April, is incorporated into the annual operating framework showing—I will not repeat the words that I have used already in response to Andrew R.T. Davies—what the Minister’s expectations are, in that stroke beds will be brigaded together so that patients can be looked after by specialist multidisciplinary teams of nurses and rehabilitation workers.

**Y Prif Weinidog:** Yn sicr, rhannaf eich llongyfarchiadau o ganlyniad i arloesedd mewn gofal o’r math hwn. Pan ofynnwch a ydym ar y llwybr cywir, byddwn yn gwybod erbyn 1 Ebrill. Mae’r Gweinidog, Edwina Hart, wedi rhoi rhybudd clir y bydd yna le os nad ydym ar y trywydd cywir. Mae hi’n mynnu bod y £2.5 miliwn o gyllid rheolaidd, sy’n dechrau ar 1 Ebrill, yn cael ei ymgorffori i’r fframwaith gweithredu blynyddol sy’n dangos—ni wnaif ailadrodd y geiriau yr wyf wedi’u defnyddio eisoes wrth ateb Andrew R.T. Davies—beth yw disgwyliadau’r Gweinidog, sef bod gwelyau strôc yn cael eu clystyru fel y gall timau amlddisgyblaethol arbenigol o nyrsys a gweithwyr adsefydlu ofalu am y cleifion.

### **Datganiad a Chyhoeddiad Busnes Business Statement and Announcement**

**The Counsel General and Leader of the House (Carwyn Jones):** I have a few changes to report to this week’s planned Government business. In response to the wishes of the Business Committee to allow sufficient time this afternoon for a full debate on the proposed Learning and Skills (Wales) Measure, I have postponed the motion to approve the Mental Capacity (Deprivation of Liberty: Standard Authorisations, Assessments and Ordinary Residence) Regulations 2008 until 24 March and the groundwater regulations until after the Easter recess. Presiding Officer, I understand that you have also agreed that Jane Hutt, the Minister for Children, Education, Lifelong Learning and Skills, should make a statement tomorrow afternoon on higher education student finance in response to the consultation upon it.

**Y Cwnsler Cyffredinol ac Arweinydd y Tŷ (Carwyn Jones):** Mae gennyf rai newidiadau i fusnes y Llywodraeth a gynlluniwyd ar gyfer yr wythnos hon i adrodd amdanynt. Wrth ateb dymuniadau’r Pwyllgor Busnes i alluogi digon o amser y prynhawn yma ar gyfer dadl lawn am y Mesur Dysgu a Sgiliau (Cymru), yr wyf wedi gohirio’r cynnig i gymeradwyo Rheoliadau Galluedd Meddyliol (Amddifadu o Ryddid: Awdurdodiadau Safonol, Aseidiadau a Phreswylfa Arferol) 2008 tan 24 Mawrth a’r rheoliadau dŵr daear tan ar ôl toriad y Pasg. Lywydd, deallaf eich bod hefyd wedi cytuno y dylai Jane Hutt, y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau, wneud datganiad brynhawn yfory am gyllid myfyrwyr addysg uwch wrth ymateb i’r ymgynghoriad ar y pwnc.

Business for the next three weeks is as set out in the business statement and announcement, which can be found in the agenda papers that are available to Members electronically.

Mae’r busnes dros y tair wythnos nesaf yn unol â’r datganiad a’r cyhoeddiad busnes ym mhapurau’r agenda sydd ar gael yn electronig i Aelodau.

**Jonathan Morgan:** The Leader of the House will know that, on Thursday of this week, Professor Hugh Pennington is due to publish his report into the E. coli outbreak. In light of the fact that it was this institution that voted in favour of holding an inquiry, will the Assembly Government schedule time

**Jonathan Morgan:** Bydd Arweinydd y Tŷ’n gwybod bod yr Athro Hugh Pennington yn bwriadu cyhoeddi ei adroddiad i’r achosion o E. coli ddydd Iau yr wythnos hon. Yng ngoleuni’r ffaith mai’r sefydliad hwn wnaeth bleidleisio o blaid cynnal ymchwiliad, a wnaiff Llywodraeth y Cynulliad neilltuo

between this week and the Easter recess to allow the Government to table an oral statement or even a debate, so that Members can discuss the findings of that important report?

**Carwyn Jones:** I understand that the final report is due to be published on 19 March, and further consideration will be given at that stage to how the findings of the report should be handled in terms of the input of Members' views.

**Chris Franks:** Leader of the House, could we have a statement on any discussions that the First Minister and the Minister for Finance and Public Service Delivery have had regarding the £500 million cut in the Welsh budget? Has an assessment been made of the dreadful impact that such a massive reduction in public expenditure would have on our hospitals, schools and public services? Further, you may be aware of reports that the Royal Mint might be sold off to help bail out the banks. This would have a catastrophic impact on employment in the Llantrisant area, which is already reeling from major job losses. Can we have assurances regarding the future of the mint?

**Carwyn Jones:** We want the Royal Mint to remain in Llantrisant. It is a major employer and it has been in the area for many years. With regard to any discussions that occurred at an inter-Government level, they are confidential, although the First Minister has publicly expressed his concern about the potential financial situation regarding the Assembly's budget in the years to come.

**Kirsty Williams:** Leader of the House, I refer to the issue that I raised with you last week, namely the local transport services grant. Local authorities across Wales depend on that grant to subsidise bus services. We are two weeks away from the start of the financial year, and Ieuan Wyn Jones has still not made available to local authorities the particular amounts of money that they hope to receive. Therefore, he is asking local authorities to take a punt by continuing to commission bus services in the hope that he will finally make some money available. If that money does not match their expectations,

amser rhwng yn awr a thoriad y Pasg i alluogi'r Llywodraeth i gyflwyno datganiad llafar neu hyd yn oed dadl, fel y gall Aelodau drafod canfyddiadau'r adroddiad pwysig hwnnw?

**Carwyn Jones:** Deallaf fod disgwyl i'r adroddiad terfynol gael ei gyhoeddi ar 19 Mawrth, a rhoddir ystyriaeth bellach bryd hynny ynghylch sut y dylid trin canfyddiadau'r adroddiad o ran mewnyddu barn Aelodau.

**Chris Franks:** Arweinydd y Tŷ, a allwn gael datganiad am unrhyw drafodaethau y mae'r Prif Weinidog a'r Gweinidog dros Gyllid a Chyflenwi Gwasanaethau Cyhoeddus wedi'u cael ynghylch y £500 miliwn o doriad yng nghyllideb Cymru? A oes asesiad wedi'i wneud o'r effaith andwyol y byddai lleihad mor fawr â hynny mewn gwariant cyhoeddus yn ei gael ar ein hysbytai, ysgolion a gwasanaethau cyhoeddus? At hynny, efallai eich bod wedi clywed adroddiadau y gallai'r Bathdy Brenhinol gael ei werthu i helpu i achub y banciau. Byddai hyn yn cael effaith drychinebus ar gyflogaeth yn ardal Llantrisant, sydd eisoes yn fregus ar ôl colli nifer fawr o swyddi. A allwn gael sicrwydd ynghylch dyfodol y bathdy?

**Carwyn Jones:** Yr ydym am gadw'r Bathdy Brenhinol yn Llantrisant. Mae'n gyflogwr mawr a bu yn yr ardal ers blynyddoedd lawer. O ran unrhyw drafodaethau a gynhaliwyd o fewn y Llywodraeth, mae'r rheini'n gyfrinachol, er bod y Prif Weinidog wedi mynegi ar goedd ei bryder am y sefyllfa ariannol bosibl ynghylch cyllideb y Cynulliad dros y blynyddoedd nesaf.

**Kirsty Williams:** Arweinydd y Tŷ, cyfeiriaf at y mater a godais â chi'r wythnos diwethaf, sef y grant gwasanaethau trafndiaeth leol. Mae awdurdodau lleol ar hyd a lled Cymru yn dibynnu ar y grant hwnnw i gymorthdal gwasanaethau bysus. Yr ydym bythefnos i ffwrdd o ddechrau'r flwyddyn ariannol, ac eto nid yw Ieuan Wyn Jones wedi sicrhau bod y symiau o arian y mae awdurdodau lleol yn gobeithio'u cael ar gael iddynt. Felly, mae'n gofyn i awdurdodau lleol fentro drwy barhau i gomisiynu gwasanaethau bysus yn y gobaith y gwnaiff ddarparu arian yn y pen draw. Os na fydd yr arian hwnnw gymaint

local bus services will be lost. Can you implore the Deputy First Minister to make up his mind and to allow local authorities to plan vital bus services in their local areas?

Secondly, could you discuss with your colleagues in the environment field and the Deputy First Minister the issue of opencast mining and of ensuring that, once the coal has been exploited from such mines, restoration works are fully completed and that landowners, communities and taxpayers are not left picking up the bill for private companies that do not take this aspect of their mining seriously and therefore do not restore the land to its proper state, as it was before the mining took place?

**Carwyn Jones:** With regard to your first point, I can only repeat that the Minister hopes to announce shortly the details of the funding available in 2009-10 with regard to the local transport services grant.

On opencast mining, with any fresh applications, it is important to deal with the issue of restoration via the conditions that are attached to planning guidance, particularly with regard to exploring the potential of section 106 agreements. When British Coal was privatised, there were issues with regard to the bonds that the new privatised operators were required to deposit before they could carry on, and the fact that those bonds often did not cover the cost of restoration, but that issue has now been dealt with and there would be an expectation that any operator that opens and operates an opencast mine would restore the land to a proper condition once those operations have ceased.

**Alun Cairns:** When did the Leader of the House first know that the Minister for Children, Education, Lifelong Learning and Skills intended to make a statement on higher education fees and the urgency in relation to that? In addition, what plans does the Deputy Minister for Social Services have to make a statement to the Chamber in relation to social services for children in Swansea? The two weeks are up in terms of the protocol that the Deputy Minister is following with regard to potential intervention in those services. What plans does the Deputy Minister have to make

â'u disgwyliadau, collir gwasanaethau bysus lleol. A allwch erfyn ar y Dirprwy Brif Weinidog i wneud penderfyniad a chaniatáu i awdurdodau lleol gynllunio gwasanaethau bysus hollbwysig yn eu hardaloedd lleol?

Yn ail, a allech drafod gyda'ch cymheiriaid ym maes yr amgylchedd, a'r Dirprwy Brif Weinidog, gwestiwn cloddio glo brig a sicrhau, unwaith y bydd y glo wedi'i gymryd o'r cyfryw gloddfeydd, y cwblheir gwaith adfer llawn ac na adewir trefeddiannwyr, cymunedau a threthdalwyr i dalu'r bil dros gwmmniau preifat nad ydynt yn cymryd yr agwedd hon ar eu gwaith mwyngloddio o ddifrif ac nad ydynt felly'n adfer y tir i'w briod stad, fel yr oedd cyn i'r mwyngloddio ddigwydd?

**Carwyn Jones:** Ynglŷn â'ch pwynt cyntaf, ni allaf ond ailadrodd bod y Gweinidog yn gobeithio cyhoeddi cyn hir fanylion y cyllid a fydd ar gael yn 2009-10 ar gyfer y grant i wasanaethau trafndiaeth lleol.

Ynglŷn â chloddio glo brig, gydag unrhyw geisiadau newydd, mae'n bwysig delio â mater adfer drwy'r amodau sydd ynghlwm wrth ganllawiau cynllunio, yn enwedig o ran archwilio potensial cytundebau adran 106. Pan breifateiddiwyd Glo Prydain, yr oedd problemau ynglŷn â'r bondiau yr oedd yn ofynnol i'r gweithredwyr preifat newydd eu hernesu cyn y gallent ddal ati, a'r ffaith nad oedd y bondiau hynny'n aml yn ddigon i dalu cost adfer, ond mae'r mater hwnnw bellach wedi cael sylw a byddai disgwyl i unrhyw weithredwr sy'n agor ac yn gweithio cloddfa lo brig adfer y tir i gyflwr priodol unwaith y bydd y gwaith hwnnw wedi dod i ben.

**Alun Cairns:** Pa bryd y cafodd Arweinydd y Tŷ wybod gyntaf fod y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau yn bwriadu gwneud datganiad am ffioedd addysg uwch a'r brys ynglŷn â hynny? Yn ogystal, pa gynlluniau sydd gan y Dirprwy Weinidog dros Wasanaethau Cymdeithasol i wneud datganiad i'r Siambr ynglŷn â gwasanaethau cymdeithasol i blant yn Abertawe? Mae'r pythefnos ar ben o ran y protocol y mae'r Dirprwy Weinidog yn ei ddilyn ynghylch ymyriad posibl yn y gwasanaethau hynny. Pa gynlluniau sydd gan



a statement in light of that timescale?

**Carwyn Jones:** The Deputy Minister will consider how best to inform Assembly Members of the next stage that she proposes to move forward to with regard to social services in Swansea. I can inform Members that, with regard to the statement from Jane Hutt on higher education, the decision to seek the Presiding Officer's approval to have that statement heard in the Chamber tomorrow was finalised at around 12.30 p.m. today. It had not been looked at with regard to putting it into tomorrow's agenda at the time of the Business Committee meeting, or it would, of course, have been mentioned then.

**Jenny Randerson:** That answer is fascinating, since the press was briefed yesterday that the statement would be made tomorrow. I am very interested in your answer in the light of the fact that the press told us yesterday that the statement would be made tomorrow. Perhaps, Leader of the House, you would like to reconsider the information that you were given that led you to give that answer, and perhaps you would like to respond to that comment. It seems to me that the way in which this announcement has been managed is more than the usual Welsh Assembly Government muddle. The HE sector and the press were originally told that the statement would be made today, and we all fully understand the reason why it has had to be put off, but we are also used to the press hearing about the outcome of Welsh Assembly Government decision-making long before we hear about it. However, we do not usually have information given to us that is totally contradictory to what the press have been told.

2.50 p.m.

When we have confusion of this nature and there are attempts to defer confirming information to us, it is usually a sign that the Welsh Assembly Government has some bad news to hide. Can you confirm whether this is bad news and that that is why there has been this delay in confirming the date to us, or are you just attempting to hide the blushes of your Plaid Cymru coalition partners?

y Dirprwy Weinidog i wneud datganiad yn wyneb y raddfa amser honno?

**Carwyn Jones:** Bydd y Dirprwy Weinidog yn ystyried sut orau i hysbysu Aelodau'r Cynulliad am y cam nesaf y bwriada symud ymlaen ato yng nghyswllt y gwasanaethau cymdeithasol yn Abertawe. Gallaf hysbysu Aelodau, ynghlŷn â'r datganiad gan Jane Hutt am addysg uwch, y gwnaethpwyd y penderfyniad terfynol i geisio cymeradwyaeth y Llywydd i gael clywed y datganiad hwnnw yn y Siambr yfory oddeutu 12.30 p.m. heddiw. Nid oedd wedi cael sylw o ran ei roi ar agenda cyfarfod yfory adeg cyfarfod y Pwyllgor Busnes, neu, wrth gwrs, buasai wedi cael ei grybwyll bryd hynny.

**Jenny Randerson:** Mae'r ateb hwnnw'n hynod ddiddorol, gan y cafodd y wasg wybod ddoe y gwneid y datganiad yfory. Mae eich ateb yn ddiddorol iawn i mi yng ngolau'r ffaith y dywedodd y wasg wrthym ddoe y gwneid y datganiad yfory. Efallai, Arweinydd y Tŷ, yr hoffech ailystyried y wybodaeth a roddwyd ichi a'ch arweiniodd i roi'r ateb hwnnw, ac efallai yr hoffech ymateb i'r sylw hwnnw. Mae'n ymddangos i mi fod y modd y mae'r cyhoeddiad hwn wedi cael ei reoli'n fwy na'r dryswch arferol gan Lywodraeth Cynulliad Cymru. Dywedwyd wrth y sector addysg uwch a'r wasg yn wreiddiol y gwneid y datganiad heddiw, ac yr ydym i gyd yn deall yn iawn pam y bu'n rhaid ei ohirio, ond yr ydym hefyd wedi arfer â chanfod bod y wasg wedi clywed am ganlyniad penderfyniad gan Lywodraeth Cynulliad Cymru ymhell cyn i ni glywed amdano. Fodd bynnag, nid yn arferol y cawn wybodaeth wedi'i rhoi inni sydd yn gwbl groes i'r hyn a ddywedwyd wrth y wasg.

Pan gawn ddryswch o'r natur hwn a phan geir ymdrechion i ohirio cadarnhau gwybodaeth inni, mae hynny fel arfer yn arwydd fod gan Lywodraeth Cynulliad Cymru ryw newydd drwg i'w guddio. A allwch gadarnhau ai newydd drwg yw hyn ac mai dyna pam y cafwyd yr oedi hwn cyn cadarnhau'r dyddiad inni, ynteu ai dim ond ceisio cuddio embaras eich partneriaid clymblaid ym Mhlaid Cymru yr ydych chi?

**Carwyn Jones:** I will say once again that the final decision to seek the Presiding Officer's permission to have the statement tomorrow was taken between 12 p.m. and 12.30 p.m. today—certainly after the meeting of the Business Committee, otherwise it would have been mentioned at the Business Committee meeting. It is quite fascinating: I have heard of a procedure whereby a statement is made and then questions are raised on that statement after it has been made, but I have not before heard of someone trying to ask questions about a statement 24 hours before it is made. I ask Jenny to wait to see what the statement says, listen carefully to the good news that will be in it for students in Wales, and then she will have plenty of opportunity to commend the Minister on the statement tomorrow.

**The Presiding Officer:** Order. I do not normally take part in questions on the business statement and announcement, but since I have been implicated, I wish, first of all, to declare my interest as the president of Bangor University. Secondly, I wish to indicate that, for two hours this morning, I was away from this building—very unusually—because of the St Patrick's Day memorial service. I can confirm that I was approached by a senior member of my staff as soon as I returned, who confirmed that the Government wished to make a statement. I come from a tradition where Governments can make statements whenever they want and, mostly, opposition parties love to have them so that they can hold the Government to account. Therefore, I do not quite understand what is going on. Anyway, I might learn if I listen more.

**Mick Bates:** The Leader of the House will know the importance of European funding, especially at this time of recession. Of particular importance is the speed of implementation of these projects. Information that I have received today seems to back up rumours that I have heard about the slow rate of implementation of axis 3 under the rural development plan.

I have been told that the bureaucracy of getting changes approved, invoices paid, claims met and so on is bogging down certain

**Carwyn Jones:** Dywedaf unwaith eto mai rhwng hanner dydd a 12.30 p.m. heddiw y gwnaethpwyd y penderfyniad terfynol i geisio caniatâd y Llywydd i gael y datganiad yfory—yn sicr ar ôl cyfarfod y Pwyllgor Busnes, neu fel arall buasid wedi'i grybwyll yng nghyfarfod y Pwyllgor Busnes. Mae'n hynod iawn: yr wyf wedi clywed am drefn lle gwneir datganiad ac wedyn y codir cwestiynau am y datganiad hwnnw wedi iddo gael ei wneud, ond nid wyf wedi clywed o'r blaen am rywun yn ceisio gofyn cwestiynau am ddatganiad 24 awr cyn iddo gael ei wneud. Gofynnaf i Jenny aros i weld beth a ddywed y datganiad, gwrando'n ofalus am y newydd da y bydd yn ei gynnwys i fyfyrwyr yng Nghymru, ac wedyn caiff ddigonedd o gyfle i gymeradwyo'r Gweinidog am y datganiad yfory.

**Y Llywydd:** Trefn. Ni fyddaf fel arfer yn cymryd rhan mewn cwestiynau ar y datganiad a chyhoeddiad busnes, ond gan fy mod wedi fy llusgo i mewn, hoffwn, yn gyntaf oll, ddatgan fy niddordeb fel llywydd Prifysgol Bangor. Yn ail, hoffwn nodi nad oeddwn yn yr adeilad hwn am ddwy awr y bore yma—yn anarferol iawn—oherwydd gwasanaeth coffa Dydd Gŵyl Sant Padrig. Gallaf gadarnhau y daeth aelod uwch o'm staff ataf cyn gynted ag y dychwelais, gan gadarnhau bod y Llywodraeth yn dymuno gwneud datganiad. Yr wyf yn dod o draddodiad lle gall Llywodraethau wneud datganiadau pryd bynnag y mynnant ac, ar y cyfan, bydd gwrthbleidiau wrth eu bodd yn eu cael fel y gallant ddwyn y Llywodraeth i gyfrif. Felly, nid wyf yn deall yn hollol beth sydd yn mynd ymlaen. Beth bynnag, efallai y dysgaf os gwrandawaf ragor.

**Mick Bates:** Bydd Arweinydd y Tŷ'n gwybod am bwysigrwydd cyllid Ewropeaidd, yn enwedig yn y dirwasgiad presennol. Mae pa mor gyflym y rhoddir y prosiectau hyn ar waith yn arbennig o bwysig. Mae gwybodaeth yr wyf wedi'i chael heddiw fel pe bai'n ategu sibrydion yr wyf wedi'u clywed am arafwch gweithredu echel 3 dan y cynllun datblygu gwledig.

Dywedwyd wrthyf fod biwrocratiaeth sicrhau cymeradwyaeth i newidiadau, talu anfonebau, ateb hawliadau ac ati'n llesteirio rhai

projects and other partners who are attempting to deliver axis 3 projects and severely prejudicing the ability to deliver a good project outcome. Further to that, I have been told that delivering some programmes within the limited timeframe would be difficult anyway, but that the constant procrastination from the Welsh Assembly Government renders it virtually impossible.

Leader of the House, I would like an urgent statement on the implementation of axis 3 of the rural development plan from the Minister responsible. It is your duty at this time to ensure that European funding is got out quickly in order to try to sustain a vulnerable economy.

**Carwyn Jones:** I cannot possibly suggest that we bring forward a statement in the Chamber in response to anonymous comments that have not been investigated. I suggest that you raise those matters with the appropriate Minister.

**Peter Black:** Leader of the House, I ask you once again about the recent statement by the Joint Committee on Statutory Instruments in the Houses of Parliament in relation to the affordable housing LCO. Last week, you said that you considered the legislative competence Order to be in order. Since that time, there has been much discussion and a lot of doubt has been cast on whether it is, in fact, *intra vires*. In your capacity as Leader of the House, will you request that the Counsel General comes to the Chamber to make a statement in response to the verdict of the Joint Committee on Statutory Instruments on this particular piece of legislation?

**Carwyn Jones:** I have taken the liberty of consulting with the Counsel General already. You will understand that advice given by the Counsel General is confidential, but it is fair to say that the fact that the legislative competence Order proceeded is an indication that the Counsel General felt that the Order was *intra vires*.

prosiectau a phartneriaid eraill sy'n ceisio cyflawni prosiectau echel 3 ac yn peryglu'n ddifrifol y gallu i sicrhau canlyniad da i brosiect. Ar ben hynny, dywedwyd wrthyf y byddai cyflawni rhai rhaglenni o fewn y ffrâm amser cyfyngedig yn anodd beth bynnag, ond bod yr oedi parhaus o du Llywodraeth Cynulliad Cymru'n peri ei fod fwy neu lai'n amhosibl.

Arweinydd y Tŷ, hoffwn ddatganiad brys ar gamau gweithredu echel 3 o'r cynllun datblygu gwledig gan y Gweinidog cyfrifol. Eich dyletswydd chi ar hyn o bryd yw sicrhau yr anfonir cyllid Ewrop allan yn gyflym er mwyn ceisio cynnal economi fregus.

**Carwyn Jones:** Ni allaf yn fy myw awgrymu y dylem ddod â datganiad ymlaen yn y Siambr mewn ymateb i sylwadau dienw sydd heb gael eu hymchwilio. Awgrymaf eich bod yn codi'r materion hynny gyda'r Gweinidog priodol.

**Peter Black:** Arweinydd y Tŷ, fe'ch holaf unwaith eto ynghylch y datganiad diweddar gan y Cyd-bwyllgor ar Offerynnau Statudol yn Nau Dŷ'r Senedd ynglŷn â'r Gorchymyn cymhwysedd deddfwriaethol ar dai fforddiadwy. Yr wythnos diwethaf, dywedasoch eich bod o'r farn fod y Gorchymyn cymhwysedd deddfwriaethol mewn trefn. Ers hynny, cafwyd cryn drafod a bwriwyd llawer o amheuaeth ynghylch a ydyw, mewn gwirionedd, o fewn ein gallu. Yn eich swydd fel Arweinydd y Tŷ, a ofynnwch i'r Cwnsler Cyffredinol ddod i'r Siambr i wneud datganiad mewn ymateb i ddyfarniad y Cyd-bwyllgor ar Offerynnau Statudol ar y darn o ddeddfwriaeth arbennig hwn?

**Carwyn Jones:** Yr wyf wedi mentro ymgynghori â'r Cwnsler Cyffredinol yn barod. Deallwch fod cyngor a roddir gan y Cwnsler Cyffredinol yn gyfrinachol, ond teg dweud bod y ffaith yr aeth y Gorchymyn cymhwysedd deddfwriaethol rhagddo'n arwydd fod y Cwnsler Cyffredinol o'r farn fod y Gorchymyn o fewn ein gallu.

### **Dadl Cyfnod 3 (Rheol Sefydlog Rhif 23.57) ar y Mesur Arfaethedig ynghylch Dysgu a Sgiliau (Cymru)**

### Stage 3 (Standing Order No. 23.57) Debate on the Proposed Learning and Skills (Wales) Measure

**Y Llywydd:** Yr wyf wedi dethol y cyfan o'r gwelliannau a gyflwynwyd ac, at ddibenion y ddadl, yr wyf wedi grwpio'r gwelliannau fel y maent yn ymddangos yn y rhestr o welliannau wedi'u grwpio.

**The Presiding Officer:** I have selected all of the amendments tabled and, for the purposes of the debate, I have grouped the amendments as shown on the groupings list.

Y mae'r drefn wedi ei gosod yn glir iawn ger eich bron. Byddwn yn trafod y gwelliannau, fel ag y gwnaethom ar gyfer y Mesurau arfaethedig blaenorol, yn unol â'r rhestr grwpio gwelliannau, ond byddwn yn pleidleisio ar y gwelliannau yn ôl y rhestr o welliannau mewn trefn.

The procedure is laid out clearly before you. We will be discussing the amendments, as we did with previous proposed Measures, according to the groupings list, but we will vote on the amendments following the order in the marshalled list.

#### Cwricwla Lleol: y Gymraeg Local Curricula: the Welsh Language

**Y Llywydd:** Mae'r grŵp cyntaf o welliannau yn ymwneud â'r cwricwla lleol a'r Gymraeg. Gwelliant 1 yw'r prif welliant yn y grŵp hwn, ar dudalen 1 o'r rhestr o welliannau mewn trefn. Galwaf ar y Dirprwy Brif Weinidog.

**The Presiding Officer:** The first group of amendments concerns the local curricula and the Welsh language. Amendment 1 is the main amendment in this group, on page 1 of the marshalled list. I call on the Deputy First Minister.

**Y Dirprwy Weinidog dros Sgiliau (John Griffiths):** Diolch yn fawr—

**The Deputy Minister for Skills (John Griffiths):** Thank you very much—

**Y Llywydd:** Mae'n ddrwg gennyf, dylwn fod wedi dweud 'y Dirprwy Weinidog', ond yr oeddwn wedi cynhyrfu gormod. [*Chwerthin.*] Galwaf ar y Dirprwy Weinidog.

**The Presiding Officer:** Sorry, I should have said 'the Deputy Minister', but I was too excited. [*Laughter.*] I call on the Deputy Minister.

**John Griffiths:** I move amendment 1 in my name.

**John Griffiths:** Cynigiaf welliant 1 yn fy enw i.

*Cafodd gwelliannau 1, 28, 9 a 29 eu grwpio ar gyfer y drafodaeth.  
Amendments 1, 28, 9 and 29 grouped for debate.*

The proposed Government amendments 1 and 9 represent a strengthening of sections 4A and 21A—Government amendments agreed at stage 2 having resulted in those new sections being added—and impose a duty on local education authorities and Welsh Ministers respectively to promote courses taught in Welsh when exercising their functions in relation to the local curricula. This duty is now extended so that it will be to promote 'access to and availability of' courses taught through the medium of Welsh. This will clarify and strengthen the provision

Mae gwelliannau arfaethedig 1 a 9 gan y Llywodraeth yn cryfhau adrannau 4A a 21A—adrannau newydd a ychwanegwyd yn sgil gwelliannau'r Llywodraeth a gytunwyd yng ngham 2—ac yn gosod dyletswydd ar awdurdodau addysg lleol a Gweinidogion Cymru i hyrwyddo cyrsiau a ddysgir drwy gyfrwng y Gymraeg pan arferant eu swyddogaethau mewn perthynas â'r cwricwla lleol. Ehangir y ddyletswydd hon yn awr fel mai dyletswydd fydd i hyrwyddo 'mynediad i ac argaeledd' cyrsiau a ddysgir drwy gyfrwng y Gymraeg. Bydd hyn yn egluro ac yn

so that those responsible are absolutely clear that they are under a duty to promote both access to and the availability of courses taught in Welsh. As stated previously, it is the policy of the Welsh Assembly Government to promote the Welsh language as part of the aim for a truly bilingual Wales, as exemplified in 'Iaith Pawb'. On a policy level, this objective has been consistently sought within the remit of the 14-19 learning pathways, working closely with the Welsh-language development unit within the Welsh Assembly Government to ensure wider opportunities for language development. These amendments are a further demonstration of that commitment on behalf of the Welsh Assembly Government.

We are also committed to progression in Welsh-medium education, which is central. Such progress has to start from where we are at present, in order that the very real aspirations that we share for the development of Welsh-medium education can be built on firm foundations and are sustained. We fully recognise the importance of linguistic continuity for learners. We are especially aware of the challenge faced in terms of Welsh-language linguistic continuity. By this, I mean that young people should be able to pursue their studies to the next level through the language of their choice. For learners studying through the medium of English, that is rarely a problem, but for those who wish to study through the medium of Welsh, it is more of a challenge. It is for that reason that I would wish for Assembly Members to be aware of the steps that we will be taking in relation to this matter. Statutory guidance issued under the Measure will make it clear to local education authorities how the Welsh Ministers expect them to discharge their duty to promote access to and the availability of Welsh courses. It will stipulate that local authorities will be expected to demonstrate that full consideration has been given to linguistic continuity and progression in developing courses for the local curriculum at key stage 4 and that, following such consideration, steps have been put in place to promote it. Welsh Ministers will also ensure that full consideration is given to linguistic continuity and progression in developing courses for the local curriculum for 16 to 18-year-olds. Any guidance that governing

cryfhau'r ddarpariaeth fel bod y rhai sy'n gyfrifol yn gwbl glir eu bod dan ddyletswydd i hyrwyddo mynediad i gyrsiau a ddysgir drwy gyfrwng y Gymraeg ac argaeledd y cyrsiau hynny. Fel y dywedwyd yn flaenorol, polisi Llywodraeth Cynulliad Cymru yw hyrwyddo'r iaith Gymraeg fel rhan o'r nod o sicrhau Cymru wirioneddol ddwyieithog, fel y'i datgenir yn 'Iaith Pawb'. Ar lefel polisi, ceisiwyd yr amcan hwn yn gyson o fewn cylch gwaith y llwybrau dysgu 14-19, gan weithio'n agos gydag uned datblygu'r Gymraeg o fewn Llywodraeth Cynulliad Cymru i sicrhau cyfleon ehangach i ddatblygu'r iaith. Mae'r gwelliannau hyn yn arwydd pellach o'r ymrwymiad hwnnw ar ran Llywodraeth Cynulliad Cymru.

Yr ydym wedi ymrwymo hefyd i gamu ymlaen gydag addysg cyfrwng Cymraeg, sydd yn ganolog. Rhaid i'r camu hwnnw gychwyn o'r fan lle'r ydym ar hyn o bryd, er mwyn gallu adeiladu'r dyheadau real iawn a rannwn dros ddatblygu addysg Gymraeg ar sylfeini cadarn a'u cynnal. Sylweddolwn yn iawn mor bwysig yw dilyniant ieithyddol i ddysgwyr. Yr ydym yn arbennig o ymwybodol o'r her a wynebir yn nhermau dilyniant ieithyddol Cymraeg. Drwy hyn, golygaf y dylai pobl ifanc allu dilyn eu hastudiaethau i'r lefel nesaf drwy eu dewis iaith. I ddysgwyr sy'n dysgu drwy gyfrwng y Saesneg, nid yw hynny bron byth yn broblem, ond i rai sy'n dymuno astudio drwy gyfrwng y Gymraeg, mae'n fwy o her. Dyna pam yr hoffwn i Aelodau'r Cynulliad fod yn ymwybodol o'r camau y byddwn yn eu cymryd mewn perthynas â'r mater hwn. Bydd canllawiau statudol a gyhoeddir dan y Mesur yn datgan yn glir wrth awdurdodau addysg lleol sut y disgwylia Gweinidogion Cymru iddynt gyflawni'u dyletswydd i hyrwyddo mynediad i gyrsiau Cymraeg a'u hargaeledd. Bydd yn pennu y disgwylir i awdurdodau lleol ddangos y rhoddwyd ystyriaeth lawn i ddilyniant a chynnydd ieithyddol wrth ddatblygu cyrsiau ar gyfer y cwricwlwm lleol yng ngham allweddol 4 ac, ar ôl y cyfryw ystyriaeth, y cymerwyd camau i'w hyrwyddo. Bydd Gweinidogion Cymru'n sicrhau hefyd y rhoddir ystyriaeth lawn i ddilyniant a chynnydd ieithyddol wrth ddatblygu cyrsiau ar gyfer y cwricwlwm lleol i fyfyrwyr 16 i 18 mlwydd oed. Bydd unrhyw gyfarwyddyd a roddir i gyrff llywodraethol,

bodies, principals and headteachers are issued under the Proposed Learning and Skills (Wales) Measure will place due emphasis on the importance of developing linguistic continuity through the medium of Welsh.

We do not support amendments 28 and 29, tabled by Paul Davies. They pose a number of difficulties, not least that they would force Welsh-medium providers to provide English-medium options for their learners, as well as placing a similar onus on English-medium providers. We believe that such arrangements would be impractical and unworkable. It is likely that placing such a duty on providers would impact negatively on the work already being undertaken on co-operation.

3.00 p.m.

Many Welsh-medium schools are already working effectively in clusters, focusing on the provision of additional choice through the medium of Welsh. To expect them to focus on providing English-medium courses also would constitute an unnecessary and inappropriate diversion of resources, particularly management time and planning. The amendments would place an unacceptable additional burden on senior managers and on curriculum planners in Welsh-medium and English-medium settings. I am therefore unable to support the amendments proposed by Paul Davies.

The Government amendments will clarify and strengthen the existing provision, making it clear to those responsible that they are under a duty to promote access to, and the availability of, courses taught in Welsh. We believe these to be the more appropriate provisions.

There is much to be done to realise our aspiration of having a truly bilingual Wales. Through the developments that I have outlined today, I believe that the Proposed Learning and Skills (Wales) Measure represents a significant step in that direction of travel.

penaethiaid a phrifathrawon dan y Mesur Dysgu a Sgiliau (Cymru) Arfaethedig yn rhoi pwyslais dyledus ar bwysigrwydd datblygu dilyniant ieithyddol drwy gyfrwng y Gymraeg.

Nid ydym yn cefnogi gwelliannau 28 a 29, a gyflwynwyd gan Paul Davies. Maent yn cynnig nifer o anawsterau, nid yn lleiaf y byddent yn gorfodi darparwyr cyfrwng Cymraeg i ddarparu dewisiadau cyfrwng Saesneg i'w dysgwyr, yn ogystal â gosod rheidrwydd tebyg ar ddarparwyr cyfrwng Saesneg. Credwn y byddai trefniadau o'r fath yn anymarferol ac yn amhosibl eu gweithio. Mae'n debygol y byddai rhoi dyletswydd o'r fath ar ddarparwyr yn cael effaith negyddol ar y gwaith sydd eisoes yn mynd rhagddo ar gydweithredu.

Mae nifer o ysgolion cyfrwng Cymraeg eisoes yn gweithio'n dda mewn clystyrau, gan ganolbwyntio ar ddarparu dewis ychwanegol drwy gyfrwng y Gymraeg. Byddai disgwyl iddynt hefyd ganolbwyntio ar ddarparu cyrsiau cyfrwng Saesneg yn golygu gwyro adnoddau mewn modd dianghenraid ac amhriodol, yn enwedig o ran rheoli amser a chynllunio. Byddai'r gwelliannau'n rhoi baich ychwanegol annerbyniol ar uwch reolwyr ac ar gynllunwyr cwricwlwm mewn lleoliadau cyfrwng Cymraeg a chyfrwng Saesneg. Nid wyf fi felly'n gallu cefnogi'r gwelliannau a gynigir gan Paul Davies.

Bydd gwelliannau'r Llywodraeth yn egluro ac yn cryfhau'r ddarpariaeth sydd eisoes ar gael, gan ei gwneud yn amlwg i'r rheini sy'n gyfrifol bod ganddynt ddyletswydd i hyrwyddo argaeledd a mynediad i gyrsiau a ddysgir yn Gymraeg. Yr ydym yn credu mai'r rhain yw'r darpariaethau mwyaf priodol.

Mae llawer eto i'w wneud i wireddu ein dyhead o gael Cymru wirioneddol ddwyieithog. Drwy'r datblygiadau yr wyf fi wedi'u hamlinellu heddiw, yr wyf yn credu bod y Mesur Dysgu a Sgiliau Arfaethedig (Cymru) yn gam sylweddol ymlaen yn y cyfeiriad hwnnw.

**Paul Davies:** Mae'n bleser cael cyfrannu at y ddadl hon, a chyfeirïaf yn benodol at welliannau 28 a 29 yn fy enw i, a gefnogir gan Jenny Randerson a'r Democratiaid Rhyddfrydol.

Os ydym fel cenedl eisiau creu Cymru wirioneddol ddwyieithog, mae'n hanfodol bod gwelliannau 28 a 29 yn cael eu cytuno. Os yw'r Dirprwy Weinidog yn dymuno creu Cymru wirioneddol ddwyieithog, byddem yn meddwl ei fod yn bwysig iddo bleidleisio o blaid y gwelliannau. Soniodd yn gynharach y byddai'r gwelliannau yn rhoi baich ar reolwyr addysg, ond yr hyn sy'n bwysig yw ein bod yn rhoi dewis go iawn i bobl ifanc ac i fyfyrwyr.

Yn y dystiolaeth i'r pwyllgor yng Nghyfnod 1, argymhellwyd y dylai'r Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau sicrhau bod y Mesur arfaethedig yn rhoi'r hawl i bobl astudio drwy gyfrwng y Gymraeg. Yr wyf yn falch bod y Dirprwy Weinidog wedi cyflwyno gwelliannau yng Nghyfnod 2 y broses i symud tuag at hynny, ond nid yw'n mynd yn ddigon pell. Yng Nghyfnod 1 y broses, yr oedd yn glir bod rhaid cydnabod bod gan blant a phobl ifanc yr hawl i dderbyn eu cyrsiau drwy gyfrwng y Gymraeg.

**Rhodri Glyn Thomas:** A wnewch chi gadarnhau eich bod yn gofyn, drwy eich gwelliannau, i bobl gynnig cyrsiau nid yn unig drwy gyfrwng y Gymraeg ond hefyd drwy gyfrwng y Saesneg?

**Paul Davies:** Os ydym eisiau creu Cymru wirioneddol ddwyieithog, mae'n bwysig bod pobl ifanc a myfyrwyr yn cael astudio cyrsiau yn eu dewis iaith. Mae fy ngwelliannau yn nodi'r hawl i ddewis pa iaith bynnag y mae dysgwyr am ei defnyddio wrth ddilyn eu cyrsiau.

**Gareth Jones:** Deallaf yr egwyddor yr ydych yn dadlau o'i phlaid ac mae'n anodd dadlau yn erbyn y safbwynt hwnnw, ond rhaid gofyn pa mor ymarferol ydyw o ddifrif? Mae bron yn gwbl anymarferol o dan yr amgylchiadau presennol.

**Paul Davies:** Felly, Gareth, yr ydych yn awgrymu na ddylem roi'r dewis i bobl ifanc a

**Paul Davies:** It is a pleasure to contribute to this debate, and I will refer specifically to amendments 28 and 29 in my name, which are supported by Jenny Randerson and the Liberal Democrats.

If we, as a nation, are to create a truly bilingual Wales, it is essential that amendments 28 and 29 are agreed. If the Deputy Minister wants to create a truly bilingual Wales, we believe that it is important for him to vote for the amendments. Earlier, he mentioned that the amendments would place a burden on education managers, but what is important is to provide a real choice for young people and students.

In the evidence to the Stage 1 committee, it was suggested that the Minister for Children, Education, Life Long Learning and Skills should ensure that the proposed Measure gives people the right to study through the medium of Welsh. I am pleased that the Deputy Minister has laid amendments in Stage 2 of the process to move towards that, but that does not go far enough. At Stage 1 of the process, it was clear that the right of children and young people to follow courses through the medium of Welsh needed to be recognised.

**Rhodri Glyn Thomas:** Will you confirm that you are asking people, through your amendments, to offer courses not only through the medium of Welsh but also through the medium of English?

**Paul Davies:** If we are to create a truly bilingual Wales, it is important that young people and students are allowed to study courses in the language of their choice. My amendments note the right of learners to choose to study their courses in the language of their choice.

**Gareth Jones:** I understand the principle of your argument and it is difficult to argue against that, but we must ask how practical is this in reality? It is almost totally impractical under the current circumstances.

**Paul Davies:** So, Gareth, you are suggesting that we should not give young people and

myfyrwyr ddilyn cyrsiau yn Gymraeg. Dyna'r hyn yr ydych yn ei awgrymu.

Mae mwy a mwy o deuluoedd am weld eu plant yn astudio drwy gyfrwng y Gymraeg ac felly mae'n hanfodol ein bod yn rhoi'r hawl honno iddynt. Er mwyn sicrhau'r hawl honno ac er mwyn i fwy o bobl astudio yn Gymraeg, rhaid i awdurdodau lleol ddatblygu'r ddarpariaeth cyfrwng Cymraeg. Yn anffodus, nid yw gwelliannau'r Llywodraeth yn rhoi'r hawl yn llawn i blant a phobl ifanc ddysgu drwy gyfrwng y Gymraeg. Y cyfan y mae gwelliannau'r Llywodraeth yn ei alluogi yw gorfodi awdurdodau lleol a sefydliadau addysg i ddysgu drwy gyfrwng y Gymraeg. Mae fy ngwelliannau yn rhoi'r hawl i ddysgwyr ddewis astudio drwy gyfrwng y Gymraeg. Gan fod Llywodraeth y Cynulliad yn dymuno trosglwyddo pwerau am y Gymraeg i'r lle hwn a rhoi statws swyddogol i'r Gymraeg a'r Saesneg ar yr un pryd, gobeithiaf y bydd y Llywodraeth yn cefnogi fy ngwelliannau er mwyn sicrhau bod plant a phobl ifanc yn cael yr hawl i ddilyn cyrsiau yn eu dewis iaith. Drwy beidio â chefnogi fy ngwelliannau, credaf y bydd y Llywodraeth yn anfon neges negyddol iawn. Felly, anogaf Aelodau i gefnogi gwelliannau 28 a 29.

**Nerys Evans:** Hoffwn sôn am welliannau 1 a 9 y Llywodraeth, sy'n ychwanegu'r geiriau 'and availability of' i adrannau'r Mesur arfaethedig a ddiwygiwyd eisoes gan y Llywodraeth, a'r rheiny'n ymwneud â darparu cyrsiau cyfrwng Cymraeg i ddisgyblion rhwng 14 a 19 mlwydd oed. Yr wyf yn hapus bod y Llywodraeth wedi cyflwyno'r gwelliannau hyn, ac yr wyf yn annog Aelodau i'w cefnogi. Yr oedd y gwelliannau gwreiddiol—yn ymwneud â hybu mynediad i gyrsiau Cymraeg—yn gam pwysig ymlaen ac ni ddylid eu diystyru. Fodd bynnag, nid ydynt yn rhoi arweiniad clir i awdurdodau lleol ymestyn argaeledd cyrsiau cyfrwng Cymraeg; hybu mynediad i'r rhai sy'n bodoli eisoes yn unig a wnânt. Felly, mae gwelliannau 1 a 9 yn hollbwysig er mwyn sicrhau fod nifer y cyrsiau sydd ar gael drwy gyfrwng y Gymraeg yn cynyddu. Fodd bynnag, nid yw hynny ynddo'i hun yn ddigonol.

students the choice to follow courses through the medium of Welsh. That is what you are suggesting.

More and more families want to see their children studying through the medium of Welsh and it is essential that we give them that right. To ensure that right and to allow more people to study through the medium of Welsh, local authorities must develop Welsh-medium provision. Unfortunately the Government's amendments do not give the full right to children and young people to learn through the medium of Welsh. All that the Government's amendments achieve is to force local authorities and educational institutions to teach through the medium of Welsh. My amendments give the right to students to study through the medium of Welsh. Given that the Assembly Government wants to see powers for the Welsh language transferred to it and an official status given to both the English and Welsh languages, I hope that the Government will support my amendments to ensure that children and young people have the right to follow courses in their language of choice. By not supporting my amendment, I believe that the Government will send out a very negative message. Therefore, I encourage Members to support amendments 28 and 29.

**Nerys Evans:** I will talk about the Government's amendments 1 and 9, which add the words 'and availability of' to the sections of the proposed Measure that have previously been amended by the Government, and those relating to the provision of Welsh-medium courses to 14-19-year-olds. I am pleased that the Government has tabled these amendments, and I urge Members to support them. The original amendments—relating to promoting access to Welsh-medium courses—were an important step forward and they should not be disregarded. However, they do not provide clear guidance for local authorities to expand the availability of Welsh-medium courses; they merely promote access to those that already exist. Therefore, amendments 1 and 9 are vitally important to increase the availability of Welsh-medium courses. However, that in itself is not adequate.



Bu cryn bwysu ar y Dirprwy Weinidog i gydnabod pwysigrwydd cael continwwm a dilyniant ieithyddol, ac yr ydym yn falch iawn bod y Llywodraeth wedi cydnabod pwysigrwydd hynny, ac mae sôn amdano yn y cyfarwyddiadau statudol sy'n dilyn. Ar hyn o bryd, nid oes cyfarwyddiadau i sicrhau continwwm ieithyddol o addysg feithrin hyd addysg uwch, a rhaid i hynny newid. Ni fyddai unrhyw lywodraeth yn derbyn system addysg sy'n dysgu sgiliau ym meysydd mathemateg neu wyddoniaeth, er enghraifft, i ddisgyblion hyd 11, 16 neu 18 oed, ac yna yn rhoi terfyn ar y ddarpariaeth, gan orfodi'r disgybl i orffen astudio gan nad oes darpariaeth ddigonol. Mae'r sefyllfa honno'n hollol annerbyniol.

Hyd yn oed ar lefel oeraidd dadl ariannol bur, mae modd gweld yr angen am gontinwwm o ddarpariaeth Gymraeg: er mwyn i'r buddsoddiad a wneir mewn addysg feithrin, gynradd ac uwchradd wireddu potensial llawn y gyfundrefn addysg. Mae'r gwelliannau a wnaed i'r Mesur arfaethedig a'r newidiadau i'r rheoliadau statudol yn adlewyrchu ymrwymiad Llywodraeth Cymru i sicrhau twf a chynnydd addysg Gymraeg. Gwneir gwaith da ar lefel gynradd ac uwchradd, ac mae llawer o waith ar y gweill i sicrhau fod addysg bellach yn darparu'r cyrsiau cyfrwng Gymraeg sydd eu hangen. Daw'r her hyd yn oed yn fwy amlwg wrth i'r Mesur arfaethedig amlinellu blaenoriaethau'r Llywodraeth i ehangu'r ddarpariaeth ôl 16 oed. Fodd bynnag, rhaid i Lywodraeth Cymru ateb yr her honno er mwyn creu Cymru wirioneddol ddwyieithog.

Gan gyfeirio at welliannau 28 a 29 a gynigiwyd gan Paul Davies gyda chefnogaeth Jenny Randerson, wrth gwrs ein bod yn cefnogi'r syniad bod gan blentyn yr hawl i gael addysg cyfrwng Gymraeg. Nid oes dwywaith ein bod yn cytuno â'r egwyddor honno. Yn anffodus, ni allwn ei rhoi ar waith yn y Mesur arfaethedig. Y perygl mawr yw ein bod yn agor y drws i'r hawl i gael addysg cyfrwng Saesneg, ac yr ydym yn deall y pryder y mae hynny'n ei godi i unrhyw un sy'n byw mewn ardal lle ceir ysgolion Gymraeg, sef seisnigeiddio'r ysgolion hynny. Bydd sicrhau hawl i gael addysg Saesneg yn disodli'r gyfundrefn addysg yn yr ardaloedd hynny, ac mae rhai ardaloedd yn esiamplau o

The Deputy Minister has been put under considerable pressure to recognise the importance of linguistic continuum and continuity, and we are very pleased that the Government has recognised that importance, and this is mentioned in the statutory guidance that will follow. At the moment, there is no guidance to ensure linguistic continuum from nursery education to higher education, and that must change. No government would accept an education system that teaches skills in mathematics or science, for example, to pupils up to the age of 11, 16, or 18, only to end the provision, forcing the pupils to end their studies due to insufficient provision. That situation is totally unacceptable.

Even on a purely cold, financial level, one can see the need for a continuum in Welsh-medium provision: in order for the investment made in nursery, primary and secondary education to realise the full potential of the education system. The amendments to the proposed Measure and the changes to the statutory regulations reflect the commitment of the Welsh Government to the growth of Welsh education. Good work is being done on primary and secondary level, and much work is ongoing to ensure that further education provides the necessary Welsh-medium courses. The challenge becomes clearer as the proposed Measure outlines the Government's priorities to expand post-16 provision. However, the Welsh Government must rise to that challenge in order to create a truly bilingual Wales.

On amendments 28 and 29 that were moved by Paul Davies with the support of Jenny Randerson, of course we support the idea that children have the right to a Welsh-medium education. Without a shadow of a doubt, we agree with that principle, however, unfortunately, we cannot implement it in the proposed Measure. There is a grave danger that doing so would open the door to enshrining the right to an English-medium education, and we understand the concern that that would cause to anyone living in an area where there are Welsh-medium schools, namely concern regarding the Anglicisation of those schools. Enshrining the right to an English-medium education would displace

hyn. Yng nghwm Gwendraeth, er enghraifft, gwelwn gynlluniau i ad-drefnu ysgolion ac i israddio ysgolion cyfrwng Cymraeg. Mae rhieni yn dymuno i'w plant gael addysg Saesneg ar eu stepen drws, ond, mewn gwirionedd, mae tri opsiwn arall o fewn 10 milltir. Mae pobl sydd eisiau addysg Gymraeg wedi hen arfer â theithio. Pan oeddwn yn ddisgybl yn Ysgol Gyfun Gymraeg Bro Myrddin, yr oedd rhai o fy nghyd-ddisgyblion yn teithio hyd at bedair awr y dydd er mwyn cael addysg Gymraeg. Gan wybod nad yw'r galw am addysg Gymraeg yn cael ei ateb yn barod—

the education system in those areas, and some areas are examples of this. In the Gwendraeth valley, for example, we see that there are plans to reorganise the schools and to downgrade Welsh-medium schools. Parents want their children to receive an English-medium education on their doorstep, but, in reality, there are three other options available to them within 10 miles. People who choose Welsh-medium education are used to travelling. When I was a pupil at Ysgol Gyfun Gymraeg Bro Myrddin, some of my fellow pupils travelled up to four hours a day in order to receive a Welsh-medium education. As we know that the demand for Welsh-medium education is not currently being met—

**Paul Davies:** A ydych felly yn awgrymu ein bod yn rhoi'r dewis i bobl mewn rhai ardaloedd ond nid mewn ardaloedd eraill? Ai dyna bolisi Plaid Cymru?

**Paul Davies:** Are you therefore suggesting that we offer people a choice in some areas, but not in others? Is that Plaid Cymru policy?

**Nerys Evans:** Na, dim o gwbl. Mae angen darparu addysg Gymraeg sy'n ymateb i'r galw, ond, ar hyn o bryd, nid ydym hyd yn oed yn cyrraedd y lefel honno. Mae'r galw am addysg Gymraeg lawer yn fwy na'r ddarpariaeth bresennol. Byddai cytuno gwelliannau'r Ceidwadwyr yn peryglu'r system fregus sydd gennym hyd yn oed yn fwy, ac anogaf Aelodau felly i beidio â'u cytuno.

**Nerys Evans:** No, not at all. We must provide Welsh-medium education that meets the demand, but, at the moment, we are not even achieving that. The demand for Welsh-medium education is much greater than the current provision. Agreeing the Conservative amendments would further endanger our fragile system, and I therefore urge Members not to agree to them.

3.10 p.m.

**Jenny Randerson:** I am pleased to support Paul Davies's amendments 28 and 29 and amendments 1 and 9 tabled by the Government. I say that in the context of being well aware that there is poor provision for the Welsh language in the further education sector. We have just been talking about Welsh-medium education generally, but the situation in the further education sector is particularly poor. We recognise that it will take time to build up provision so that you have equality of access to the Welsh language in the FE sector. However, the Government amendments, although welcome, do not go far enough. There are obvious side-effects to strengthening Welsh-language provision, but we believe that the only way to ensure that we are moving towards parity of access is through the

**Jenny Randerson:** Yr wyf fi'n falch o gefnogi gwelliannau 28 a 29 Paul Davies a gwelliannau 1 a 9 a gyflwynwyd gan y Llywodraeth. Yr wyf fi'n dweud hynny gan wybod yn iawn bod darpariaeth wael ar gyfer y Gymraeg yn y sector addysg bellach. Yr ydym newydd fod yn siarad am addysg cyfrwng Cymraeg yn gyffredinol, ond mae'r sefyllfa yn y sector addysg bellach yn arbennig o wael. Yr ydym yn cydnabod y bydd yn cymryd amser i adeiladu darpariaeth i sicrhau bod gennych fynediad cyfartal i'r iaith Gymraeg yn y sector AB. Fodd bynnag, er bod croeso i welliannau'r Llywodraeth, nid ydynt yn mynd yn ddigon pell. Ceir sgil effeithiau amlwg i gryfhau'r ddarpariaeth iaith Gymraeg, ond yr ydym yn credu mai'r unig ffordd o sicrhau ein bod yn symud at fynediad cydradd yw drwy'r dull gweithredu

approach set out in amendments 28 and 29 in the name of Paul Davies, supported by me. It is about how we get to the point of achieving parity of access. Our amendments offer the Government a route for getting there. The Government's amendments 1 and 9 are based on the principle of duties and responsibilities, and our amendments are based on the principle of rights, so they are strong.

I have listened to the criticism of Paul Davies's amendments, and the arguments put forward by Nerys are very dangerous, especially in view of the tremendous strength of reputation of Welsh-medium education. You have to be very careful indeed about saying that a person has that right in one language but not in another. I would stand up strongly to defend the right of everyone to a Welsh-medium education, but I believe that you cannot have a rights-based agenda unless the rights go both ways.

Just look for a moment at the principle that underlies the proposed Measure—

**Rhodri Glyn Thomas:** Will you take an intervention?

**Jenny Randerson:** No, because I am moving on to a different issue.

**Rhodri Glyn Thomas:** Very wise.

**Jenny Randerson:** Let us look at the principle that underlies the proposed Measure, namely the idea of collaboration. You should not be frightened of the idea of people seeking to travel, if they wish, to receive an English-medium education; far too many children have had to travel a long way to receive a Welsh-medium education. Collaboration—and collaboration across borders if necessary, if Members agree to the amendments that we will move later in the debate—will enable children to exercise their rights. It is important that we do this with a view to taking an open and even-handed approach. The proposed legislative competence Order on the Welsh language takes a right-based approach, and once you create a rights-based approach, you must accept the consequences of that. It is the fair, honest and strong way to go forward for the

a osodir allan yng ngwelliannau 28 a 29 yn enw Paul Davies, a gefnogir gennyf i. Mae'n ymwneud â sut yr ydym yn cyrraedd y pwynt o gyflawni mynediad cydradd. Mae ein gwelliannau ni'n cynnig llwybr i'r Llywodraeth gyrraedd y nod honno. Mae gwelliannau 1 a 9 y Llywodraeth yn seiliedig ar egwyddor dyletswyddau a chyfrifoldebau, ac mae ein gwelliannau ni'n seiliedig ar egwyddor hawliau, felly maent yn gryf.

Yr wyf fi wedi gwrandao ar y feirniadaeth ynghylch gwelliannau Paul Davies, ac mae'r dadleuon a fynegwyd gan Nerys yn beryglus dros ben, yn enwedig ac ystyried cryfder enw arbennig o dda addysg cyfrwng Cymraeg. Rhaid ichi fod yn ofalus iawn wrth ddweud bod gan unigolyn un hawl mewn un iaith ond nid mewn un arall. Byddwn yn sefyll yn gryf i amddiffyn hawl pawb i gael addysg cyfrwng Cymraeg, ond yr wyf fi'n credu na allwch gael agenda ar sail hawliau oni bai fod yr hawliau'n mynd i'r naill gyfeiriad a'r llall.

Edrychwch am funud ar yr egwyddor sy'n sail i'r Mesur arfaethedig—

**Rhodri Glyn Thomas:** A wnewch gymryd ymyriad?

**Jenny Randerson:** Na wna, oherwydd fy mod yn symud ymlaen at fater arall.

**Rhodri Glyn Thomas:** Doeth iawn.

**Jenny Randerson:** Gadewch inni edrych ar yr egwyddor sy'n sail i'r Mesur arfaethedig, sef y syniad o gydweithredu. Ni ddylech ofni'r syniad o bobl yn ceisio teithio, os ydynt yn dymuno, i gael addysg cyfrwng Saesneg; mae gormod o lawer o blant wedi gorfod teithio'n bell i gael addysg cyfrwng Cymraeg. Bydd cydweithredu—a chydweithredu ar draws ffiniau os oes angen, os bydd Aelodau'n cytuno ar y gwelliannau y byddwn yn eu cynnig yn nes ymlaen yn y ddadl—yn galluogi plant i ymarfer eu hawliau. Mae'n bwysig ein bod yn gwneud hyn gyda golwg ar fod yn agored ac yn deg. Mae'r Gorchymyn cymhwysedd deddfwriaethol arfaethedig ynghylch yr iaith Gymraeg yn seiliedig ar hawliau, ac ar ôl ichi greu dull gweithredu ar sail hawliau, rhaid ichi dderbyn canlyniadau hynny. Hon yw'r ffordd deg, onest a chryf o symud ymlaen ar

Welsh language, but you must accept the consequences of that.

**Jeff Cuthbert:** I am delighted that we are having this debate and to have the opportunity to take part in the discussion on the first group of amendments. As people know, I chaired the Stage 1 committee, heard the evidence, and enabled and supported the discussions, following which we had considerable further discussions. Clear undertakings were given by the Government as a result of those discussions. I was also a member of the Stage 2 committee, which considered the amendments, and those seem to be very similar indeed to the amendments on the marshalled list today. In some respects, I feel that the issues have been argued and addressed already.

Nevertheless, with regard to this group of amendments, I support fully the development of Welsh-medium education in my constituency. Welsh-medium education is growing. I believe it to be genuinely achievable that, in due course, we will achieve a fully bilingual country in which all aspects of learning, including, very importantly, work-based learning, apprenticeships and continuous development within the workplace, will be achievable through the medium of Welsh as well as through the medium of English. I believe that there is a job of work to be done by the sector skills councils, in particular, to work towards that. In terms of the specific issues that we face today, I am desperately keen to see the 14-19 learning pathways become a reality, particularly for the types of learners and children that we have in Valleys communities such as mine. They desperately need those greater opportunities if they are to take full advantage of what could be there for them in adult life by way of a mixed pathway of academic and vocational studies.

I want us to reach a position where learners are able to achieve that mixed provision through the medium of English or Welsh. If we imposed amendments 28 and 29, tabled by Paul Davies, at this stage in the development of this proposed Measure, it would make it exceptionally difficult for schools in an area like mine to comply with

gyfer y Gymraeg, ond rhaid ichi dderbyn canlyniadau hynny.

**Jeff Cuthbert:** Yr wyf wrth fy modd ein bod yn cael y ddadl hon ac yn cael y cyfle i gymryd rhan yn y drafodaeth ar y grŵp cyntaf o welliannau. Fel y mae pobl yn gwybod, yr oeddwn wedi cadeirio'r pwyllgor Cyfnod 1, clywed y dystiolaeth a galluogi a chefnogi'r trafodaethau, ac yn dilyn y rheini cawsom nifer o drafodaethau pellach. Rhoddodd y Llywodraeth ymrwymadau clir o ganlyniad i'r trafodaethau hynny. Yr oeddwn hefyd yn aelod o'r pwyllgor Cyfnod 2, a ystyriodd y gwelliannau, ac mae'n ymddangos bod y rheini'n debyg iawn yn wir i'r gwelliannau ar y rhestr wedi'i gosod mewn trefn heddiw. Mewn rhai ffyrdd, yr wyf fi'n teimlo bod y materion hyn wedi cael eu trin a'u trafod eisoes.

Serch hynny, ac ystyried y grŵp hwn o welliannau, yr wyf yn cefnogi datblygu addysg cyfrwng Cymraeg yn fy etholaeth i'r carn. Mae addysg cyfrwng Cymraeg yn tyfu. Credaf ei bod yn wir yn bosibl, maes o law, inni gael gwlad gwbl ddwyieithog, lle bydd pob agwedd ar ddysgu, gan gynnwys, ac mae hyn yn bwysig iawn, dysgu seiliedig ar waith, prentisiaethau a datblygiad parhaus yn y gweithle, ar gael drwy gyfrwng y Gymraeg yn ogystal â thrwy gyfrwng y Saesneg. Credaf fod cryn waith i'w wneud gan y cynghorau sgiliau sector, yn benodol, er mwyn gweithio tuag at hynny. O ran y materion penodol yr ydym yn eu hwynebu heddiw, yr wyf yn ofnadwy o awyddus i weld y llwybrau dysgu 14-19 yn cael eu gwireddu, yn enwedig ar gyfer y mathau o ddysgwyr a phlant sydd gennym yng nghymunedau'r Cymoedd, fel fy nghymuned i. Mae gwir angen y cyfleoedd gwell hynny arnynt er mwyn iddynt fanteisio i'r eithaf ar yr hyn a allai fod yno ar eu cyfer pan fyddant yn oedolion drwy ddarparu llwybr cymysg o astudiaethau academaidd a galwedigaethol.

Yr wyf am inni gyrraedd sefyllfa lle bydd dysgwyr yn gallu sicrhau'r ddarpariaeth gymysg honno drwy gyfrwng y Gymraeg neu'r Saesneg. Pe baem yn gorfodi gwelliant 28 a gwelliant 29, a gyflwynwyd gan Paul Davies, yn ystod y cyfnod hwn wrth inni ddatblygu'r Mesur arfaethedig, byddai'n ei gwneud yn eithriadol o anodd i ysgolion

the legislation and would lead to a delay in the young people benefiting from a mixture of academic and vocational education. I believe that that would be an enormous shame. It would also have what I am sure is the unintended consequence in Welsh-medium schools, which I fully support, of obliging them, should a parent choose to be belligerent in this regard, to provide courses through the medium of English. I am sure that that is an unintended consequence, but it could be a consequence nevertheless, and it is avoidable.

I give way to Jenny Randerson.

**Jenny Randerson:** Do you not accept that the whole principle under this proposed Measure is that we are no longer talking about individual institutions? We are talking about collaboration across institutions in order to provide the breadth of education that we all agree is needed. Therefore, the argument does not relate to individual institutions; it looks at what a local education authority, for example, would provide across its area.

**Jeff Cuthbert:** You say that, but if your amendment was agreed, the proposed Measure would then read,

‘A registered pupil of a maintained secondary school has the right to elect to follow’

and

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

I suggest that that is a minefield, and that lawyers could say that, under the terms of this proposed Measure, as a result of this amendment, pupils would have the right to pursue courses through the medium of English in a Welsh-medium school. I think that you are opening up a trapdoor for people and that you have not thought it through properly.

**Jonathan Morgan** *rose*—

mewn ardal fel fy ardal i gydymffurfio â'r ddeddfwriaeth a byddai'n golygu oedi cyn y gallai pobl ifanc elwa ar gymysgedd o addysg academiaidd a galwedigaethol. Credaf y byddai hynny'n bechod mawr. Byddai hefyd yn arwain at ganlyniad anfwriadol, yr wyf yn siŵr, mewn ysgolion Cymraeg eu cyfrwng, ysgolion yr wyf yn eu cefnogi'n llwyr, sef, pe bai rhiant yn dewis bod yn ymosodol yn y cyswllt hwn, y byddai'n rhaid iddynt ddarparu cyrsiau drwy gyfrwng y Saesneg. Yr wyf yn siŵr mai canlyniad anfwriadol yw hynny, ond gallai fod yn ganlyniad beth bynnag, ac mae'n ganlyniad y gellir ei osgoi.

Ildiaf i Jenny Randerson.

**Jenny Randerson:** Onid ydych yn derbyn mai'r holl egwyddor dan y Mesur arfaethedig hwn yw nad ydym bellach yn sôn am sefydliadau unigol? Yr ydym yn sôn am gydweithredu ar draws sefydliadau er mwyn darparu'r addysg eang yr ydym oll yn cytuno y mae ei hangen. Felly, nid yw'r ddadl yn ymwneud â sefydliadau unigol; mae'n edrych ar yr hyn y byddai awdurdod addysg lleol, er enghraifft, yn ei ddarparu ar draws ei ardal.

**Jeff Cuthbert:** Yr ydych yn dweud hynny, ond pe cytunid ar eich gwelliant chi, yna, byddai'r mesur yn darllen,

Mae gan ddisgybl sydd wedi'i gofrestru mewn ysgol uwchradd a gynhelir yr hawl i ddewis dilyn,

ac

Wrth fynnu eu hawliau dan yr adran hon, bydd gan ddisgyblion yr hawl i ddewis dilyn eu cyrsiau drwy gyfrwng y Gymraeg neu'r Saesneg.

Awgrymaf fod hyn yn dir peryglus, ac y gallai cyfreithwyr ddweud, dan delerau'r Mesur arfaethedig hwn, yn sgil y gwelliant hwn, y byddai gan ddisgyblion yr hawl i ddilyn cyrsiau drwy gyfrwng y Saesneg mewn ysgol cyfrwng Cymraeg. Credaf eich bod yn agor bwlch i bobl ac nad ydych wedi'i ystyried yn ddigon gofalus.

**Jonathan Morgan** *a gododd*—

**Jeff Cuthbert:** Do I have time to take an intervention?

**Jeff Cuthbert:** A oes gennyf amser i ganiatáu iddo ymyrryd?

**The Presiding Officer:** Yes; this is the Stage 3 debate.

**Y Llywydd:** Oes; dadl Cyfnod 3 yw hon.

**Jonathan Morgan:** I am grateful. You chaired the committee at Stage 1, Jeff, and you agreed with the recommendations of that committee. The recommendation on Welsh-medium provision said,

**Jonathan Morgan:** Yr wyf yn ddiolchgar. Chi oedd cadeirydd y pwyllgor yng Nghyfnod 1, Jeff, ac yr oeddech yn cytuno ag argymhellion y pwyllgor hwnnw. Dywedai'r argymhelliad ynglŷn â darpariaeth cyfrwng Cymraeg,

'We recommend that the Minister brings forward amendments at Stage 2 to make provision on the face of the proposed Measure for learners to have an entitlement to study through the medium of Welsh if they so choose'.

Argymhellwn fod y Gweinidog yn cyflwyno gwelliannau yng Nghyfnod 2 er mwyn cynnwys darpariaeth ar wyneb y Mesur arfaethedig i ddysgwyr gael yr hawl i astudio drwy gyfrwng y Gymraeg os ydynt yn dymuno gwneud hynny.

Bringing forward the amendments at Stage 2 did not happen, of course. Why do you think that this amendment today is so contrary to the consideration that was given at Stage 1 by the committee that you actually chaired?

Wrth gwrs, ni chyflwynwyd y gwelliannau yng Nghyfnod 2. Pam yr ydych yn meddwl bod y gwelliant hwn heddiw mor groes i ystyriaethau'r pwyllgor yn ystod Cyfnod 1, y pwyllgor y buoch chi mewn gwirionedd yn ei gadeirio?

**Jeff Cuthbert:** On the face of it, it would seem that you make a fair point, but that Stage 1 committee has been dissolved and we have moved on considerably since then in terms of discussions and undertakings. The question was addressed to the Deputy Minister when he came to the Stage 2 committee and provided further evidence to the Stage 1 committee. I believe that the amendments that are now proposed in the name of the Welsh Assembly Government are appropriate under the circumstances that we face.

**Jeff Cuthbert:** Ar y wyneb, byddai'n ymddangos eich bod yn gwneud pwynt teg, ond mae'r pwyllgor Cyfnod 1 hwnnw wedi'i ddiddymu ac yr ydym wedi symud ymlaen yn sylweddol ers hynny o ran y trafodaethau a'r ymrwymadau. Gofynnwyd y cwestiwn i'r Dirprwy Weinidog pan ddaeth gerbron pwyllgor Cyfnod 2 a rhoddwyd mwy o dystiolaeth i bwyllgor Cyfnod 1. Credaf fod y gwelliannau a gynigir yn awr yn enw Llywodraeth y Cynulliad yn briodol dan yr amgylchiadau yr ydym yn eu hwynebu.

I have worked very hard to bring this policy to this stage, together with my colleagues on this side of the Chamber. We—more so than on your side of the Chamber—have worked to make vocational education achievable for pupils throughout Wales. You have been dragged kicking and screaming to this agenda, and we have nothing to apologise for.

Yr wyf fi a'm cyd-Aelodau ar yr ochr hon i'r Siambr wedi gweithio'n galed iawn i sicrhau bod y polisi'n cyrraedd y cyfnod hwn. Yr ydym ni—yn fwy felly na'r rhai sydd ar eich ochr chi o'r Siambr—wedi gweithio i sicrhau bod addysg alwedigaethol ar gael i ddisgyblion ledled Cymru. Yr ydych wedi cael eich llusgo'n cicio ac yn sgrechian at yr agenda hon, ac nid oes gennym ddim i ymddiheuro drosto.

3.20 p.m.

**Janet Ryder:** I am grateful for the opportunity to speak on this first group of amendments, and especially on this particular subject. We must acknowledge that, of all the parts of this multi-faceted proposed Measure, this is the area on which the Government has moved the most. That deserves to be recognised—the Government has moved its position considerably.

The Deputy Minister has spoken about continuity of education, and that is what we should keep at the forefront of our minds. This afternoon's debate has largely been about schools, but the great deficit in Welsh-medium provision is in colleges, and in work-based training, where it is often a case of English or nothing. We need to concentrate on allowing pupils to study in their preferred language, whether it is in school, college or in work-based learning. Before we reach the stage where everyone has equal rights, we need equal provision. We are a long way from providing equally for those who want to study through the medium of Welsh. We must all acknowledge that; there is so much still to do.

I welcome the steps that the Government has taken so far. I would have liked to have that continuation in this proposed Measure, but I accept that the Deputy Minister will look at it when he comes to issuing guidance. Even now, in Welsh-medium schools, students can reach the A-level stage and have to turn to the medium of English to continue their studies.

**Alun Cairns:** I am grateful to Janet Ryder for giving way. This reminds me of the argument against Wyn Roberts when he made Welsh a compulsory subject in education in Wales—the argument that the capacity was not there. Do you accept that, despite that argument, compulsory Welsh education was implemented successfully, and that this similarly requires a bit of courage from the Government?

**Janet Ryder:** It has not been addressed successfully, Alun. I do not know anywhere in Wales where you can see it being

**Janet Ryder:** Yr wyf yn ddiolchgar am y cyfle i siarad am y grŵp cyntaf hwn o welliannau, ac yn enwedig am y pwnc penodol hwn. Rhaid inni gydnabod, o blith holl rannau'r Mesur arfaethedig aml-wedd hon, mai dyma'r maes y mae'r Llywodraeth wedi symud yn ei gylch fwyaf. Mae hynny'n haeddu cydnabyddiaeth—mae'r Llywodraeth wedi newid ei safbwynt yn sylweddol.

Mae'r Dirprwy Weinidog wedi sôn am ddilyniant addysg, a dyna'r hyn y dylem ei gadw ar flaen ein meddwl. Mae'r ddadl y prynhawn yma wedi bod ynglŷn ag ysgolion yn bennaf, ond mae'r diffyg mawr yn y ddarpariaeth cyfrwng Cymraeg yn y colegau, mewn hyfforddiant seiliedig ar waith, ac yn y fan honno, Saesneg neu ddim byd yw hi fel rheol. Mae angen inni ganolbwyntio ar ganiatáu i blant astudio yn eu dewis iaith, boed hynny yn yr ysgol, yn y coleg neu mewn dysgu seiliedig ar waith. Cyn inni gyrraedd y cam lle bydd gan bawb hawliau cydradd, mae angen darpariaeth gydradd arnom. Yr ydym ymhell o fod yn darparu'n deg ar gyfer y rheini sy'n dymuno dysgu drwy gyfrwng y Gymraeg. Rhaid inni i gyd gydnabod hynny; mae cymaint i'w wneud eto.

Croesawaf y camau y mae'r Llywodraeth wedi'u cymryd cyn belled. Byddwn wedi hoffi cael y dilyniant hwnnw sydd yn y Mesur arfaethedig, ond derbynaf y bydd y Dirprwy Weinidog yn edrych arno pan ddaw'n adeg iddo gyhoeddi canllawiau. Hyd yn oed yn awr, mewn ysgolion cyfrwng Cymraeg, gall myfyrwyr gyrraedd cam Safon Uwch a gorfod troi at y Saesneg i barhau â'u hastudiaethau.

**Alun Cairns:** Yr wyf yn ddiolchgar i Janet Ryder am ildio. Mae hyn yn fy atgoffa am y ddadl yn erbyn Wyn Roberts pan wnaeth y Gymraeg yn bwnc gorfodol mewn addysg yng Nghymru—y ddadl nad oedd y capasiti yno. A ydych yn derbyn, er gwaetha'r ddadl honno, fod addysg Gymraeg orfodol wedi'i rhoi ar waith yn llwyddiannus, ac yn yr un modd bod angen i'r Llywodraeth ddangos tipyn bach o ddewrder ynglŷn â hyn?

**Janet Ryder:** Nid yw wedi cael ei rhoi ar waith yn llwyddiannus, Alun. Ni wn am unman yng Nghymru lle y gallwch ei gweld

addressed successfully. At every level that a child or pupil or student would want to study, the provision is lacking. We have miles to go to offer equal provision, so we must concentrate on enabling students to have that continuity of education, so that they can go from meithrin through school studying in the language that they choose. The big gap is in colleges, and that is why I would have liked to see something stronger in the proposed Measure, to make those colleges turn around and start addressing that deficit. The same deficit is there in work-based training, and the vocational areas. You may find Welsh-medium provision occasionally, but it is generally lacking, and colleges have a long way to go on this.

**Nick Bourne:** I am grateful to Janet Ryder for giving way. However, if she felt so strongly about this, why on earth did she not table an amendment? She is an Assembly Member.

**Janet Ryder:** My position on this is quite clear. The amendments that I have put to the Deputy Minister have almost all been accepted, so I am pleased with the impact that I have had on this proposed Measure. We will see a difference, but there is a long way to go, and it would be good to see all parties in the Chamber looking at the deficit instead of talking about equal rights. Let us have a level playing field, so that everyone can study where they want through the medium of either Welsh or English.

**Y Llywydd:** Galwaf ar y Dirprwy Weinidog i ateb y ddadl ar y grŵp cyntaf.

**John Griffiths:** I am grateful to Members for the points made, many of which are realistic in understanding that we are some way from where we want to be under 'Iaith Pawb', as a truly bilingual nation. We have some work to do before we get there. In the meantime, we must drive progress on Welsh-medium education, and it is clear that 14-19 learning pathways have resulted in much progress in Welsh-medium provision, including

yn cael ei rhoi ar waith yn llwyddiannus. Ar bob lefel y byddai plentyn neu ddisgybl neu fyfyrwr am astudio arni, mae'r ddarpariaeth yn ddiffygiol. Mae gennym filltiroedd i'w teithio i gynnig darpariaeth gydradd, felly rhaid inni ganolbwyntio ar alluogi myfyrwyr i gael y dilyniant addysg hwnnw, er mwyn iddynt allu mynd o addysg feithrin drwy'r ysgol yn astudio yn eu dewis iaith. Yn y colegau y mae'r bwlch mawr, a dyna pam y byddwn wedi hoffi gweld rhywbeth cryfach yn y Mesur arfaethedig, er mwyn gwneud i'r colegau hynny newid cyfeiriad a dechrau mynd i'r afael â'r diffyg hwnnw. Mae'r un diffyg i'w weld mewn hyfforddiant seiliedig ar waith, a'r meysydd galwedigaethol. Efallai y gwelwch ddarpariaeth cyfrwng Cymraeg yma a thraw ond, ar y cyfan, mae'n brin, ac mae gan golegau gryn ffordd i fynd yn y cyswllt hwn.

**Nick Bourne:** Yr wyf yn ddiolchgar i Janet Ryder am ildio. Fodd bynnag, os oedd yn teimlo mor gryf am hyn, pam ar y ddaear na chyflwynodd welliant? Mae'n Aelod o'r Cynulliad.

**Janet Ryder:** Mae fy safbwynt ynglŷn â hyn yn eithaf clir. Mae'r gwelliannau yr wyf wedi'u cynnig i'r Dirprwy Weinidog bron i gyd wedi'u derbyn, felly yr wyf yn hapus â'r dylanwad yr wyf wedi'i gael ar y Mesur arfaethedig hwn. Gwelwn wahaniaeth, ond mae ffordd bell i fynd, a byddai'n dda gweld pob plaid yn y Siambr yn edrych ar y diffyg hwn yn lle sôn am hawliau cyfartal. Gadewch inni gael maes chwarae teg, er mwyn i bawb allu astudio yn y man lle maent yn dymuno astudio, naill ai drwy gyfrwng y Gymraeg neu'r Saesneg.

**The Presiding Officer:** I call the Deputy Minister to answer the debate on the first group.

**John Griffiths:** Yr wyf yn ddiolchgar i'r Aelodau am eu pwyntiau. Mae llawer ohonynt yn realistig o ran eu bod yn deall bod gennym gryn ffordd i fynd i gyrraedd nod 'Iaith Pawb', fel cenedl wirioneddol ddwyieithog. Mae gennym dipyn o waith i'w wneud cyn inni gyrraedd y fan honno. Yn y cyfamser, rhaid inni sbarduno'r cynnydd ym maes addysg cyfrwng Cymraeg, ac mae'n glir bod llwybrau dysgu 14-19 wedi arwain at



vocational provision, although I take the point that we are starting from a particularly low base as far as that is concerned. We have seen progress under the 14-19 learning pathways policy, and we have seen ring-fenced money for Welsh-medium provision, with sabbatical schemes to ensure that teachers and lecturers are able to deliver through the medium of Welsh.

I am now quite confident that these further Government amendments, which include the duties to promote access and availability, will drive further progress, as will the guidance on continuity of provision that I mentioned. Therefore, I urge you to support the proposed Government amendments, and to oppose amendment 29 proposed by Paul Davies.

**Y Llywydd:** Ddirprwy Weinidog, a ydych yn dymuno symud i bleidlais ar welliant 1?

**John Griffiths:** Yes.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 1. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, caiff gwelliant 1 ei dderbyn.

*Derbyniwyd gwelliant 1.  
Amendment 1 agreed.*

**Y Llywydd:** Ni fyddwn yn pleidleisio ar welliannau 28, 9 a 29 ar hyn o bryd; byddwn yn pleidleisio arnynt yn y man priodol yn ystod y trafodion.

**Hawlogaeth: Dewisiadau Disgyblion o Gyrsiau Cwricwlwm Lleol—Uchafswm Cyrsiau  
Entitlement: Pupil's Choices of Local Curriculum Courses—Maximum Number of  
Courses**

**Y Llywydd:** Mae'r ail grŵp o welliannau yn ymdrin â hawlogaeth ac uchafswm y cyrsiau sydd ar gael i ddisgyblion. Y prif welliant yn y grŵp hwn yw gwelliant 2, sy'n ymddangos ar dudalen 2 o'r rhestr o welliannau mewn trefn. Galwaf ar y Dirprwy Weinidog i gynnig gwelliant 2 ac i siarad am y gwelliant arall yn y grŵp.

lauer o gynnydd yn y ddarpariaeth cyfrwng Cymraeg, gan gynnwys y ddarpariaeth alwedigaethol, er fy mod yn derbyn y pwynt ein bod yn dechrau o fan cychwyn arbennig o isel yn y cyswllt hwnnw. Yr ydym wedi gweld cynnydd dan y polisi llwybrau dysgu 14-19, ac yr ydym wedi gweld arian yn cael ei neilltuo ar gyfer darpariaeth cyfrwng Cymraeg, gyda chynlluniau sabothol i sicrhau bod athrawon a darlithwyr yn gallu darparu drwy gyfrwng y Gymraeg.

Yr wyf yn awr yn eithaf hyderus y bydd y gwelliannau eraill hyn gan y Llywodraeth, sy'n cynnwys y dyletswyddau i hybu mynediad a sicrhau bod cyrsiau ar gael, yn sbarduno mwy o gynnydd, fel y bydd y canllawiau ynglŷn â dilyniant y ddarpariaeth y soniais amdano. Felly, fe'ch anogaf i gefnogi gwelliannau arfaethedig y Llywodraeth, ac i wrthwynebu gwelliant 29 a gynigiwyd gan Paul Davies.

**The Presiding Officer:** Deputy Minister, do you wish to move to a vote on amendment 1?

**John Griffiths:** Ydwyf.

**The Presiding Officer:** The question is that amendment 1 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, amendment 1 is therefore agreed.

**The Presiding Officer:** There will be no vote on amendments 28, 9 and 29 at this point; we will vote on these amendments at the appropriate point in the proceedings.

**The Presiding Officer:** The second group of amendments relates to entitlement and the maximum number of courses available to pupils. The lead amendment in this group is amendment 2, which appears on page 2 of the marshalled list. I call the Deputy Minister to move amendment 2 and to speak to the other amendment in the group.

**John Griffiths:** I move amendment 2 in my name.

**John Griffiths:** Cynigiau welliant 2 yn fy enw.

*Cafodd gwelliannau 2 a 30 eu grwpio ar gyfer y drafodaeth. Amendments 2 and 30 grouped for debate.*

Diolch unwaith eto, Lywydd.

Thank you once again, Presiding Officer.

The proposed Government amendment, amendment 2, provides for the setting of a maximum learner entitlement to provision at key stage 4, and enables the awarding of a point score for courses, which allows for clarity on what constitutes a choice in terms of size of qualification.

Mae gwelliant arfaethedig y Llywodraeth, gwelliant 2, yn ymwneud â phennu terfyn uchaf ar gyfer y ddarpariaeth y mae gan ddysgwyr yr hawl iddi yng nghyfnod allweddol 4, ac yn galluogi dyfarnu sgôr pwyntiau ar gyfer cyrsiau, sy'n caniatáu eglurder ynglŷn â beth mae dewis yn ei olygu o ran maint cymhwyster.

It is important that we fully appreciate the new context that this proposed learning and skills Measure will bring. It will provide learners with a greater choice of courses than ever before, both in academic and vocational areas, across a wide range of subject areas. Under this proposed Measure, local authorities throughout Wales will be legally required to ensure that learners have a right to choose from a local curriculum that contains a minimum of 30 courses. The proposed Measure would further provide that learners have a conditional entitlement that is enshrined in law to follow their elected courses. Therefore, the amendment approved at Stage 2 would allow pupils to claim a right to elect to study, for example, up to 30 GCSEs, with an entitlement to follow their elected courses of study, unless they cease to be registered pupils at their school or the headteacher is able to decide, on the limited prescribed grounds, that they are not entitled to follow a course of study.

Mae'n bwysig ein bod yn gwerthfawrogi'n llawn y cyd-destun newydd a ddaw yn sgil y Mesur dysgu a sgiliau arfaethedig hwn. Bydd yn cynnig mwy o ddewis cyrsiau i ddysgwyr nag erioed o'r blaen, a hynny mewn meysydd academiaidd a galwedigaethol, ar draws ystod eang o feysydd pwnc. Dan y Mesur arfaethedig hwn, yn ôl y gyfraith, bydd gofyn i awdurdodau lleol ledled Cymru sicrhau bod gan ddysgwyr yr hawl i ddewis o gwricwlwm lleol sy'n cynnwys o leiaf 30 o gysiau. Byddai'r Mesur arfaethedig hefyd yn golygu bod gan ddysgwyr hawl amodol sydd wedi'i hymgorffori yn y gyfraith i ddilyn eu dewis gysiau. Felly, byddai'r gwelliant a gymeradwyid yng Nghyfnod 2 yn caniatáu i ddisgyblion fynnu eu hawl i ddewis astudio, er enghraifft, hyd at 30 TGAU, ynghyd â'r hawl i ddilyn y cyrsiau astudio a ddewiswyd ganddynt, oni fyddant yn peidio â bod yn ddisgyblion sydd wedi'u cofrestru yn eu hysgol neu fod eu pennaeth yn cael penderfynu, ar y seiliau cyfyngedig a bennwyd, nad oes ganddynt yr hawl i ddilyn cwrs astudio.

It would clearly not be in the best interest of learners to study 30 GCSEs, and it is inevitable that headteachers would have no option other than to decide, based on the grounds stipulated on the face of the proposed Measure, that a learner in those circumstances would not be entitled to follow his or her chosen course of study. We believe that setting a maximum number of courses provides clarity from the outset, without having to undergo that process. It is also clear that resolving the problems associated with

Mae'n amlwg na fyddai astudio 30 TGAU er budd gorau dysgwyr, ac mae'n anochel na fyddai gan benaethiaid ddewis ac eithrio penderfynu, ar y seiliau a bennir ar wyneb y Mesur a gynigir, na fyddai gan ddysgwyr, dan yr amgylchiadau hynny, yr hawl i ddilyn y cwrs astudio a ddewiswyd ganddo. Credwn y byddai pennu terfyn uchaf ar gyfer nifer y cyrsiau'n cynnig eglurder o'r cychwyn, heb orfod mynd drwy'r broses honno. Mae'n glir hefyd na fyddai datrys y problemau sy'n gysylltiedig â hawliau o'r fath yn ffordd dda i

such claims would not represent good use of headteachers' time or the time of senior members of staff. We are anxious not to place an unnecessary burden on senior managers in that way. We believe that the amendment tabled by Paul Davies would simply impose those burdens regarding learners aged 16 to 18 and those who deliver for those learners.

I strongly emphasise that stating a maximum number of courses that can be followed does not, of course, preclude a learner from studying more courses, if it is appropriate for that learner to do so. Learners do not currently have an entitlement to study any particular number of GCSEs or equivalents. The quantity of subjects studied is reached with the agreement of the school, whether the number is six or 12. This practice would continue in respect of a total that is over the maximum. Unlike the current position, there will be a legal entitlement to follow a specified number of GCSEs or equivalents. The setting of a maximum simply sets a limit beyond which there is no legal entitlement.

3.30 p.m.

**Paul Davies:** The reason for my amendment is to prevent the Assembly Government from setting a maximum number of courses that a student can follow in learning institutions. Setting such a maximum could inhibit more able students, and to quote one of the recommendations made clear in the Stage 1 report:

'any regulations setting a maximum number of courses provide sufficient flexibility so as not to restrict pupils who are considered able to follow a more challenging course of study.'

Deleting the reference to a maximum number of courses will give that flexibility and will ensure that no pupil who is considered able is penalised. Setting a requirement for a maximum number of courses effectively removes that level of flexibility, and may give learning institutions an excuse to restrict the number of courses due to costs.

benaeithiaid ac uwch aelodau'r staff ddefnyddio'u hamser. Yr ydym yn awyddus i beidio â rhoi gormod o faich ar uwch reolwyr yn y ffordd honno. Credwn na fyddai'r gwelliant a gyflwynir gan Paul Davies ond yn creu beichiau fel hyn yng nghyswllt dysgwyr rhwng 16 a 18 oed a'r rheini sy'n darparu ar gyfer y dysgwyr hynny.

Pwysleisiaf yn gryf nad yw pennu terfyn uchaf ar gyfer nifer y cyrsiau y ceir eu dilyn, wrth gwrs, yn golygu na chaiff dysgwr astudio mwy o gyrsiau, os yw'n briodol i'r dysgwr hwnnw wneud hynny. Nid oes gan ddysgwyr hawl ar hyn o bryd i astudio unrhyw nifer penodol o bynciau TGAU neu'r hyn sy'n cyfateb iddynt. Pennir nifer y pynciau a astudir drwy gytundeb â'r ysgol, boed y nifer hwnnw'n chwech ynteu'n 12. Byddai'r arfer hwn yn parhau ar gyfer cyfanswm sy'n fwy na'r terfyn hwnnw. Yn wahanol i'r sefyllfa ar hyn o bryd, bydd hawl gyfreithiol i ddilyn nifer penodol o bynciau TGAU neu gymwysterau cyfatebol. Ni fyddai pennu terfyn uchaf ond yn golygu nad oes hawl gyfreithlon i astudio nifer mwy na hynny.

**Paul Davies:** Y rheswm dros fy ngwelliant yw atal Llywodraeth y Cynulliad rhag pennu nifer uchaf o gyrsiau y gall myfyriwr eu dilyn mewn sefydliadau dysgu. Byddai pennu nifer uchaf o'r fath yn gallu cyfyngu myfyrwyr mwy galluog ac, a dyfynnu un o'r argymhellion a eglurwyd yn yr adroddiad Cyfnod 1 y dylai:

'unrhyw reoliadau i bennu uchafswm o gyrsiau roi digon o hyblygrwydd i beidio â chyfyngu ar ddisgyblion y bernir eu bod yn gallu dilyn cwrs astudio mwy ymestynnol'.

Bydd dileu'r cyfeiriad at nifer uchaf o gyrsiau'n rhoi hyblygrwydd o'r fath ac yn sicrhau na chosbir unrhyw ddisgybl a ystyrir yn alluog. Mae gosod gofyniad am nifer uchaf o gyrsiau'n dileu'r graddau hynny o hyblygrwydd i bob pwrpas, a gallai roi esgus i sefydliadau dysgu gyfyngu nifer y cyrsiau oherwydd costau.

I accept that a balance needs to be struck between what a student can realistically expect and demand, and what an institution is physically able to provide. However, I do not see it as the role of this proposed Measure to be that prescriptive. With more flexibility, you may get a greater degree of innovation. One can argue that setting a maximum number of courses will curtail a small number of students and pupils from being over-ambitious in their choices, but those pressures have always been dealt with by the constraints of the timetable. The pressure of time, and the inability of students to get from one class to another, will limit their ability to be over-ambitious. In such circumstances, there is no reason to set a maximum number of courses. In law, pupils and students have always been able to study any number of courses, but in practice they have not been able to do so. Even if they are extraordinarily bright, there are only so many hours in the day and days in the week. Therefore, time alone restricts the number of courses that an individual can follow.

Should some pupils be over-ambitious, learning institutions have the capabilities through professional staff to give the right advice and guidance. The vast majority of students would co-operate and take that advice.

There is no doubt that students would be badly effected if a maximum number of courses was set. There are students who are capable of receiving more education and nurturing more additional skills than the day-to-day timetable could realistically provide. Given that the thrust of this proposed Measure is about improving choice for students, it does not make sense that the Government is looking to set maximums and limiting that choice. I urge all Members to reject the Government's amendment and to support mine.

**Janet Ryder:** I will speak in support of this amendment. As I believed in the committee during Stage 2, we should not set limits on pupils' achievements and their ability to achieve. If the learning coaches' roles, the counselling roles and the pasturing roles are working well in schools, I cannot imagine

Yr wyf yn derbyn bod angen dal y ddysgl yn wastad rhwng yr hyn y gall myfyriwr ei ddisgwyl a'i ofyn yn rhesymol, a'r hyn y gall sefydliad ei ddarparu'n ymarferol. Er hynny, nid wyf o'r farn mai rôl y Mesur arfaethedig hwn yw bod mor gyfarwyddol â hynny. O gael mwy o hyblygrwydd, gallech gael mwy o arloesi. Gall rhywun ddadlau y bydd pennu nifer uchaf o gyrsiau'n atal nifer bach o fyfyrwyr a disgyblion rhag bod yn rhy uchelgeisiol o ran eu dewisiadau, ond deliwyd â'r pwysau hynny bob amser drwy gyfyngiadau'r amserlen. Bydd pwysau amser, ac anallu myfywrwyr i fynd o'r naill ddsbarth i'r llall, yn cyfyngu eu gallu i fod yn rhy uchelgeisiol. Mewn amgylchiadau o'r fath, nid oes rheswm dros bennu nifer uchaf o gyrsiau. O dan y gyfraith, mae disgyblion a myfywrwyr wedi gallu dilyn faint a fynnir o gyrsiau erioed, ond nid ydynt wedi gallu gwneud hynny'n ymarferol. Hyd yn oed os ydynt yn eithriadol o ddisglair, nid oes ond hyn a hyn o oriau yn y diwrnod ac o ddiwrnodau yn yr wythnos. Felly, mae amser ar ei ben ei hun yn cyfyngu nifer y cyrsiau y gall unigolyn eu dilyn.

Os bydd rhai disgyblion yn rhy uchelgeisiol, mae gan sefydliadau dysgu alluoedd digonol drwy staff proffesiynol i roi'r cyngor a'r canllawiau priodol. Byddai'r mwyafrif helaeth o fyfyrwyr yn cydweithredu ac yn derbyn y cyngor hwnnw.

Nid oes amheuaeth na fyddai effaith ddrwg ar fyfyrwyr pe gosodid terfyn uchaf ar nifer y cyrsiau. Mae rhai myfywrwyr sy'n gallu derbyn mwy o addysg a meithrin mwy o sgiliau ychwanegol nag y gallai'r amserlen arferol eu darparu'n ymarferol. Gan fod pwyslais y Mesur arfaethedig hwn ar wella dewis i fyfyrwyr, nid yw'n gwneud synnwyr bod y Llywodraeth yn ceisio pennu niferoedd uchaf a chyfyngu'r dewis hwnnw. Anogaf yr holl Aelodau i wrthod gwelliant y Llywodraeth a chefnogi fy ngwelliant i.

**Janet Ryder:** Siaradaf o blaid y gwelliant hwn. Fel y credwn yn y pwyllgor yn ystod Cyfnod 2, ni ddylem gyfyngu cyflawniadau disgyblion a'u gallu i gyflawni. Os bydd rolau'r hyfforddwyr dysgu, y rolau cynghori a'r rolau bugeiliol yn gweithio'n dda mewn ysgolion, ni allaf ddychmygu y byddai gan

any child having the desire to study 30 GCSEs. If those counselling and support roles are working properly, that situation should never arise. Therefore, I cannot see any reason to cap the number of courses through regulation, as that should be achieved through counselling.

**Jenny Randerson:** I also urge Members to reject the Minister's amendment. I pay tribute to Janet for her brave stance on this piece of legislation. We appreciate the cost to her of taking that stance, and the dignity with which she has done that.

I have looked around the world and cannot find any other countries that set a limit on the ambitions of their children in terms of what they can study. We have never set such a limit before, so why on earth do we want to do that now? As someone who worked in education in a previous life, I know, of course, that there are children who are over-ambitious and over-enthusiastic about what they can do. Ninety five per cent of them can be talked to in a way that encourages them to see that they are being over-ambitious and that they have to limit their enthusiasm, and take the advice that is offered to them. Those conversations sometimes take place with their parents and guardians as well but, one way or another, they usually take the advice. Those who do not take the advice often rapidly see that they should have taken it because they have been over-ambitious. The rest of the pupils cannot get to the classes because they do not have time. If you are talking about learning across institutions, you are constraining the options even more than you have done in the past, because you must build in travel time in many cases. It is a truly astonishing provision in this legislation.

I have cast around for why the Government is trying to do it, and the only reason that I can come up with is that it is trying in some way to limit the cost. If that is the case, I find that worrying because we are talking about small numbers at the margin unless the Government is planning to keep the maximum number of subjects low. That

unrhyw blentyn awydd astudio ar gyfer 30 TGAU. Os bydd y rolau cynghori a chynorthwyo hynny'n gweithio'n iawn, ni ddylai sefyllfa o'r fath byth godi. Felly, ni allaf weld unrhyw reswm dros gapio nifer y cyrsiau drwy reoleiddio, gan y dylid cyflawni hynny drwy gynghori.

**Jenny Randerson:** Yr wyf finnau'n annog Aelodau i wrthod gwelliant y Gweinidog. Talaf deyrnged i Janet am ei safiad dewr ar y ddeddfwriaeth hon. Yr ydym yn gwerthfawrogi'r gost iddi hi o gymryd safiad o'r fath, a'i hurddas wrth wneud hynny.

Yr wyf wedi chwilio o gwmpas y byd ac ni allaf weld unrhyw wledydd eraill sy'n cyfyngu uchelgeisiau eu plant o ran yr hyn y gallant ei astudio. Nid ydym erioed wedi gosod unrhyw gyfyngiad o'r fath o'r blaen, felly pam ar y ddaear yr ydym am wneud hynny'n awr? Fel un sydd wedi gweithio ym myd addysg yn ei bywyd blaenorol, gwn yn sicr fod plant sy'n rhy uchelgeisiol ac yn rhy frwdfrydig ynghylch yr hyn y gallant ei wneud. Gellir siarad â 95 y cant ohonynt mewn modd sy'n eu cymell i weld eu bod yn rhy uchelgeisiol a'i bod yn rhaid iddynt ffrwyno eu brwdfrydedd, a derbyn y cyngor sydd wedi'i gynnig iddynt. Bydd y sgysiau hynny'n digwydd weithiau gyda'u rhieni a'u gwarcheidwaid hefyd, ond rywfodd neu'i gilydd, byddant yn derbyn y cyngor fel arfer. Yn aml, bydd y rheini na dderbyniant y cyngor yn gweld yn fuan y dylent fod wedi'i dderbyn gan iddynt fod yn rhy uchelgeisiol. Ni fydd gweddill y disgyblion yn gallu cyrraedd y dosbarthiadau am nad oes ganddynt ddigon o amser. Os ydych yn sôn am ddysgu ar draws sefydliadau, yr ydych yn cyfyngu'r opsiynau hyd yn oed yn fwy nag yr ydych wedi gwneud yn y gorffennol, gan fod rhaid ichi gynnwys amser teithio mewn llawer achos. Mae'n ddarpariaeth wirioneddol syfrdanol yn y ddeddfwriaeth hon.

Yr wyf wedi dyfalu pam y mae'r Llywodraeth yn ceisio gwneud hyn, a'r unig reswm y gallaf feddwl amdano yw ei bod yn ceisio cyfyngu'r gost mewn rhyw fodd. Os felly, mae hynny'n achosi pryder i mi gan ein bod yn sôn am niferoedd bach ar y cyrion oni bai fod y Llywodraeth yn bwriadu cadw nifer uchaf y pynciau'n isel. Byddai hynny'n

would be a serious concern to all our families and all the children who will be coming through the system in years to come.

Finally, the Minister said—and I do not know whether he said it to try to alleviate our fears—that this proposed Measure would not stop children from studying more than the maximum number of subjects, but it would not give them a legal entitlement to do so. I find that even more muddled and worrying than what was said before, because we now appear to have a maximum that does not have to be enforced. I can see a situation where young person A in school A is allowed to study an extra subject beyond young person B in school B, and that there will rapidly be major arguments about policy that will involve individual pupils and individual headteachers in terms of the advice that they give. It will become the most inglorious muddle, and it will be open to legal dispute. Therefore, Minister, I urge you, even at this late stage, to set your sights higher and to not move your amendment.

**John Griffiths:** Once again, I thank Members for their contributions. On the back of what Jenny said, there is currently no legal entitlement to any number of GCSEs or their equivalent. The proposed Measure provides such a legal entitlement, but it does not prevent study above the maximum number, which provides flexibility for providers and students. When we talk about fears that a maximum would be set at a low figure, I can assure Members that that will not be the case and that the maximum will be set above the current average, for example. We are talking about practicalities, as we were earlier.

**Alun Cairns:** I am interested that the maximum would be set above the current average. How will you accommodate gifted students that can be stretched if you set a maximum that is well below their level of attainment? Do you not think that it is unfair on those individuals and on the institutions as well, because they have a high-performing pupil that could be a star in terms of qualifications?

destun pryder difrifol i bob teulu ac i bob un o'r plant a ddaw drwy'r system yn y blynyddoedd i ddod.

Yn olaf, dywedodd y Gweinidog—ac ni wn a ddywedodd hyn i geisio lleddfu ein hofnau—na fyddai'r Mesur arfaethedig hwn yn atal plant rhag astudio mwy na'r nifer uchaf o bynciau, ond na fyddai'n rhoi hawl gyfreithiol iddynt wneud hynny. Caf fod hynny hyd yn oed yn fwy dryslyd ac yn achosi mwy byth o bryder na'r hyn a ddywedwyd o'r blaen, gan ei bod yn ymddangos bellach fod gennym derfyn uchaf nad oes rhaid ei orfodi. Gallaf ragweld sefyllfa lle y bydd unigolyn ifanc A yn ysgol A yn cael astudio pwnc ychwanegol ymhellach nag unigolyn ifanc B yn ysgol B, ac y bydd dadleuon mawr yn codi'n fuan am bolisi gan gynnwys disgyblion penodol a phenaethiaid ysgol penodol o ran y cyngor y maent yn ei roi. Bydd yn troi'n llastr cywilyddus, a bydd yn agored i ddadlau cyfreithiol. Felly, Weinidog, yr wyf yn eich annog, hyd yn oed ar yr adeg hwyr hon, i fod yn fwy uchelgeisiol a pheidio â chynnig eich gwelliant.

**John Griffiths:** Unwaith eto, diolchaf i Aelodau am eu cyfraniadau. Ynghylch yr hyn a ddywedodd Jenny, nid oes unrhyw hawl gyfreithiol ar hyn o bryd i geisio nifer penodol o gymwysterau TGAU neu rai sy'n cyfateb iddynt. Mae'r Mesur arfaethedig yn darparu hawl gyfreithiol o'r fath, ond nid yw'n atal astudio mwy na'r nifer uchaf, ac mae hynny'n cynnig hyblygrwydd i ddarparwyr a myfyrwyr. Ynghylch ofnau y byddai nifer uchaf yn cael ei osod yn isel, gallaf sicrhau Aelodau nad felly y bydd ac y bydd y nifer uchaf yn uwch na'r cyfartaledd presennol, er enghraifft. Yr ydym yn sôn am ystyriaethau ymarferol, fel yr oeddem yn gynharach.

**Alun Cairns:** Fe'i caf yn ddiddorol y byddai'r nifer uchaf yn cael ei osod yn uwch na'r cyfartaledd presennol. Sut y byddwch yn darparu ar gyfer myfyrwyr dawnus y gellir ymestyn eu gallu os pennwch nifer uchaf sy'n is o lawer na'u lefel cyrhaeddiad? Onid ydych yn credu ei bod yn annheg â'r unigolion hynny yn ogystal â'r sefydliadau, gan fod ganddynt ddisgybl disglair a allai fod yn seren o ran cymwysterau?

**John Griffiths:** If we look at provision for the more able and the educational research that has addressed the needs of the more able, there is a need, rightly in my view, for the more able to progress to higher levels earlier than other pupils. It is not about doing more of the same at the same level—it is much more about progression. For example, the ‘Meeting the Challenge’ guidance issued by the Welsh Assembly Government establishes clear quality standards for the more able and talented, and that guidance applies to the 14 to 19 age range. Therefore, I do not accept the points that were made with regard to the more able.

**John Griffiths:** Os edrychwn ar ddarpariaeth ar gyfer y rhai mwy galluog a'r ymchwil addysgol sydd wedi ystyried anghenion y rhai mwy galluog, mae angen, a hynny'n briodol yn fy marn i, am i'r rhai mwy galluog symud ymlaen i lefelau uwch yn gynharach na disgyblion eraill. Nid yw'n golygu gwneud mwy o'r un peth ar yr un lefel—mae'n ymwneud yn fwy o lawer â dilyniant. Er enghraifft, mae canllawiau ‘Cyflawni'r Her’ a gyhoeddwyd gan Lywodraeth Cynulliad Cymru yn pennu safonau ansawdd clir ar gyfer y rhai mwy galluog a dawnus, ac mae'r canllawiau hynny'n gymwys i'r ystod oedran 14 i 19. Felly, nid wyf yn derbyn y pwyntiau a wnaethpwyd mewn cysylltiad â'r rhai mwy galluog.

3.40 p.m.

**Gareth Jones:** On this particular point, I am also a bit concerned by the maximum number of courses, but are you confident that ‘course of study’ will be interpreted in a singular fashion, or could that be misconstrued by different schools and establishments, in that it may cover two or three subject areas or courses? How will you define a course of study?

**Gareth Jones:** Ynghylch y pwynt penodol hwn, yr wyf finnau braidd yn bryderus am y terfyn ar nifer uchaf y cyrsiau, ond a ydych yn ffyddiog y bydd ‘cwrs astudio’ yn cael ei ddehongli fel term unigol, neu a allai gwahanol ysgolion a sefydliadau gamddechongli hynny, gan y gallai gynnwys dau neu dri maes pwnc neu gwrs? Sut y byddwch yn diffinio cwrs astudio?

**John Griffiths:** We will have a points system to address any potential difficulties whereby something may be put forward as constituting a course when it is, perhaps, half a course. There will be a points system to ensure that 10 choices will mean what you would normally understand 10 choices to mean in the current education provision.

**John Griffiths:** Bydd gennym system bwyntiau i ddelio ag unrhyw anawsterau posibl lle y gallai rhywbeth gael ei gyflwyno fel pe bai'n gwrs a hwnnw, efallai, yn hanner cwrs. Bydd system bwyntiau i sicrhau y bydd 10 dewis yn golygu'r hyn y byddech yn ei ddeall fel arfer wrth 10 dewis yn y ddarpariaeth addysg bresennol.

**Nick Bourne:** I am concerned about this, because I listened carefully to your introduction and had some sympathy with your stated aims, which were to clarify and strengthen the legislation. How on earth can such a complicated points system in relation to setting a maximum, which you do not need to do, either clarify or strengthen the legislation?

**Nick Bourne:** Yr wyf yn pryderu am hyn, oherwydd gwrandewais yn astud ar eich rhagymadrodd ac yr oeddwn yn cydymdeimlo i ryw raddau â'r amcanion a ddatganasoch, sef egluro a chryfhau'r ddeddfwriaeth. Sut ar y ddaear y gall system bwyntiau mor gymhleth mewn cysylltiad â phennu nifer uchaf, nad oes angen ichi ei wneud, naill ai egluro neu gryfhau'r ddeddfwriaeth?

**John Griffiths:** We do not expect learners to wrestle with the intricacies of any points system. It is there for the providers and for the legislation. Learners will be concerned

**John Griffiths:** Nid ydym yn disgwyl i ddysgwyr ymgodymu â chymhlethodau unrhyw system bwyntiau. Mae yno er mwyn y darparwyr ac ar gyfer y ddeddfwriaeth.

with choices such as the number of GCSEs, vocational courses and A-levels that they can do, so it will be understandable and readily accessible.

**Jenny Randerson:** I want to take you back to what you said about how it is not about doing more of the same but broadening things out. For many students, your maximum will involve doing less of the same if you apply it. Are you aware of the information that has come out of our leading universities today that three A grades at A-levels are no longer good enough to get into university? Do you therefore accept that if you, for example, decide that you will put in a maximum of three A-levels as a legal entitlement, which is well above the average—to use your words—you would disadvantage youngsters who might have a chance of getting into Britain's leading universities?

**John Griffiths:** I am happy to respond to those points, Jenny, and to make it crystal clear that the maximum would not restrict choice in the way that you suggested. There is no way that we would set a maximum that would result in what learners currently study and achieve being diminished, and make it more difficult for them to access top-quality university provision. We will set the maximum at a level that is above the current average and which, in no way, will result in students being unable to access higher education as they currently do. When that sort of alarmist point is made, I am happy to take the opportunity to refute it.

I urge support for the proposed Government amendment.

**Y Llywydd:** Yr wyf yn deall eich bod am symud i bleidlais ar welliant 2. Y cwestiwn yw y dylid cytuno ar welliant 2. A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

*Gwelliant 2: O blaid 33, Ymatal 0, Yn erbyn 14.  
Amendment 2: For 33, Abstain 0, Against 14.*

Pleidleisiodd yr Aelodau canlynol o blaid:

Bydd dysgwyr yn ymwneud â dewisiadau fel nifer y cyrsiau TGAU, y cyrsiau galwedigaethol a'r cyrsiau Safon Uwch y gallant eu dilyn, felly bydd yn ddealladwy ac yn hawdd ei chael.

**Jenny Randerson:** Yr wyf am fynd â chi'n ôl at yr hyn a ddywedsoch i'r perwyl nad yw'n golygu gwneud mwy o'r un peth ond ehangu pethau. I lawer o fyfyrwyr, bydd eich terfyn uchaf yn golygu gwneud llai o'r un peth os byddwch yn ei roi ar waith. A ydych yn ymwybodol o'r wybodaeth a gafwyd gan ein prifysgolion mwyaf blaenllaw heddiw nad yw tri chymhwyster Safon Uwch ar radd A yn ddigon da bellach i gael lle mewn prifysgol? A ydych yn derbyn felly, os byddwch, er enghraifft, yn penderfynu pennu nifer uchaf o dri chwrs Safon Uwch yn hawl gyfreithiol, sy'n uwch o lawer na'r cyfartaledd—a defnyddio'ch geiriau chi—y byddech yn gwneud cam â phobl ifanc a allai gael cyfle i ennill lle yn y prifysgolion mwyaf blaenllaw ym Mhrydain?

**John Griffiths:** Yr wyf yn falch o ymateb i'r pwyntiau hynny, Jenny, a'i gwneud yn berffaith glir na fyddai'r terfyn uchaf yn cyfyngu dewis yn y modd a awgrymasoch. Ni fyddem byth yn pennu nifer uchaf a fyddai'n arwain at leihau'r hyn y mae dysgwyr yn ei astudio a'i gyflawni ar hyn o bryd, a'i gwneud yn anos iddynt gael mynediad at ddarpariaeth o'r ansawdd gorau mewn prifysgol. Byddwn yn gosod y nifer uchaf ar lefel sy'n uwch na'r cyfartaledd presennol ac na fydd, mewn unrhyw fodd, yn peri na fydd myfyrwyr yn gallu cael mynediad i addysg uwch fel y maent yn awr. Pan godir bwganod drwy wneud pwynt o'r fath, byddaf yn falch o achub ar y cyfle i'w wrthbrofi.

Galwaf am gefnogaeth i'r gwelliant sydd wedi'i gynnig gan y Llywodraeth.

**The Presiding Officer:** I understand that you wish to move to a vote on amendment 2. The question is that amendment 2 be agreed to. Are there any objections? I see that there are. We will therefore move to a vote.

Pleidleisiodd yr Aelodau canlynol yn erbyn:



The following Members voted for:

Andrews, Leighton  
Asghar, Mohammad  
Barrett, Lorraine  
Chapman, Christine  
Cuthbert, Jeff  
Davidson, Jane  
Davies, Alun  
Davies, Andrew  
Davies, Jocelyn  
Evans, Nerys  
Franks, Chris  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
James, Irene  
Jenkins, Bethan  
Jones, Alun Ffred  
Jones, Ann  
Jones, Carwyn  
Jones, Elin  
Jones, Gareth  
Jones, Ieuan Wyn  
Lewis, Huw  
Lloyd, David  
Lloyd, Val  
Mewies, Sandy  
Sargeant, Carl  
Thomas, Gwenda  
Thomas, Rhodri Glyn  
Wood, Leanne

The following Members voted against:

Bates, Mick  
Black, Peter  
Bourne, Nick  
Cairns, Alun  
Davies, Andrew R.T.  
Davies, Paul  
German, Michael  
Graham, William  
Melding, David  
Millar, Darren  
Morgan, Jonathan  
Randerson, Jenny  
Ryder, Janet  
Williams, Kirsty

*Derbyniwyd gwelliant 2.  
Amendment 2 agreed.*

**Y Llywydd:** Gan ein bod wedi gwaredu gwelliant 2, yn dilyn y rhestr o welliannau mewn trefn, symudwn i waredu gwelliant 28, a drafodwyd yn rhan o grŵp 1. Yr wyf yn gwahodd Paul Davies i gynnig gwelliant 28 yn ffurfiol.

**Paul Davies:** Cynigiau welliant 28 yn fy enw i a chydag enw Jenny Randerson yn ei gefnogi.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 28. A oes unrhyw wrthwynebiadau? Gwelaf fod. Felly, symudwn i bleidlais.

**The Presiding Officer:** Given that we have disposed of amendment 2, in line with the marshalled list, we move to dispose of amendment 28, which has been debated as part of group 1. I invite Paul Davies to move amendment 28 formally.

**Paul Davies:** I move amendment 28 in my name and with the name of Jenny Randerson in support.

**The Presiding Officer:** The question is that amendment 5 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 28: O blaid 13, Ymatal 0, Yn erbyn 34.  
Amendment 28: For 13, Abstain 0, Against 34.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Bates, Mick

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Andrews, Leighton

Black, Peter  
 Bourne, Nick  
 Cairns, Alun  
 Davies, Andrew R.T.  
 Davies, Paul  
 German, Michael  
 Graham, William  
 Melding, David  
 Millar, Darren  
 Morgan, Jonathan  
 Randerson, Jenny  
 Williams, Kirsty

Asghar, Mohammad  
 Barrett, Lorraine  
 Chapman, Christine  
 Cuthbert, Jeff  
 Davidson, Jane  
 Davies, Alun  
 Davies, Andrew  
 Davies, Jocelyn  
 Evans, Nerys  
 Franks, Chris  
 Gibbons, Brian  
 Gregory, Janice  
 Griffiths, John  
 Griffiths, Lesley  
 Hart, Edwina  
 Hutt, Jane  
 James, Irene  
 Jenkins, Bethan  
 Jones, Alun Ffred  
 Jones, Ann  
 Jones, Carwyn  
 Jones, Elin  
 Jones, Gareth  
 Jones, Ieuan Wyn  
 Lewis, Huw  
 Lloyd, David  
 Lloyd, Val  
 Mewies, Sandy  
 Ryder, Janet  
 Sargeant, Carl  
 Thomas, Gwenda  
 Thomas, Rhodri Glyn  
 Wood, Leanne

*Gwrthodwyd y gwelliant.  
 Amendment not agreed.*

**Hawlogaeth: Penderfyniad Pennaeth Ysgol neu Bennaeth Sefydliad ynghylch  
 Hawlogaeth ac i Ddileu Hawlogaeth  
 Entitlement: Headteacher's/Principal's Decisions as to Entitlement and to Remove  
 Entitlement**

**Y Llywydd:** Mae'r grŵp nesaf o welliannau, sef grŵp 3, hefyd yn ymdrin â hawlogaeth. Gwelliant 3 yw'r prif welliant yn y grŵp hwn. Mae hi ar dudalen 2 o'r rhestr o welliannau mewn trefn. Galwaf ar y Dirprwy Weinidog i gynnig gwelliant 3 a siarad am y gwelliannau eraill yn y grŵp.

**John Griffiths:** I move amendment 3 in my name.

*Cafodd gwelliannau 3, 4, 5, 6, 10, a 11 eu grwpio ar gyfer y drafodaeth.  
 Amendments 3, 4, 5, 6, 10, and 11 grouped for debate.*

These are technical amendments. Amendments 3 and 5 are simply made to ensure clarity by avoiding any possible ambiguity arising from having different wording in provisions that have the same

**The Presiding Officer:** The next group of amendments, group 3, also relates to entitlement. Amendment 3 is the lead amendment in this group. It is on page 2 of the marshalled list. I call on the Deputy Minister to move amendment 3 and to speak to the other amendments in the group.

**John Griffiths:** Cynigiau welliant 3 yn fy enw i.

Gwelliannau technegol yw'r rhain. Unig ddiben gwneud gwelliannau 3 a 5 yw sicrhau eglurder drwy osgoi unrhyw amwysedd posibl a gyfyd o'r geiriad gwahanol sydd yn y darpariaethau y mae iddynt yr un effeithiau

intended legal effect. Amendments 4, 6, 10 and 11 are proposed to ensure that the sections are grammatically correct.

**Y Llywydd:** Diolch yn fawr i'r Dirprwy Weinidog. Gwelaf nad oes unrhyw un yn dymuno siarad ar y grŵp hwn, felly nid oes dadl i'w hateb. Cymeraf fod y Dirprwy Weinidog am symud i bleidlais ar welliant 3. Y cwestiwn yw y dylid cytuno ar welliant 3. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 3 ei dderbyn.

*Derbyniwyd gwelliant 3.  
Amendment 3 agreed.*

**Y Llywydd:** Yn unol â'r rhestr o welliannau mewn trefn, awn ymlaen i waredu gwelliannau 4, 5 a 6, a gafodd eu trafod fel rhan o grŵp 3. Yr wyf yn gwahodd y Dirprwy Weinidog i gynnig gwelliant 4 yn ffurfiol.

**John Griffiths:** Cynigiau welliant 4 yn fy enw i.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 4. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 4 ei dderbyn.

*Derbyniwyd gwelliant 4.  
Amendment 4 agreed.*

**Y Llywydd:** Symudwn ymlaen i waredu gwelliant 5. Yr wyf yn gwahodd y Dirprwy Weinidog i gynnig gwelliant 5 yn ffurfiol.

**John Griffiths:** Cynigiau welliant 5 yn fy enw i.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 5. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 5 ei dderbyn.

*Derbyniwyd gwelliant 5.  
Amendment 5 agreed.*

**Y Llywydd:** Symudwn ymlaen i waredu gwelliant 6. Galwaf ar y Dirprwy Weinidog i gynnig gwelliant 6 yn ffurfiol.

cyfreithiol. Cynigir gwelliannau 4, 6, 10 ac 11 er mwyn sicrhau bod yr adrannau'n ramadegol gywir.

**The Presiding Officer:** Thank you, Deputy Minister. I see that no-one wishes to speak on this group, therefore there is no debate to respond to. I assume the Deputy Minister wishes to move to a vote on amendment 3. The question is that amendment 3 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, amendment 3 is therefore agreed.

**The Presiding Officer:** In accordance with the marshalled list, we come to dispose of amendments 4, 5 and 6, which were discussed as part of group 3. I invite the Deputy Minister to move amendment 4 formally.

**John Griffiths:** I move amendment 4 in my name.

**The Presiding Officer:** The question is that amendment 4 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, amendment 4 is therefore agreed.

**The Presiding Officer:** We move on to dispose of amendment 5. I invite the Deputy Minister to move amendment 5 formally.

**John Griffiths:** I move amendment 5 in my name.

**The Presiding Officer:** The question is that amendment 5 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, amendment 5 is therefore agreed.

**The Presiding Officer:** We now move to dispose of amendment 6. I call on the Deputy Minister to move amendment 6 formally.

**John Griffiths:** Cynigiaf welliant 6 yn fy enw i.

**John Griffiths:** I move amendment 6 in my name.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 6. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 6 ei dderbyn.

**The Presiding Officer:** The question is that amendment 6 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, amendment 6 is therefore agreed.

*Derbyniwyd gwelliant 6.  
Amendment 6 agreed.*

**Cydweithio—Cynllunio'r Cwricwlwm Lleol—Anghenion Dysgu Ychwanegol a Gweithio gydag Awdurdodau Addysg Lleol**  
**Joint Working—Planning the Local Curriculum—Additional Learning Needs and Working with Neighbouring Local Education Authorities**

**Y Llywydd:** Gwelliant 7 yw'r prif welliant yn y grŵp hwn, sydd ar dudalen 3 o'r rhestr o welliannau mewn trefn. Galwaf ar y Dirprwy Weinidog i gynnig gwelliant 7 a siarad am y gwelliannau eraill yn y grŵp.

**The Presiding Officer:** Amendment 7 is the lead amendment in this group, on page 3 of the marshalled list. I call on the Deputy Minister to move amendment 7 and to speak to the other amendments in the group.

**John Griffiths:** Cynigiaf welliant 7 yn fy enw i.

**John Griffiths:** I move amendment 7 in my name.

*Cafodd gwelliannau 7, 24 a 31 eu grwpio ar gyfer y drafodaeth.  
Amendments 7, 24, and 31 grouped for debate.*

This amendment is intended to delete the subsections on additional learning needs and on assisting neighbouring local education authorities with the planning of their curricula. These subsections were both inserted into the proposed Measure at Stage 2 by opposition amendments. They are both unnecessary and, for this reason, we propose to reverse them.

Bwriedir i'r gwelliant hwn ddileu'r isadrannau sy'n ymwneud ag anghenion dysgu ychwanegol a chynorthwyo awdurdodau addysg lleol cyffiniol i gynllunio eu cwricwla. Cynhwyswyd yr isadrannau hyn yn y Mesur arfaethedig yng Nghyfnod 2 gan welliannau'r gwrthbleidiau. Maent ill dau'n ddiangen ac am y rheswm hwnnw, cynigiwn eu gwrthdroi.

In respect of additional learning needs, the changes made fail to take into account the extensive body of law and statutory guidance already in existence relating to learners with additional learning needs. That body of law and guidance will continue to have effect alongside the proposed Measure and will apply to pupils who study courses that form part of the local curriculum. The Welsh Assembly Government's commitment in this area is well established and documented. I am confident, therefore, that there is sufficient statutory protection and guidance relating to learners with special educational needs and additional learning needs.

O ran anghenion dysgu ychwanegol, nid yw'r newidiadau a wnaethpwyd yn ystyried y corff helaeth o gyfreithiau a chanllawiau statudol sydd eisoes yn bodoli sy'n ymwneud â dysgwyr sydd ag anghenion dysgu ychwanegol. Bydd y corff hwnnw o gyfreithiau a chanllawiau'n dal i beri effeithiau ochr yn ochr â'r Mesur arfaethedig a bydd yn gymwys i ddisgyblion sy'n astudio cyrsiau sy'n rhan o'r cwricwlwm lleol. Mae ymrwymiad Llywodraeth Cynulliad Cymru yn y maes hwn wedi ei sefydlu a'i gofnodi ers tro byd. Yr wyf yn hyderus, felly, bod digon o amddiffyniad a chanllawiau statudol yn ymwneud â dysgwyr sydd ag anghenion

addysg arbennig ac anghenion dysgu ychwanegol.

3.50 p.m.

Our focus should be on ensuring that this protection and guidance is fully enforced in all areas of our work. It is not an issue that can be attached straightforwardly to just the 14 to 19 age range, as covered in the proposed Measure. As explained, the existing statutory framework will operate alongside the proposed Measure and it is the Government's view that this is the best way to ensure consistency of approach to the issues across the educational sector. These issues need to be addressed across all ages, so that no person is unfairly disadvantaged in terms of access to education or their attainment as a result of their educational experience. Ensuring that existing law, policy and guidance is implemented will mean that there will be no need for the original amendment 37 and therefore amendment 7, which I moved, reverses the amendment 37 that was agreed at Stage 2. While amendment 7 relates only to learners at key stage 4—in other words, learners in the 14 to 16 age range—amendment 31 aims to introduce a similar provision at key stage 5. For the reasons that I have already explained, similar considerations apply here also. In my view, it is an unnecessary provision and the Government will therefore also be opposing amendment 31.

On the issue of assisting neighbouring local education authorities, in moving amendment 7, I also propose to address amendment 24, which I shall be opposing on behalf of the Government. Amendment 7 is necessary because the proposed Measure, as originally introduced, provided for the possibility of cross-border co-operation and there is simply no need for the provision proposed under amendment 24. Indeed, existing guidance on 14-19 learning pathways also makes reference to the need for cross-border co-operation. In addition, Schedule 1 to the Education Act 2002 enables governing bodies to assist local education authorities in planning their curricula, whether or not the LEA is the authority for the particular school concerned. So, to conclude, subsection (5)

Dylem ganolbwyntio ar sicrhau bod yr amddiffyniad a'r canllawiau hynny'n cael eu gweithredu'n llawn ym mhob agwedd ar ein gwaith. Nid yw'n fater y gellir ei gymwhyso'n uniongyrchol i'r ystod oedran 14 hyd 19, fel y gwneir yn y Mesur arfaethedig. Fel yr eglurwyd, bydd y fframwaith statudol presennol yn gweithredu ochr yn ochr â'r Mesur arfaethedig ac mae'r Llywodraeth o'r farn mai dyma'r ffordd orau o sicrhau cysondeb dulliau yn y materion ar draws y sector addysgol. Mae angen ystyried y materion hyn ym mhob oedran, fel na fydd neb dan anfantais annheg o ran mynediad at addysg na'i gyrhaeddiad o ganlyniad i'w brofiad addysgol. Bydd sicrhau y caiff y gyfraith, y polisi a'r canllaw presennol eu gweithredu'n golygu na fydd angen gwelliant gwreiddiol 37 ac felly mae gwelliant 7, a gynigiwyd gennyf innau, yn gwrthdroi gwelliant 37 a gytunwyd arno yng Nghyfnod 2. Er bod gwelliant 7 yn ymwneud â dysgwyr yng nghyfnod allweddol 4 yn unig—sef, dysgwyr yn yr ystod oedran 14 hyd 16—mae gwelliant 31 yn ceisio cyflwyno darpariaeth debyg yng nghyfnod allweddol 5. Am y rhesymau a eglurais eisoes, mae ystyriaethau tebyg yn berthnasol yn y mater hwn hefyd. Yn fy marn i, mae'n ddarpariaeth ddiangen ac felly bydd y Llywodraeth yn gwrthwynebu gwelliant 31 hefyd.

Ynglŷn â mater cynorthwyo awdurdodau addysg lleol cyffiniol, wrth gynnig gwelliant 7, bwriadaf roi sylw i welliant 24 hefyd, yr hwn y byddaf yn ei wrthwynebu ar ran y Llywodraeth. Mae gwelliant 7 yn angenrheidiol oherwydd bod y Mesur arfaethedig, fel y'i cyflwynwyd yn wreiddiol, yn darparu ar gyfer posibilrwydd cydweithio ar draws ffiniau ac nid oes angen y ddarpariaeth a gynigir dan welliant 24. Yn wir, mae'r canllawiau presennol ar gyfer llwybrau dysgu 14-19 hefyd yn cyfeirio at yr angen i gydweithio ar draws ffiniau. Yn ogystal, mae Atodlen 1 i Ddeddf Addysg 2002 yn galluogi cyrff llywodraethol i gynorthwyo awdurdodau addysg lleol i gynllunio eu cwricwla, p'un a ai'r Awdurdod Addysg Lleol yw awdurdod yr ysgol neilltuol

would be completely unnecessary and may give rise to unintended consequences, such as cutting across this provision. Under the Further and Higher Education Act 1992, there are wide powers in sections 18 and 19 that enable the further education sector to provide the relevant assistance to a local education authority. So, not only would the deletion of subsection (5) not preclude any person or body from assisting in planning a local curriculum on a cross-border basis, but for these reasons it is highly desirable to restore the original draft. Indeed, there would be dangers in not doing so. The purpose of the Government's amendment 7 is not to prevent cross-border co-operation—just the opposite—but to take out an unnecessary subsection that can only confuse matters.

**Paul Davies:** I am delighted to be able to speak to amendment 24, tabled in my name and supported by Jenny Randerson, and to support amendment 31, tabled in the name of Jenny Randerson, and to argue against amendment 7 in the name of John Griffiths, all of which have been grouped for the purposes of this debate.

The purpose of amendment 24 is to ensure co-operation between neighbouring local authorities. It is to deal with the realities of life and to make it explicit that collaboration should not be restricted by local authority boundaries. It is true to say that it might already be happening in some cases, but this amendment will ensure that it happens in all cases. I would say that ensuring collaboration is important in relation to further education colleges. In reality, it is often most convenient for institutions, and for their learners, if co-operation is commenced and organised with their nearest neighbouring institution or institutions, which may be in different local education authority areas. This relates to curriculum planning guidance and the issues of ensuring, from learners' point of view, that whatever co-operation arrangements their main institution of learning is entering into are really convenient for them, so that we minimise, in many cases, the travel that they have to undertake. In a rural constituency like mine, not co-operating with the institutions closest to you simply because they are not in your local education authority area could mean learners having to

honno ai peidio. Felly, i grynhoi, byddai isadran (5) yn gwbl ddiangen a gallai esgor ar ganlyniadau anfwriedig, megis torri ar draws y ddarpariaeth hon. Dan Ddeddf Addysg Bellach ac Uwch 1992, mae pwerau eang yn adrannau 18 a 19 sy'n galluogi'r sector addysg bellach i ddarparu'r cymorth perthnasol i awdurdod addysg lleol. Felly, nid yn unig ni fyddai dileu isadran (5) yn atal neb na'r un corff rhag cynorthwyo cynllunio cwricwlwm lleol ar draws ffiniau, am y rhesymau hyn y mae'n fanteisiol adfer y drafft gwreiddiol. Yn wir, byddai peryglon o beidio â gwneud hynny. Nid atal cydweithio ar draws ffiniau yw pwrpas gwelliant 7 y Llywodraeth—i'r gwrthwyneb—ond dileu isadran ddiangen na wnaiff ddim byd ond peri dryswch.

**Paul Davies:** Yr wyf wrth fy modd o gael siarad ynghylch gwelliant 24, a gyflwynwyd yn fy enw innau ac a gefnogwyd gan Jenny Randerson, a chefnogi gwelliant 31, a gyflwynwyd yn enw Jenny Randerson, a dadlau yn erbyn gwelliant 7 yn enw John Griffiths, y cafodd pob un ei roddi yn yr un grŵp at ddibenion y ddadl hon.

Pwrpas gwelliant 24 yw sicrhau cydweithio rhwng awdurdodau lleol cyffiniol. Mae'n ymdrin â gwirioneddau bywyd a datgan yn glir na ddylai ffiniau awdurdodau lleol gyfyngu cydweithio. Mae'n wir dweud o bosib ei fod yn digwydd eisoes mewn rhai achosion, ond bydd y gwelliant hwn yn sicrhau y bydd yn gweithio ym mhob achos. Byddwn yn dweud bod sicrhau cydweithio'n bwysig o ran colegau addysg bellach. Mewn gwirionedd, yn aml iawn mae'n hynod gyfleus i sefydliadau, ac i'w dysgwyr, os oes cydweithio ar waith ac wedi ei drefnu gyda'r sefydliad neu'r sefydliadau cyffiniol agosaf, a all fod mewn ardal awdurdod lleol gwahanol. Mae a wnelo hyn â chanllawiau cynllunio'r cwricwlwm a materion sy'n ymwneud â sicrhau, o safbwynt y dysgwyr, bod y trefniadau cydweithio y bydd eu prif sefydliad dysgu'n eu gwneud yn gyfleus iawn iddynt, er mwyn lleihau, mewn nifer o achosion, y teithio y mae'n rhaid iddynt ei wneud. Mewn etholaeth wledig fel fy un innau, pe na baech yn cydweithio â'r sefydliadau sydd agosaf atoch am y rheswm syml nad ydynt yn ardal eich awdurdod addysg lleol, gallai hynny olygu bod dysgwyr

travel considerable distances.

**Jeff Cuthbert:** You just said that this would strengthen the regime of assistance across Wales, or words to that effect, but the actual wording of your amendment is:

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

So, they may or they may not. How does that strengthen the provision?

**Paul Davies:** I will come to that. This amendment has been tabled with the convenience of the learner in mind. Collaboration will, for example, ensure that lecturers can travel to neighbouring learning institutions so that the learner does not have to travel long distances. The intention of this amendment is to make it easy to build on a situation where co-operation has already existed and to make it explicit that people should not be tied to local education authority boundaries. The proposed Measure specifies work within a local authority area and the clear intention was that that should be expanded.

The Stage 1 committee—you chaired that committee—stated that there should be a duty to collaborate rather than a duty to consider collaboration. It is therefore essential that my amendment is agreed for that reason. On supporting Jenny’s amendment 31, it is clear from the work that was done by the Stage 1 committee that the needs of students with additional learning needs should be addressed in the proposed Measure. I understand that the committee identified that as an issue of concern when it took evidence. If we are serious about providing a curriculum that expands opportunities for all learners, the challenges of those with additional learning needs cannot, and should not, be overlooked.

Agreeing this amendment would mean that the proposed Measure would state that the Assembly is taking a particular interest in those with additional learning needs and that it recognises that those people face

yn gorfod teithio’n bell iawn.

**Jeff Cuthbert:** Yr ydych newydd ddweud y byddai hyn yn cryfhau’r drefn gymorth ledled Cymru, neu ryw eiriau i’r perwyl hynny, ond dyma union eiriad eich gwelliant:

‘Caiff awdurdodau addysg lleol, a’r rhai a enwir yn isadran (1), gynorthwyo’r broses o gynllunio cwricwla lleol ardaloedd awdurdodau lleol cyffiniol.’

Felly, mae’n bosibl y gwnânt hynny ac mae’n bosibl na wnânt hynny. Sut y mae hynny’n cryfhau’r ddarpariaeth?

**Paul Davies:** Dof at hynny. Cyflwynwyd y gwelliant hwn er cyfleustra’r dysgwr. Bydd cydweithio, er enghraifft, yn sicrhau y gall darlithwyr deithio i sefydliadau dysgu cyffiniol fel na fydd raid i’r dysgwr deithio’n bell. Bwriad y gwelliant hwn yw ei gwneud yn hawdd meithrin sefyllfa lle bu cydweithio o’r blaen a’i gwneud yn glir na ddylid clymu pobl i ffiniau awdurdodau addysg lleol. Mae’r Mesur arfaethedig yn pennu gwaith o fewn ardal awdurdod lleol a’r bwriad clir oedd y dylid ehangu ar hynny.

Dywedodd pwyllgor Cyfnod 1—chi a gadeiriodd y pwyllgor hwnnw—y dylai fod dyletswydd i gydweithio yn hytrach na dyletswydd i ystyried cydweithio. Felly mae’n hanfodol cydsynio i’w gwelliant am y rheswm hwnnw. O gefnogi gwelliant 31 Jenny, mae’n amlwg o’r gwaith a wnaethpwyd gan y pwyllgor Cyfnod 1 y dylid rhoi sylw i fyfyrwyr sydd ag anghenion dysgu ychwanegol yn y Mesur arfaethedig. Deallaf i’r pwyllgor nodi hwnnw’n fater o bryder pan fu’n cymryd tystiolaeth. Os ydym o ddifrif ynghylch darparu cwricwlwm a fydd yn ehangu cyfleoedd pob dysgwr, ni allwn anghofio, yn wir mae’n rhaid inni beidio ag anghofio’r heriau sy’n wynebu’r rhai sydd ag anghenion dysgu ychwanegol.

Byddai cydsynio i’r gwelliant hwn yn golygu y byddai’r Mesur arfaethedig yn datgan bod y Cynulliad yn cymryd diddordeb neilltuol yn y rhai sydd ag anghenion dysgu ychwanegol a’i fod yn cydnabod bod y bobl hynny’n

challenges, and that it would expect those persons listed in section 116(h)(1) of the Education Act 2002 to take account of those needs in considering the requirements of learners and the responsibilities of institutions. That would make it consistent with a range of other legislation that refers to the responsibilities of authorities to provide for those with special needs and to ensure that the needs of children with SEN are met. This proposed Measure is consistent with a host of legislation and regulations that have been passed by this institution and, in agreeing this amendment, we would be ensuring that we make a clear statement that we expect the needs of those pupils with additional learning needs to be taken fully into consideration when planning the curriculum or curricula and I hope that Members will support amendments 24 and 31.

**Janet Ryder:** I will oppose the Government's amendment 7 and support amendments 24 and 31. I wholeheartedly support what Paul Davies has just said. We must, if we are writing a new educational Measure like this, put the needs of those with special needs first—not necessarily the needs of those who attend special needs schools in particular, but of those many pupils who attend mainstream education but need additional support. That may happen in schools, but I fear, unfortunately, that many colleges, while they are starting to address the situation, still have a long way to go. There are many concerns for pupils who may attend colleges under these circumstances that the support that they would find in a school setting will not be provided and also concerns about what will happen to them. We must put that at the heart of this and ensure that special needs are especially catered for.

**Jenny Randerson:** I rise to resist the Government's amendment 7, which will undo much of the good work that we did in the Stage 2 committee, and to support amendment 24 in the name of Paul Davies, as well as to speak to my amendment 31.

wynebu heriau, ac y byddai'n disgwyl i'r rhai a restrir yn adran 116(h)(1) o Ddeddf Addysg 2002 ystyried yr anghenion hynny wrth ystyried gofynion y dysgwyr a chyfrifoldebau'r sefydliadau. Byddai hynny'n ei wneud yn gyson ag amrywiol ddeddfau eraill sy'n cyfeirio at gyfrifoldebau awdurdodau i ddarparu ar gyfer rhai sydd ag anghenion arbennig a sicrhau y cyflawnir anghenion plant sydd ag anghenion addysg arbennig. Mae'r Mesur hwn yn gyson ag amrywiol ddeddfau a rheoliadau a basiwyd gan y sefydliad hwn ac, o gydsynio i'r gwelliant hwn, byddem yn sicrhau ein bod yn gwneud datganiad clir ein bod yn disgwyl i anghenion y disgyblion hynny sydd ag anghenion dysgu ychwanegol gael eu hystyried yn llawn wrth gynllunio'r cwricwlwm neu'r cwricwla a gobeithiaf y bydd yr Aelodau'n cefnogi gwelliannau 24 a 31.

**Janet Ryder:** Byddaf yn gwrthwynebu gwelliant 7 y Llywodraeth ac yn cefnogi gwelliannau 24 a 31. Yr wyf yn llwyr gefnogi'r hyn y mae Paul Davies newydd ei ddweud. Os ydym am lunio Mesur addysgol newydd fel hwn, mae'n rhaid inni roi blaenoriaeth i'r rhai sydd ag anghenion addysgol arbennig—nid o angenrheidrwydd anghenion y rhai sy'n mynychu ysgolion anghenion arbennig yn benodol, ond y disgyblion niferus hynny sy'n cael addysg y brif ffrwd ond y mae angen cefnogaeth ychwanegol arnynt. Efallai fod hynny'n digwydd yn yr ysgolion, ond ofnaf, yn anffodus, nad yw llawer o golegau, er eu bod yn dechrau rhoi sylw i'r mater, yn gwneud digon yn hyn o beth. Mae nifer o bryderon am ddisgyblion a allai fynychu colegau dan yr amgylchiadau hyn heb gael y gefnogaeth y byddent yn ei chael mewn ysgol a phryderon hefyd ynglŷn â'r hyn a fydd yn digwydd iddynt. Mae'n rhaid inni roi blaenoriaeth i hynny a sicrhau y darperir ar gyfer anghenion arbennig yn benodol.

**Jenny Randerson:** Yr wyf yn codi i wrthwynebu gwelliant 7 y Llywodraeth, a wnaiff ddadwneud llawer o'r gwaith da a wnaethom yn y pwyllgor Cyfnod 2, ac i gefnogi gwelliant 24 yn enw Paul Davies, ynghyd â thraethu ynghylch fy ngwelliant innau sef gwelliant rhif 31.



My amendment seeks to extend the need to take additional learning needs into account at key stage 4. That was already accepted by the committee for key stage 3 and I am pleased that Janet has, again, decided to support that.

I cannot imagine why the Government is resisting a commitment to take the needs of learners with additional learning needs into account.

4.00 p.m.

The committees at Stages 1 and 2 found that the needs of learners with additional learning needs must be addressed by the proposed Measure. The evidence that the committee took at Stage 1 showed clearly that the proposed Measure was considered to be far too vague on additional learning needs and that it was taking far too much on assumption. We are talking about very vulnerable learners. It is interesting that, in England, vast sums of additional money have been pumped into the further education system in the past year or so to support children and young people with additional learning needs. The quality of the courses is rising considerably as a result, and the numbers of such young people within the system have increased because institutions are better able to provide what they need.

Just imagine yourself as a 16-year-old, going from school to college and being pitched into the hurly-burly of further education. If you had significant additional learning needs, you would need even greater support to survive and make the best of the situation. Such young people need stability, the flexibility that additional support would give them, and a great deal more attention in many cases than the average student. Therefore, why on earth you do not support the idea of designating this responsibility, I cannot imagine.

Turning briefly to Paul Davies's amendment, there are huge issues of practicality with regard to cross-border working. Very often,

Mae fy ngwelliant yn ceisio ymestyn yr angen i ystyried anghenion dysgu ychwanegol yng nghyfnod allweddol 4. Yr oedd y pwyllgor eisoes wedi derbyn hynny ar gyfer cyfnod allweddol 3 ac yr wyf yn falch bod Janet, unwaith yn rhagor, wedi penderfynu cefnogi hynny.

Ni allaf ddychmygu pam y mae'r Llywodraeth yn gwrthwynebu ymrwymiad i ystyried anghenion dysgwyr sydd ag anghenion dysgu ychwanegol.

Canfu'r pwyllgorau yng Nghyfnodau 1 a 2 ei bod yn rhaid i'r Mesur arfaethedig ymdrin ag anghenion dysgwyr y mae ganddynt anghenion dysgu ychwanegol. Yr oedd y dystiolaeth y bu i'r pwyllgor wrando arni yng Nghyfnod 1 yn dangos yn glir yr ystyrid bod y Mesur arfaethedig yn llawer rhy amwys ynghylch anghenion dysgu ychwanegol a'i fod yn tybio llawer gormod. Yr ydym yn sôn am ddysgwyr hynod o fregus. Mae'n ddi-ddorol, yn Lloegr, bod symiau aruthrol o arian ychwanegol wedi'u rhoi i'r system addysg bellach yn ystod y flwyddyn ddiwethaf, fwy neu lai, i gefnogi plant a phobl ifanc y mae ganddynt anghenion dysgu ychwanegol. Mae ansawdd y cyrsiau'n codi'n sylweddol yn sgil hynny, ac mae niferoedd y bobl ifanc o'r fath o fewn y system wedi cynyddu oherwydd bod sefydliadau mewn gwell sefyllfa i ddarparu'r hyn y mae arnynt ei angen.

Dychmygwch eich hun yn 16 mlwydd oed, yn mynd o'r ysgol i goleg ac yn cael eich taflu i ganol holl firi addysg bellach. Pe bai gennych anghenion dysgu ychwanegol sylweddol, byddai arnoch angen hyd yn oed mwy o gefnogaeth er mwyn goroesi a gwneud y gorau o'r sefyllfa. Mae ar bobl ifanc o'r fath angen sefydlogrwydd, yr hyblygrwydd y byddai cefnogaeth ychwanegol yn ei roi iddynt, a llawer mwy o sylw na'r myfyriwr cyffredin mewn llawer o achosion. Felly, ni allaf ddychmygu pam ar y ddaear nad ydych yn cefnogi'r syniad o bennu'r cyfrifoldeb hwn.

Gan droi'n gryno at welliant Paul Davies, ceir materion aruthrol yn ymwneud ag ymarferoldeb o ran gweithio ar draws ffiniau.

particularly in rural areas, it is much easier to collaborate across borders than within your own borders, and yet, given the crucial role of local education authorities within this legislation, there will be a natural instinct for them to look inwards rather than go for cross-border collaboration.

**Michael German:** I wonder whether you have seen the legal advice from the Assembly Parliamentary Service, which says that the existing provisions on cross-border working, such as the Education Act 2002 and the Further and Higher Education Act 1992, would be limited by this proposed Measure, and particularly—and I invite Members to consult their copies of the legislation—by sections 11(1) and 11(4), section 12(4), section 29 and section 30, with the new section 33J(4) that it would insert into the Learning and Skills Act 2000. Have you seen that advice, and would you urge Members to look at it?

**Jenny Randerson:** Yes, I saw the advice, and I looked at it very carefully at the time. It seems that we need this amendment to ensure that we achieve absolute clarity, because this piece of legislation is confusing. It refers to something being ‘maintained by the authority’ and to further education institutions ‘in the authority’s area’. It is assuming that everything is done within that one authority area, and it sets things on a course to work within the boundaries of an individual authority. Earlier, we heard Jeff Cuthbert arguing that we were still doing everything on the basis of individual learning institutions, albeit that it could be a school or a college. Therefore, there is real confusion building around this piece of legislation and Government policy over whether the Government really wants people to look beyond their immediate horizons or to stay within the parameters that we have been working within, in most cases, until now.

Finally, I spoke about rural areas and cross-border working, but I would point out that, in Cardiff, those who live on the western edge of the city have long looked for their further education to Barry College and not to Coleg

Yn aml iawn, yn enwedig mewn ardaloedd gwledig, mae’n llawer haws cydweithio ar draws ffiniau nag o fewn eich ffiniau eich hun, ac eto, ac ystyried swyddogaeth hollbwysig awdurdodau addysg lleol yn y ddeddfwriaeth hon, bydd greddf naturiol iddynt edrych tuag i mewn yn hytrach na dewis cydweithio ar draws ffiniau.

**Michael German:** Tybed a ydych wedi gweld y cyngor cyfreithiol gan Wasanaeth Seneddol y Cynulliad, sy’n dweud y byddai’r darpariaethau presennol ar weithio ar draws ffiniau, megis Deddf Addysg 2002 a Deddf Addysg Bellach ac Uwch 1992, yn cael eu cyfyngu gan y Mesur arfaethedig hwn, ac yn enwedig—a gwahoddaf yr Aelodau i edrych ar eu copïau o’r ddeddfwriaeth—gan adrannau 11(1) ac 11(4), adran 12(4), adran 29 ac adran 30, gyda’r adran 33J(4) newydd y byddai’n ei chynnwys yn Neddf Dysgu a Sgiliau 2000. A ydych wedi gweld y cyngor hwnnw, ac a fydddech yn annog yr Aelodau i edrych arno?

**Jenny Randerson:** Do, gwelais y cyngor, ac edrychais arno’n hynod o ofalus ar y pryd. Ymddengys fod arnom angen y gwelliant hwn er mwyn sicrhau ein bod yn cael eglurder llwyr, oherwydd mae’r darn hwn o ddeddfwriaeth yn ddryslyd. Mae’n cyfeirio at rywbeth sy’n ‘*maintained by the authority*’ ac at sefydliadau addysg bellach ‘*in the authority’s area*’. Mae’n cymryd yn ganiataol bod popeth yn cael ei wneud o fewn ardal yr un awdurdod hwnnw, ac mae’n gosod pethau ar drywydd i weithio o fewn ffiniau awdurdod unigol. Yn gynharach, clywsom Jeff Cuthbert yn dadlau ein bod yn dal i wneud popeth ar sail sefydliadau dysgu unigol, er y gallai fod yn ysgol neu’n goleg. Felly, mae gwir ddryswch yn crynhoi ynghylch y darn hwn o ddeddfwriaeth a pholisi’r Llywodraeth o safbwynt a oes ar y Llywodraeth eisïau i bobl, mewn gwirionedd, edrych y tu hwnt i’w gorwelion uniongyrchol ynteu aros o fewn y ffiniau yr ydym wedi bod yn gweithio oddi mewn iddynt, yn y rhan fwyaf o achosion, hyd yn hyn.

Yn olaf, siaradais am ardaloedd gwledig a gweithio ar draws ffiniau, ond hoffwn nodi, yng Nghaerdydd, bod y rheini sy’n byw ar gyrion gorllewinol y ddinas wedi edrych tua Choleg y Barri yn hytrach na Choleg Glan

Glan Hafren, simply because it is much closer. That natural co-operation has existed there, but there are huge problems with Welsh-medium education for the different authorities that make up the old Gwent. Working across borders has been essential there. If you do not make it explicit in this legislation, you will get immense confusion in the future.

**Y Llywydd:** Galwaf ar y Dirprwy Weinidog i ateb y ddatgan ar grŵp 4.

**John Griffiths:** This proposed Measure, without the opposition amendments, enables cross-border co-operation. That is currently taking place across Wales and will continue to do so when the proposed Measure is passed without the opposition amendments. That is why I say that they are unnecessary. While I well understand the statements made about the importance of additional learning needs, which none of us would digress from or dispute in any way, we are not dealing with the making of statements here; we are dealing with the making of law. We have to make sure that the law that we pass has the effect that we intend.

**Janet Ryder:** I do not think that anyone is talking about the making of statements for special educational needs; we are talking about support for those students. Many students have additional learning needs even though they do not have a statement. I know that you are aware of this personally, because I have raised it with you before. There are many issues that surround transition now, when a pupil may move from school to college at 16 years of age. If we were to bring that age down to 14, without the support being there in the college, we could be making the situation worse for those students. That is why this situation should really have been addressed.

**John Griffiths:** It was said just now, Janet, that there was a need to make a statement about additional learning needs and about the Welsh Assembly Government's commitment,

Hafren i gael eu haddysg bellach ers tro byd, a hynny'n syml oherwydd ei fod yn agosach o lawer. Mae'r cydweithio naturiol hwnnw wedi bodoli yno, ond ceir problemau aruthrol o ran addysg cyfrwng Cymraeg i'r gwahanol awdurdodau sy'n rhan o'r hen Went. Bu gweithio ar draws ffiniau yn hanfodol yno. Os nad ydych yn ei ddatgan yn eglur yn y ddeddfwriaeth hon, bydd gennych ddrysychwch aruthrol yn y dyfodol.

**The Presiding Officer:** I call on the Deputy Minister to respond to the debate on group 4.

**John Griffiths:** Mae'r Mesur arfaethedig hwn, heb welliannau'r gwrthbleidiau, yn galluogi cydweithio ar draws ffiniau. Mae hynny'n digwydd ledled Cymru ar hyn o bryd a bydd yn parhau i ddigwydd pan fydd y Mesur arfaethedig yn cael ei basio heb welliannau'r gwrthbleidiau. Dyna pam yr wyf yn dweud eu bod yn ddiangen. Er fy mod yn deall yn llwyr y datganiadau a wnaethpwyd ynghylch pwysigrwydd anghenion dysgu ychwanegol, na fyddai unrhyw un ohonom yn pellhau oddi wrthynt nac yn dadlau â hwy mewn unrhyw fodd, nid ymdrin â gwneud datganiadau yr ydym yma; yr ydym yn ymdrin â gwneud deddf. Mae'n rhaid inni sicrhau bod y ddeddf yr ydym yn ei phasio yn cael yr effaith yr ydym yn ei bwriadu ar ei chyfer.

**Janet Ryder:** Ni chredaf fod neb yn sôn am wneud datganiadau ar gyfer anghenion addysgol arbennig; yr ydym yn sôn am gefnogaeth i'r myfyrwyr hynny. Mae gan lawer o fyfyrwyr anghenion dysgu ychwanegol er nad oes ganddynt ddatganiad. Gwn eich bod yn ymwybodol o hyn yn bersonol, oherwydd yr wyf wedi'i godi gyda chi o'r blaen. Ceir llawer o faterion ynghylch pontio yn awr, pan mae disgybl, o bosibl, yn symud o'r ysgol i'r coleg ac yntau'n 16 mlwydd oed. Pe baem yn gostwng yr oedran hwnnw i 14, heb i'r gefnogaeth fod ar gael yn y coleg, gallem fod yn gwneud y sefyllfa'n waeth i'r myfyrwyr hynny. Dyna pam y dylid, mewn gwirionedd, bod wedi ymdrin â'r sefyllfa hon.

**John Griffiths:** Dywedwyd gynnaau, Janet, bod angen gwneud datganiad am anghenion dysgu ychwanegol ac am ymrwymiad Llywodraeth Cynulliad Cymru, drwy'r Mesur

through this proposed Measure, which is why I raised that point. Of course it is about providing services, which is why we say that these issues are best dealt with in the round. We talk about mainstreaming provision for those with additional learning needs or special educational needs, and that is why these issues are dealt with in the round by a body of existing legislation and guidance that do just that. They deal with these issues for all age groups throughout the education process.

Having said that, we intend to include statutory guidance on planning the local curriculum that will make special reference to learners with additional learning needs, and to the existing and proposed legislation on additional learning needs. Therefore, we will seek to knit the proposed Measure in with the wider body of existing provision. That is the approach that we want to see. There is a wealth of legislation and guidance that is applicable and covers the 14 to 19 age ranges. Anything that we do has to be compatible with that. For example, we have a code of practice stating that schools must ensure that a pupil with special educational needs joins in the activities at the school. There is special education, inclusion and pupil support guidance. There is much that deals with these areas, including a wealth of Acts of the UK Parliament. We want to continue with that mainstreaming approach and make sure that what we do adds value to what is already there. That is what the statutory guidance that we propose would seek to do.

On the legal advice, as an ex-lawyer, I well know that it is possible for lawyers to come to different conclusions and provide different advice, even given the same subject matter and the same material to look at. As a member of the Government, I am therefore confident in our Government lawyers.

**Y Llywydd:** Ddirprwy Weinidog, a hoffech

arfaethedig hwn, a dyna pam y codais y pwynt hwnnw. Mae'n ymwneud â darparu gwasanaethau, wrth gwrs, a dyna pam yr ydym yn dweud mai'r ffordd orau o ymdrin â'r materion hyn yw yn eu cyfanwydd. Yr ydym yn sôn am gynnwys darpariaeth i'r rheini y mae ganddynt anghenion dysgu ychwanegol neu anghenion addysgol arbennig yn rhan o'r brif ffrwd, a dyna pam yr ymdrinnir â'r materion hyn yn eu cyfanwydd gan gorff o ddeddfwriaeth a chanllawiau sy'n bodoli eisoes ac sy'n gwneud hynny'n union. Maent yn ymdrin â'r materion hyn i bob grŵp oedran drwy gydol y broses addysg.

Wedi dweud hynny, yr ydym yn bwriadu cynnwys canllawiau statudol ar gynllunio'r cwricwlwm lleol a fydd yn cyfeirio'n arbennig at ddysgwyr y mae ganddynt anghenion dysgu ychwanegol, ac at y ddeddfwriaeth bresennol ac arfaethedig ar anghenion dysgu ychwanegol. Felly, byddwn yn ceisio plethu'r Mesur arfaethedig â'r corff ehangach o ddarpariaeth sy'n bodoli eisoes. Dyna'r dull o weithio y mae arnom eisiau ei weld. Ceir cyfoeth o ddeddfwriaeth a chanllawiau sy'n berthnasol ac sy'n cwmpasu'r ystod oedran 14 i 19. Mae'n rhaid i unrhyw beth a wnawn fod yn gydnaws â hynny. Er enghraifft, mae gennym god ymarfer sy'n datgan ei bod yn rhaid i ysgolion sicrhau bod disgybl y mae ganddo anghenion addysgol arbennig yn ymuno â'r gweithgareddau yn yr ysgol. Ceir canllawiau ar addysg arbennig, cynhwysiant a chefnogi disgyblion. Ceir llawer iawn sy'n ymdrin â'r meysydd hyn, gan gynnwys llun o Ddeddfau gan Senedd y DU. Mae arnom eisiau parhau â'r dull hwnnw o gynnwys y materion hyn yn y brif ffrwd a sicrhau bod yr hyn yr ydym yn ei wneud yn ychwanegu gwerth at yr hyn sydd ar gael eisoes. Dyna'r hyn y byddai'r canllawiau statudol yr ydym yn ei gynnig yn ceisio'i wneud.

O ran y cyngor cyfreithiol, fel cyn gyfreithiwr, gwn yn iawn ei bod yn bosibl i gyfreithwyr ddod i wahanol gasgliadau a rhoi gwahanol gyngor, hyd yn oed os rhoddir yr un pwnc a'r un deunydd iddynt edrych arno. Fel aelod o'r Llywodraeth, mae gennyf hyder felly yng nghyfreithwyr ein Llywodraeth.

**The Presiding Officer:** Deputy Minister, do

symud i bleidlais ar welliant 7? Gwelaf yr hoffech. Y cwestiwn yw y dylid cytuno ar welliant 7. A oes gwrthwynebiad? Gwelaf fod gwrthwynebiad. Felly, symudwn i bleidlais.

you wish to move to a vote on amendment 7? I see that you do. The question is that amendment 7 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 7: O blaid 34, Ymatal 1, Yn erbyn 14.  
Amendment 7: For 34, Abstain 1, Against 14.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Andrews, Leighton  
Asghar, Mohammad  
Barrett, Lorraine  
Chapman, Christine  
Cuthbert, Jeff  
Davidson, Jane  
Davies, Alun  
Davies, Andrew  
Davies, Jocelyn  
Evans, Nerys  
Franks, Chris  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
James, Irene  
Jenkins, Bethan  
Jones, Alun Ffred  
Jones, Ann  
Jones, Carwyn  
Jones, Elin  
Jones, Gareth  
Jones, Ieuan Wyn  
Lewis, Huw  
Lloyd, David  
Lloyd, Val  
Mewies, Sandy  
Morgan, Rhodri  
Sargeant, Carl  
Thomas, Gwenda  
Thomas, Rhodri Glyn  
Wood, Leanne

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Bates, Mick  
Black, Peter  
Bourne, Nick  
Cairns, Alun  
Davies, Andrew R.T.  
Davies, Paul  
German, Michael  
Graham, William  
Melding, David  
Millar, Darren  
Morgan, Jonathan  
Randerson, Jenny  
Ryder, Janet  
Williams, Kirsty

Ymataliodd yr Aelodau canlynol:  
The following Members abstained:

Isherwood, Mark

*Derbyniwyd gwelliant 7.  
Amendment 7 agreed.*

4.10 p.m.

**Cydweithio—Cynllunio'r Cwricwlwm Lleol—Sgiliau Sylfaenol  
Joint working—Planning the Local Curriculum—Basic Skills**

**Y Llywydd:** Gan ein bod wedi gwaredu gwelliant 7, yr ydym bellach wedi cyrraedd grŵp 5, sy'n ymwneud â chydweithio a'r

**The Presiding Officer:** Given that we have disposed of amendment 7, we now come to group 5, on joint working and the need to

angen i ddarparu lefel o sgiliau sylfaenol wrth gynllunio'r cwricwlwm lleol. Gwelliant 33 yw'r prif welliant yn y grŵp hwn, sydd ar dudalen 3 o'r gwelliannau yn eu trefn. Galwaf ar Jenny Randerson i gynnig gwelliant 33.

**Jenny Randerson:** I move amendment 33 in my name and with the name of Paul Davies in support.

*Cafodd gwelliannau 33 a 34 eu grwpio ar gyfer y drafodaeth.  
Amendments 33 and 34 grouped for debate.*

These amendments are designed to ensure that basic skills—defined, according to the Government's definition, as reading, writing and mathematics—are taken into account during the planning of the local curriculum. At Stage 1, the Measure committee clearly stated that basic skills should be included within it:

'We also recommend that the proposed Measure should place more accountability on head teachers and principals to achieve a certain level of basic skills among pupils rather than just a duty to consider co-operation'.

That was the clear view of the committee. It was, in turn, echoing the recommendations of the Webb review. In his review, Sir Adrian Webb recommended that key stakeholders, namely headteachers and principals, should face a duty to promote basic skills. Within the scope of this proposed Measure, it is not practical to pursue amendments in precisely that way. Therefore, I have turned it around and approached it by seeking to ensure that they are enshrined in the planning of the local curriculum. If you think about it, it is very tough for principals and headteachers to be obliged to ensure that every pupil attains basic skills, because, by definition, some pupils and students will be unable to achieve them. However, it is not in any way unreasonable or unjust to expect them to enshrine those basic skills in the local curriculum. That is what this amendment 33 says.

provide a level of basic skills in planning the local curriculum. The lead amendment in this group is amendment 33, on page 3 of the marshalled list. I call on Jenny Randerson to move amendment 33.

**Jenny Randerson:** Cynigaf welliant 33 yn fy enw i a chydag enw Paul Davies yn ei gefnogi.

Nod y gwelliannau hyn yw sicrhau bod sgiliau sylfaenol—sydd wedi'u diffinio, yn unol â diffiniad y Llywodraeth, fel darllen, ysgrifennu a mathemateg—yn cael eu hystyried wrth gynllunio'r cwricwlwm lleol. Yng Nghyfnod 1, bu i bwyllgor y Mesur ddatgan yn glir y dylai sgiliau sylfaenol gael eu cynnwys o'i fewn:

'Yr ydym hefyd yn argymhell y dylai'r Mesur arfaethedig osod mwy o atebolrwydd ar bennaethiaid ysgolion a phenaethiaid sefydliadau i sicrhau lefel benodol o sgiliau sylfaenol ymhlith disgyblion yn hytrach na dim ond dyletswydd i ystyried cydlafurio'.

Dyna oedd barn glir y pwyllgor. Yr oedd, yn ei dro, yn adleisio argymhellion adolygiad Webb. Yn ei adolygiad, bu i Syr Adrian Webb argymhell y dylai rhanddeiliaid allweddol, sef penaeithiaid ysgolion a phenaethiaid sefydliadau, wynebu dyletswydd i hyrwyddo sgiliau sylfaenol. O fewn cwmpas y Mesur arfaethedig hwn, nid yw'n ymarferol gofyn am welliannau yn y modd hwnnw'n union. Felly, yr wyf wedi'i droi ar ei ben ac wedi ymdrin ag ef drwy geisio sicrhau eu bod yn cael eu cynnwys wrth gynllunio'r cwricwlwm lleol. Os ystyriwch hyn, mae'n anodd iawn i bennaethiaid sefydliadau a phenaethiaid ysgolion orfod sicrhau bod pob disgybl yn ennill sgiliau sylfaenol, oherwydd, o reidrwydd, ni fydd rhai disgyblion a myfyrwyr yn gallu eu hennill. Fodd bynnag, nid yw'n afresymol nac yn anghyfiawn mewn unrhyw fodd disgwyl iddynt gynnwys y sgiliau sylfaenol hynny yn y cwricwlwm lleol. Dyna'r hyn y mae gwelliant 33 yn ei ddweud.

I am very surprised that the Government has not sought to table such an amendment itself. Given the rhetoric that we have had from the Government over the years about the importance of basic skills, I would have thought that it would be the first to line up to nail this as part of the proposed Measure. We have immense problems with basic skills in many cases in Wales. The education system is still producing young people who have not had a fair and reasonable opportunity to acquire basic skills, for a host of reasons. Day after day, when we debate here, we accept the fact that lower levels of income in Wales reflect lower levels of education. We will not achieve higher levels of employment and higher-level skills unless we get to grips with basic skills. I cannot understand why the Government is not happy with this amendment, or has not done something itself in this regard. I very much hope that Members will agree with my amendment and will support it.

**Paul Davies:** I am pleased to support amendments 33 and 34, tabled in the name of Jenny Randerson. In a proposed Measure that seeks to improve young people's access to educational opportunities, and to improve the potential range of courses that they might study in a number of settings, it is strange that it contains no discussion of the need to ensure a level of achievement, particularly in relation to basic skills. From a variety of studies that have been undertaken, and from a variety of pieces of evidence that the Assembly Government and the Assembly committees have gathered, we know that basic skills and achievement levels within basic skills remain a problem in certain parts of Wales and among certain groups of young people.

It is the one area that employers still complain about, and, regardless of all the educational achievements of the past 10 to 20 years, we are still struggling to provide an acceptable level of the most basic skills among those young people when they leave their education institutions.

As Jenny said, it has been made clear from one of the recommendations of the Stage 1

Mae'r ffaith nad yw'r Llywodraeth wedi ceisio cyflwyno gwelliant o'r fath ei hun yn peri cryn syndod imi. Ac ystyried y rhyngwylch yr ydym wedi'i chael gan y Llywodraeth dros y blynyddoedd ynghylch pwysigrwydd sgiliau sylfaenol, byddwn wedi dychmygu mai hi fyddai'r cyntaf i geisio hoelio hyn yn rhan o'r Mesur arfaethedig. Mae gennym broblemau aruthrol gyda sgiliau sylfaenol mewn sawl achos yng Nghymru. Mae'r system addysg yn dal i gynhyrchu pobl ifanc nad ydynt wedi cael cyfle teg a rhesymol i fagu sgiliau sylfaenol, am lu o resymau. Ddydd ar ôl dydd, pan fyddwn yn trafod yma, yr ydym yn derbyn y ffaith bod lefelau incwm is yng Nghymru yn adlewyrchu lefelau addysg is. Ni allwn sicrhau lefelau uwch o gyflogaeth a sgiliau ar lefel uwch oni bai ein bod yn mynd i'r afael â sgiliau sylfaenol. Ni allaf ddeall pam nad yw'r Llywodraeth yn fodlon â'r gwelliant hwn, na pham nad ydyw wedi gwneud rhywbeth ei hun ynghylch hyn. Gobeithiaf yn fawr y bydd yr Aelodau'n cytuno â'm gwelliant ac yn ei gefnogi.

**Paul Davies:** Mae'n bleser gennyf gefnogi gwelliannau 33 a 34, a gyflwynwyd yn enw Jenny Randerson. Mewn Mesur arfaethedig sy'n ceisio gwella mynediad pobl ifanc i gyfleoedd addysgol, a gwella ystod bosibl y cyrsiau y gallent eu hastudio mewn nifer o leoliadau, mae'n rhyfedd nad yw'n cynnwys dim trafodaeth ynghylch yr angen i sicrhau lefel cyrhaeddiad, yn enwedig yng nghyswllt sgiliau sylfaenol. Gwyddom, yn sgil amrywiaeth o astudiaethau sydd wedi'u cynnal, ac yn sgil amrywiaeth o ddarnau o dystiolaeth y mae Llywodraeth y Cynulliad a phwyllgorau'r Cynulliad wedi'u casglu, bod sgiliau sylfaenol a lefelau cyrhaeddiad o fewn sgiliau sylfaenol yn parhau i fod yn broblem mewn rhannau penodol o Gymru ac ymhlith grwpiau penodol o bobl ifanc.

Dyma'r un maes y mae cyflogwyr yn dal i gwyno amdano, ac, er gwaethaf holl gyflawniadau addysgol y 10 i'r 20 mlynedd diwethaf, yr ydym yn dal i gael trafferth darparu lefel dderbyniol o'r sgiliau mwyaf sylfaenol ymhlith y bobl ifanc hynny pan fyddant yn gadael eu sefydliadau addysg.

Fel y dywedodd Jenny, datganwyd yn eglur yn un o argymhellion adroddiad pwyllgor

committee report that the proposed Measure should place more accountability on headteachers and principals to achieve a certain level of basic skills among pupils. These amendments are fully in line with the committee's recommendation, and I hope that the Assembly Government sees sense, reconsiders and supports these amendments. I have no hesitation in supporting them, and I urge all Members to do so.

**Jeff Cuthbert:** I have a great deal of sympathy with what is in the amendments. However, Jenny, although you refer to basic skills, you do not mention 'basic skills', which is a well-understood and well-defined title, in your amendment, and neither do you refer to any particular levels of skills. There are different levels of basic skills, which give us more understanding. You say that there must be

'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'.

The words 'work and society' mean that this relates to pupils up to the age of 16 at key stage 4, and those aged 18 and 19 who have left school. It is that lack of clarity that causes me to doubt what is the real value of this particular amendment. What is meant by

'function and progress both in work and society',

in terms of education, which is what you have put forward? Why have you not referred to basic skills specifically, because that is an acceptable title that is understood in the world of education and training? You have left it vague and it is another example of an amendment that has not been thought through properly and is certainly most unhelpful.

**Peter Black:** I am actually quite stunned by that contribution by Jeff, because the amendments that I have in front of me refer quite clearly to the ability to read, write or

Cyfnod 1 y dylai'r Mesur arfaethedig wneud penaethiaid a phrifathrawon yn fwy atebol am sicrhau lefel benodol o sgiliau sylfaenol ymhlith disgyblion. Mae'r gwelliannau hyn yn unol ag argymhelliad y pwyllgor, a gobeithiaf y bydd Llywodraeth y Cynulliad yn gweld synnwyr, yn ailystyried ac yn cefnogi'r gwelliannau hyn. Nid wyf fi'n petruso o gwbl cyn eu cefnogi, ac anogaf bob Aelod i wneud hynny.

**Jeff Cuthbert:** Yr wyf yn cydymdeimlo'n fawr â'r hyn sydd yn y gwelliannau. Serch hynny, Jenny, er eich bod yn sôn am sgiliau sylfaenol, nid ydych yn cyfeirio yn eich gwelliant at 'sgiliau sylfaenol', sy'n deitl a ddeallir yn dda ac sydd wedi'i ddiffinio'n dda, ac nid ydych yn cyfeirio ychwaith at unrhyw lefelau penodol o sgiliau. Mae gwahanol lefelau o sgiliau sylfaenol, sy'n rhoi mwy o ddealltwriaeth inni. Yr ydych yn dweud ei bod yn rhaid

ystyried yr angen i sicrhau bod pob myfyriwr yn gallu darllen, ysgrifennu, neu siarad yn Gymraeg neu yn Saesneg a defnyddio mathemateg ar lefel sy'n angenrheidiol er mwyn gweithredu a gwneud cynnydd mewn gwaith a chymdeithas.

Mae'r geiriau 'gwaith a chymdeithas' yn golygu bod hyn yn ymwneud â disgyblion hyd at 16 oed yng nghyfnod allweddol 4, a phobl ifanc 18 a 19 oed sydd wedi gadael yr ysgol. Y diffyg eglurder hwnnw sy'n peri i mi amau beth yw gwir werth y gwelliant penodol hwn. Beth yw ystyr

gweithredu a gwneud cynnydd mewn gwaith a chymdeithas,

yng nghyd-destun addysg, sef yr hyn yr ydych wedi'i gyflwyno? Pam nad ydych wedi cyfeirio'n benodol at sgiliau sylfaenol, oherwydd mae hwnnw'n deitl derbyniol sy'n cael ei ddeall ym maes addysg a hyfforddiant? Yr ydych wedi'i adael yn amwys ac mae'n esiampl arall o welliant nad yw wedi'i ystyried yn briodol ac nad yw o unrhyw fudd o gwbl.

**Peter Black:** Yr wyf yn synnu a dweud y gwir at y cyfraniad hwnnw gan Jeff, oherwydd mae'r gwelliannau sydd gennyf fi o'm blaen yn cyfeirio'n berffaith glir at y



speak in English or Welsh and to use mathematics at a level necessary to function and progress both in work and society. I do not see anything that is vague about that. Jeff talked about basic skills, and a whole range of other jargon that often gets caught up in this debate. If you go out on the streets and talk to ordinary people or employers, what they actually want are people who can add up, read, write and use basic English or Welsh. That is clearly the intention of this amendment.

I am very disappointed that the Government is not prepared to support this amendment; I would have expected it to support it, given the needs of employers and the complaints that all Assembly Members receive about the fact that colleges, schools, and even universities, produce pupils and graduates who are unable to master basic skills such as reading, writing and arithmetic. There is a clear need to build this into curriculum planning. We need to ensure that we get that base level right in terms of planning how we deliver learning and skills. I would have hoped that the Government would accept that. It is not just me who is saying that; Sir Adrian Webb's conclusion in the report on this aspect stated that a duty is needed in terms of basic skills. By rejecting this amendment, the Government is also rejecting that clear recommendation by Sir Adrian Webb, whom I would have thought most Members would respect as someone who knows what he is talking about in this respect.

**Gareth Jones:** Do you agree that the current curriculum is overplanned?

**Peter Black:** It depends which curriculum you are referring to. We are talking about a particular curriculum for 14 to 19-year-olds, and the proposed learning and skills Measure, which is a very thick document that contains many clauses. If you are saying that that document is overplanning the curriculum, then I might be tempted to agree with you. Our problem in terms of the curriculum is

gallu i ddarllen, ysgrifennu neu siarad yn Gymraeg neu yn Saesneg ac i ddefnyddio mathemateg ar lefel sy'n angenrheidiol er mwyn gweithredu a gwneud cynnydd mewn gwaith a chymdeithas. Ni welaf ddim byd amwys yn hynny. Siaradodd Jeff am sgiliau sylfaenol, a llawer o eiriau jargon eraill sy'n codi'n aml yn y ddadl hon. Os ewch allan ar y strydoedd a siarad â phobl gyffredin neu gyflogwyr, yr hyn y mae arnynt ei eisiau mewn gwirionedd yw pobl sy'n gallu gwneud symiau, darllen, ysgrifennu a defnyddio Cymraeg neu Saesneg sylfaenol. Dyna'n sicr fwrriad y gwelliant hwn.

Yr wyf yn siomedig iawn nad yw'r Llywodraeth yn barod i gefnogi'r gwelliant hwn; byddwn wedi disgwyl iddi ei gefnogi, ac ystyried anghenion cyflogwyr a'r cwynion y mae pob Aelod Cynulliad yn eu cael ynglŷn â'r ffaith bod colegau, ysgolion, a phrifysgolion hyd yn oed, yn cynhyrchu disgyblion a graddedigion sy'n methu meistroli sgiliau sylfaenol megis darllen, ysgrifennu a rhifyddeg. Mae'n amlwg bod angen ymgorffori hyn yn y gwaith o gynllunio'r cwricwlwm. Mae angen inni sicrhau ein bod yn cael y lefel sylfaenol honno'n iawn wrth gynllunio sut yr ydym yn cyflenwi dysgu a sgiliau. Byddwn wedi gobeithio y byddai'r Llywodraeth yn derbyn hynny. Nid fi yw'r unig un sy'n dweud hynny; yr oedd casgliad Syr Adrian Webb yn yr adroddiad ar yr agwedd hon yn datgan bod angen dyletswydd yng nghyd-destun sgiliau sylfaenol. Drwy wrthod y gwelliant hwn, mae'r Llywodraeth hefyd yn gwrthod yr argymhelliad clir hwnnw gan Syr Adrian Webb, y byddwn wedi tybio y byddai'r rhan fwyaf o'r Aelodau'n ei barchu fel rhywun sy'n gwybod am beth y mae'n siarad yn y cyswllt hwn.

**Gareth Jones:** A ydych yn cytuno bod y cwricwlwm presennol wedi'i orgynllunio?

**Peter Black:** Mae'n dibynnu at ba gwricwlwm yr ydych yn cyfeirio. Yr ydym yn siarad am gwricwlwm penodol ar gyfer pobl ifanc 14 i 19 oed, a'r Mesur dysgu a sgiliau arfaethedig, sy'n ddogfen drwchus iawn ac sy'n cynnwys llawer o gymalau. Os ydych yn dweud bod y ddogfen honno'n gorgynllunio'r cwricwlwm, yna efallai y byddwn yn cael fy nhemtio i gytuno â chi.

that, yes, it is overplanned in one sense, but, on the other hand, not enough regard is given to placing an emphasis on people's ability to deliver basic skills, such as reading, writing and arithmetic. If we are going to produce such a Measure, I would hope that that is taken into account and that a clear duty is placed on FE colleges and schools to deliver on that particular aspect of the curriculum.

Ein problem yng nghyswllt y cwricwlwm yw ei fod wedi'i orgynllunio ar un ystyr, ond, ar y llaw arall, nid oes digon o sylw'n cael ei roi i'r syniad o roi pwyslais ar allu pobl i gyflenwi sgiliau sylfaenol, megis darllen, ysgrifennu a rhifyddeg. Os ydym yn mynd i lunio Mesur o'r fath, byddwn yn gobeithio bod hynny'n cael ei ystyried a bod dyletswydd bendant ar golegau AB ac ysgolion i gyflawni yng nghyswllt yr agwedd benodol honno ar y cwricwlwm.

4.20 p.m.

**John Griffiths:** No-one would dispute the importance of basic skills, and we all know that literacy and numeracy are essential if people are to function as citizens, as well as to enjoy success in education and training. We have an all-age basic skills strategy to take this forward effectively across the age ranges in education and training and throughout lifelong learning. We do not consider that this amendment is appropriate, and it would not add value to what is already in place. When we are making law, we must consider the precise effect of that law, and whether it would add value to what already exists.

**John Griffiths:** Ni fyddai neb yn cwestiynu pwysigrwydd sgiliau sylfaenol, ac mae pob un ohonom yn gwybod bod llythrennedd a rhifedd yn hanfodol os yw pobl am weithredu fel dinasyddion, yn ogystal â mwynhau llwyddiant mewn addysg a hyfforddiant. Mae gennym strategaeth sgiliau sylfaenol ar gyfer pob oedran er mwyn datblygu hyn yn effeithiol ym mhob ystod oedran mewn addysg a hyfforddiant ac ym mhob agwedd ar ddysgu gydol oes. Nid ydym yn credu bod y gwelliant hwn yn briodol, ac ni fyddai'n ychwanegu gwerth at yr hyn sy'n bodoli eisoes. Wrth wneud deddf, rhaid inni ystyried union effaith y ddeddf honno, ac a fyddai'n ychwanegu gwerth at yr hyn sy'n bodoli eisoes.

Looking at the relationship between the local and national curricula and developments in basic and key skills, we believe that we have provision in place to adequately address basic skills issues. The Education Reform Act 1988 sets out the requirements for a balanced and broadly based curriculum that prepares pupils for the opportunities, responsibilities and experiences of adult life. We now have a skills framework for Wales, covering ages 3 to 19 and beyond, providing guidance about continuity and progression in thinking, communication, information and communications technology. These are skills that will enable learners of any age to succeed in school, the workplace, at home and as citizens. They should be firmly embedded in all areas of the learning experience, and that is what this policy seeks to do.

Wrth edrych ar y cysylltiad rhwng y cwricwla lleol a chenedlaethol a datblygiadau mewn sgiliau sylfaenol ac allweddol, credwn fod gennym ddarpariaeth a all roi sylw digonol i faterion sgiliau sylfaenol. Mae Deddf Diwygio Addysg 1988 yn nodi'r gofynion ar gyfer cwricwlwm cytbwys â sail eang sy'n paratoi disgyblion ar gyfer cyfleoedd, cyfrifoldebau a phrofiadau bywyd fel oedolion. Mae gennym bellach fframwaith sgiliau ar gyfer Cymru, sy'n ymwneud â phlant a phobl ifanc o 3 i 19 oed a thu hwnt, gan ddarparu canllawiau ynglŷn â pharhad a datblygiad mewn meddylfryd, cyfathrebu, gwybodaeth a thechnoleg cyfathrebu. Mae'r rhain yn sgiliau a fydd yn galluogi dysgwyr o bob oed i lwyddo yn yr ysgol, yn y gweithle, gartref ac fel dinasyddion. Dylent fod wedi'u gwreiddio'n ddwfn ym mhob agwedd ar y profiad dysgu, a dyna beth y mae'r polisi hwn yn ceisio'i wneud.

The national curriculum in Wales is a Mae'r cwricwlwm cenedlaethol yng

framework that sets out what must be taught to children in schools and at what age. It provides a good grounding in language, mathematics and science, divided into core and foundation subjects. Emphasis is given to the core subjects of English, Welsh as a first or second language, mathematics and science. These are the subjects emphasised in this amendment. The new Orders under the skills framework for Wales and the national curriculum have been implemented by schools from September 2008, so we believe that we have in place the policies necessary to take forward basic skills in Wales.

The aims of this amendment are laudable—we would all sign up to develop and strengthen basic skills provision—but we do not believe that this amendment would have that effect.

**Jenny Randerson:** I will start by responding to Jeff. I am sorry that he feels so strongly about the concept of basic skills as expressed in this amendment, because it is exactly the Government's own phrasing, taken from its own legal documents on basic skills, and it was deliberately chosen for that reason. The fact that it has been such a problem to you, Jeff, is something that I fear you need to take up with the Deputy Minister, if you find it so inadequate as an approach.

**Jeff Cuthbert:** I am grateful for your giving way. As has been said, we are making law here, and there is a need for precision. Can you explain what is meant by the words that you have chosen—‘at a level necessary to function and progress’? If a charge was made that someone had not progressed to an adequate level, and that, therefore, the education was insufficient, how would you legislate to deal with that?

**Jenny Randerson:** I would advise you that the Deputy Minister should deal with it in exactly the same way that he has in his own legal guidance, in which he used the same definition of basic skills as in my amendment. It is all set out there for you,

Nghymru yn fframwaith sy'n nodi beth y mae'n rhaid ei addysgu i blant mewn ysgolion a pha bryd. Mae'n darparu sylfaen dda mewn iaith, mathemateg a gwyddoniaeth, wedi'i rhannu'n bynciau craidd a phynciau sylfaen. Rhoddir pwyslais ar y pynciau craidd, sef Saesneg, Cymraeg fel iaith gyntaf neu fel ail iaith, mathemateg a gwyddoniaeth. Dyma'r pynciau a bwysleisir yn y gwelliant hwn. Mae'r Gorchmynion newydd dan y fframwaith sgiliau ar gyfer Cymru a'r cwricwlwm cenedlaethol wedi bod yn cael eu gweithredu gan ysgolion ers mis Medi 2008, felly credwn fod gennym y polisiau y mae eu hangen arnom er mwyn datblygu sgiliau sylfaenol yng Nghymru.

Mae nodau'r gwelliant hwn yn ganmoladwy—byddai pob un ohonom yn cefnogi datblygu a chryfhau darpariaeth sgiliau sylfaenol—ond nid ydym yn credu y byddai'r gwelliant hwn yn gwneud hynny.

**Jenny Randerson:** Dechreuaf drwy ymateb i Jeff. Mae'n ddrwg gennyf ei fod yn teimlo mor gryf ynglŷn â'r cysyniad o sgiliau sylfaenol fel y mae wedi'i fynegi yn y gwelliant hwn, oherwydd dyma'r union ymadrodd a ddefnyddir gan y Llywodraeth, yn ei dogfennau cyfreithiol ei hun ar sgiliau sylfaenol, a dewiswyd ef yn fwriadol am y rheswm hwnnw. Mae'r ffaith ei fod wedi bod yn gymaint o broblem i chi, Jeff, yn fater y mae angen ichi ei drafod gyda'r Dirprwy Weinidog mae arnaf ofn, os ydych yn teimlo bod yr ymagweddd mor annigonol.

**Jeff Cuthbert:** Yr wyf yn ddiolchgar ichi am ildio. Fel y dywedwyd, yr ydym yn gwneud cyfraith yma, ac mae angen manylder. A allwch egluro beth a olygir â'r geiriau a ddewiswyd gennych—‘ar lefel sy'n angenrheidiol er mwyn gweithredu a gwneud cynnydd’? Pe dygid cyhuddiad nad yw rhywun wedi symud ymlaen i lefel ddigonol, a bod yr addysg, o ganlyniad, yn annigonol, sut y byddech yn deddfu er mwyn ymdrin â hynny?

**Jenny Randerson:** Byddwn yn dweud wrthyfch y dylai'r Dirprwy Weinidog ymdrin â'r mater yn union fel y mae wedi gwneud yn ei ganllawiau cyfreithiol ei hun, lle defnyddiodd yr un diffiniad o sgiliau sylfaenol ag sydd yn fy ngwelliant i. Mae'r

Jeff; the definition was chosen because it accords perfectly with the Government's approach. I acknowledge fully that the Government has a policy on basic skills; it is a great pity that it does not believe in it enough to enshrine it in legislation.

The Stage 1 committee was particularly strong on this issue, and advised that basic skills had to be addressed in the legislation. I do not think that Jeff Cuthbert or any other Member can honestly believe that I have not satisfactorily addressed the reason why I used this definition in the amendment. It is there because it is the Government's definition, and we do not want to complicate things by departing from that. You do not have that excuse for not voting for my amendment. By voting against it, you will be saying that you do not care enough for basic skills to include it in the legislation.

**The Presiding Officer:** I take it from that strong speech that you intend to move to a vote on your amendment 33.

Y cwestiwn yw y dylid cytuno ar welliant 33. A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

cyfan yno ichi, Jeff; dewiswyd y diffiniad gan ei fod yn gydnaws ag ymagwedd y Llywodraeth. Yr wyf yn cydnabod bod gan y Llywodraeth bolisi ar sgiliau sylfaenol; gresyn nad yw'n credu'n ddigon cryf ynddo i'w ymgorffori mewn deddfwriaeth.

Yr oedd pwyllgor Cyfnod 1 yn gryf iawn ynglŷn â'r mater hwn, a dywedodd fod yn rhaid rhoi sylw i sgiliau sylfaenol yn y ddeddfwriaeth. Nid wyf yn credu y gall Jeff Cuthbert nac unrhyw Aelod arall gredu o ddifrif nad wyf wedi rhoi sylw boddhaol i'r rheswm pam y defnyddiais y diffiniad hwn yn y gwelliant. Mae yno gan mai dyna ddiffiniad y Llywodraeth, ac nid ydym yn dymuno cymhlethu pethau drwy wroddi wrth hynny. Ni allwch ddefnyddio hynny fel esgus dros beidio â phleidleisio dros fy ngwelliant. Drwy bleidleisio yn ei erbyn, byddwch yn dweud nad ydych yn poeni digon am sgiliau sylfaenol i'w cynnwys yn y ddeddfwriaeth.

**Y Llywydd:** Cymeraf o'r araith gref honno eich bod yn bwriadu symud i bleidlais ar eich gwelliant 33.

The question is that amendment 33 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 33: O blaid 15, Ymatal 0, Yn erbyn 36.  
Amendment 33: For 15, Abstain 0, Against 36.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Cairns, Alun  
Davies, Andrew R.T.  
Davies, Paul  
German, Michael  
Graham, William  
Isherwood, Mark  
Melding, David  
Millar, Darren  
Morgan, Jonathan  
Randerson, Jenny  
Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Andrews, Leighton  
Asghar, Mohammad  
Barrett, Lorraine  
Chapman, Christine  
Cuthbert, Jeff  
Davidson, Jane  
Davies, Alun  
Davies, Andrew  
Davies, Jocelyn  
Evans, Nerys  
Franks, Chris  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
James, Irene  
Jenkins, Bethan  
Jones, Alun Ffred  
Jones, Ann

Jones, Carwyn  
 Jones, Elin  
 Jones, Gareth  
 Jones, Helen Mary  
 Jones, Ieuan Wyn  
 Lewis, Huw  
 Lloyd, David  
 Lloyd, Val  
 Mewies, Sandy  
 Morgan, Rhodri  
 Ryder, Janet  
 Sargeant, Carl  
 Thomas, Gwenda  
 Thomas, Rhodri Glyn  
 Wood, Leanne

*Gwrthodwyd y gwelliant.  
 Amendment not agreed.*

**Cydweithio—Cynllunio'r Cwricwlwm Lleol—Ymgynghori â'r Sector Busnes etc  
 Joint Working—Planning the Local Curriculum—Consultation with the Business  
 Sector, etc**

**Y Llywydd:** Mae'r chweched grŵp o welliannau yn ymdrin â'r angen i ymgynghori â'r sector busnes, darparwyr dysgu yn y gwaith ac yn y blaen wrth gynllunio'r cwricwlwm lleol. Galwaf ar Jenny Randerson i gynnig gwelliant 35 a siarad am y gwelliant arall yn y grŵp.

**Jenny Randerson:** I move amendment 35 in my name, and with the name of Paul Davies in support.

*Cafodd gwelliannau 35 a 36 eu grwpio ar gyfer y drafodaeth.  
 Amendments 35 a 36 grouped for debate.*

I moved an amendment along these lines at Stage 2, and it was defeated. However, I intend to press ahead with making my case. As a nation, I feel strongly that we cannot aim to develop a new generation that is more employable, more highly skilled and more able to earn high wages if we do not consult with the business sector. I know that talking about the business sector raises hackles from time to time in the Chamber, but why are we introducing this legislation if we are not aiming to make young people more employable?

I fully support the Government's intention to increase the amount of vocational education that is provided in this country; we desperately need more vocationally educated young people with skills. However, what is the point of doing that if you do not produce

**The Presiding Officer:** The sixth group of amendments relates to the need to consult with the business sector, work-based learning providers and so on in planning the local curriculum. I call on Jenny Randerson to move amendment 35 and to speak to the other amendment in the group.

**Jenny Randerson:** Cynigiau welliant 35 yn fy enw i a chydag enw Paul Davies yn ei gefnogi.

Cynigiais welliant ar y trywydd hwn yng Nghyfnod 2, a chafodd ei wrthod. Fodd bynnag, bwriadaf fwrw ymlaen i bledio fy achos. Fel cenedl, teimlaf yn gryf na allwn anelu at ddatblygu cenedlaeth newydd sy'n fwy cyflogadwy, sydd â gwell sgiliau ac sy'n fwy abl i ennill cyflogau uchel oni bai ein bod yn ymgynghori â'r sector busnes. Gwn fod siarad am y sector busnes yn ddigon i godi gwrychyn yn y Siambr o bryd i'w gilydd, ond pam cyflwyno'r ddeddfwriaeth hon os nad ydym yn anelu at wneud pobl ifanc yn fwy cyflogadwy?

Yr wyf yn gwbl gefnogol i fwriad y Llywodraeth i gynyddu'r addysg alwedigaethol a ddarperir yn y wlad hon; mae gwir angen mwy o bobl ifanc â sgiliau sydd wedi cael addysg alwedigaethol. Fodd bynnag, pa ddiben gwneud hynny os nad

the right skills because you are not talking to the business sector?

I am sorry to keep going back to this, but the evidence received during the Stage 1 committee has provided the basis for my stance. The committee made a clear recommendation that an amendment should be made to ensure that the business sector is consulted when drawing up local curricula. That is exactly what we are seeking to do through this amendment. At that committee, although the Labour Members and the Plaid Cymru Member supported the principle of consulting with the business sector, it was said that the wording of the amendment was not precise enough, because it simply referred to the business sector. Therefore, I went back to the drawing board and had the amendment redrafted in order to take account of the specific criticisms of the previous Chair of the Stage 1 committee. That meant that we came back with the precise wording contained in the amendment, which is the wording used in the Learner Travel (Wales) Measure 2008. The fact that we were too vague in asking for the business sector to be consulted is overcome, because the definition of the business sector included in the Learner Travel (Wales) Measure 2008 is exactly the same as in the amendment.

4.30 p.m.

It is essential that we put business on a level playing field with school councils, student representatives and work-based learning providers, all of whom are consulted. The business sector must be brought into the frame in this regard. The driving force behind the legislation is supposed to be improving employability, but without this amendment, the legislation takes little account of this. I cannot understand if there is further objection to it. I understood that the previous amendment could have been considered a little vague, but I hope that this amendment is clear enough because it was clear enough for the Government the last time around.

**Paul Davies:** I have no hesitation in supporting amendments 35 and 36 in the name of Jenny Randerson. If we want to make young people more employable, we

ydych yn cynhyrchu'r sgiliau priodol, a hynny gan nad ydych yn siarad â'r sector busnes?

Mae'n ddrwg gennyf fy mod yn mynd yn ôl at hyn o hyd, ond sail fy safbwynt yw'r dystiolaeth a gafwyd yn ystod pwyllgor Cyfnod 1. Gwnaeth y pwyllgor argymhelliad clir y dylid gwneud gwelliant er mwyn sicrhau ymgynghoriad â'r sector busnes wrth lunio cwricwla lleol. Dyna'n union beth yr ydym yn ceisio'i wneud drwy'r gwelliant hwn. Yn y pwyllgor hwnnw, er bod yr Aelodau Llafur a'r Aelod o Blaid Cymru wedi cefnogi'r egwyddor o ymgynghori â'r sector busnes, dywedwyd nad oedd geiriad y gwelliant yn ddigon manwl, gan mai dim ond at y sector busnes y cyfeiriai. Felly, euthum yn ôl i'r cychwyn a gofyn i rywun ailddrafftio'r gwelliant er mwyn ystyried beirniadaethau penodol Cadeirydd blaenorol pwyllgor Cyfnod 1. Golygai hynny ein bod wedi dod yn ôl â'r union eiriau sydd yn y gwelliant, sef y geiriau a ddefnyddiwyd ym Mesur Teithio gan Ddysgwyr (Cymru) 2008. Mae'r ffaith ein bod yn rhy amwys wrth ofyn am ymgynghoriad â'r sector busnes yn cael ei goresgyn, oherwydd mae'r diffiniad o'r sector busnes sydd ym Mesur Teithio gan Ddysgwyr (Cymru) 2008 yr un fath yn union â'r hyn sydd yn y gwelliant.

Mae'n hanfodol ein bod yn rhoi busnes ar faes cystadlu teg gyda chynghorau ysgol, cynrychiolwyr myfyrwyr a darparwyr dysgu seiliedig ar waith, yr ymgynghorir â phob un ohonynt. Mae'n rhaid cynnwys y sector busnes yn hyn o beth. Gwella cyflogadwyedd ddylai ysgogi'r ddeddfwriaeth, ond heb y gwelliant hwn, nid yw'r ddeddfwriaeth yn ystyried hyn ryw lawer. Ni allaf ddeall os oes gwrthwynebiad pellach iddo. Deallais y gellid fod wedi ystyried bod y gwelliant blaenorol ychydig yn amwys, ond gobeithiaf fod y gwelliant hwn yn ddigon clir gan ei fod yn ddigon clir i'r Llywodraeth y tro diwethaf.

**Paul Davies:** Nid wyf yn petruso cefnogi gwelliannau 35 a 36 yn enw Jenny Randerson. Os oes arnom eisiau gwneud pobl ifanc yn fwy cyflogadwy, mae'n rhaid inni

must continuously engage with the business community. As Jenny said, it is clear from the committee Stage 1 report that one of its recommendations was for a statutory duty to consult with the business sector when planning the local area curriculum.

**Gareth Jones:** Do you not agree that the business community is directly involved with school governing bodies and governing bodies of colleges of further education, so it is obviously involved in the whole planning issue?

**Paul Davies:** The business community is involved in some areas, but it is not in others. Therefore, we must ensure that all the business community is consulted throughout Wales. The business sector sometimes tells us that we do not have young people with the right skills or young people with basic skills, and other skills such as teamwork, and so on. I understand that previous Labour—

**Gareth Jones:** Will you give way?

**Y Llywydd:** Trefn. Gadewch iddo orffen.

**Paul Davies:** Go on.

**Gareth Jones:** Is there not a certain reluctance sometimes for members of the business community to serve on these governing bodies? Is that not also an issue? [*Interruption.*] Well, where is your evidence?

**Paul Davies:** You have just contradicted yourself. You said earlier that there are plenty of business people engaging with the education sector, but you are now suggesting that they are not. Which is it from your perspective?

I understand that previous Labour administrations in the Assembly relied upon the involvement and attitude of the business sector, therefore it is consistent not only with the decision that was made by the committee at Stage 1 but also with the attitude that the Labour party in Government in Wales has taken over the past 10 years to involve the business sector. Therefore, it is right that the proposed Measure is amended in the way that

ymgysylltu'n barhaus â'r gymuned fusnes. Fel y dywedodd Jenny, mae'n amlwg o adroddiad Cam 1 y pwyllgor mai un o'i argymhellion oedd cael dyletswydd statudol i ymgynghori â'r sector busnes wrth gynllunio cwricwlwm yr ardal leol.

**Gareth Jones:** Oni chytunwch fod y gymuned fusnes yn ymwneud yn uniongyrchol â chyrff llywodraethu ysgolion a chyrff llywodraethu colegau addysg bellach, felly mae'n amlwg yn ymwneud â'r mater cynllunio cyfan?

**Paul Davies:** Mae'r gymuned fusnes yn ymwneud â rhai meysydd, ond nid rhai eraill. Mae'n rhaid felly inni sicrhau yr ymgynghorir â'r gymuned fusnes gyfan ledled Cymru. Mae'r sector busnes yn dweud wrthym weithiau nad oes gennym bobl ifanc â'r sgiliau cywir neu bobl ifanc â sgiliau sylfaenol, a sgiliau eraill fel gwaith tîm, ac ati. Deallaf fod Llafur blaenorol—

**Gareth Jones:** A wnewch chi ildio?

**The Presiding Officer:** Order. Let him finish.

**Paul Davies:** Ewch ymlaen.

**Gareth Jones:** Onid oes rhyw amharodrwydd weithiau i rai aelodau o'r gymuned fusnes wasanaethu ar y cyrff llywodraethu hyn? Onid yw hynny hefyd yn fater? [*Ymyrraeth.*] Wel, ble mae eich tystiolaeth?

**Paul Davies:** Yr ydych newydd wrth-ddweud eich hun. Dywedasoch yn gynharach fod digonedd o bobl fusnes yn ymgysylltu â'r sector addysg, ond yr ydych bellach yn awgrymu nad ydynt. P'un sy'n wir o'ch safbwynt chi?

Deallaf fod gweinyddiaethau Llafur blaenorol yn y Cynulliad wedi dibynnu ar ymglymiad ac agwedd y sector busnes, felly mae'n gyson nid yn unig â'r penderfyniad a wnaeth y pwyllgor yng Ngham 1 ond hefyd ag agwedd y blaid Lafur mewn Llywodraeth yng Nghymru yn ystod y 10 mlynedd ddiwethaf at gynnwys y sector busnes. Mae'n briodol felly y caiff y Mesur arfaethedig ei ddiwygio yn y modd a awgrymir. Nid yw'n ymwneud â

is suggested. It is not just about the level of skills; it is also about the range of skills. It is about ensuring that we look forward and plan for the future, anticipating the needs of employers as well as the education sector. We are not just working on what they need now but on what they will need in the future. After all, we are not producing legislation that deals with theoretical aspects of higher learning—we are looking at skills, employment and the practical end of education, with a strong emphasis on improving vocational learning. You cannot do that unless you make the business sector the centre of this. Therefore, I urge Members to support these amendments.

**Mick Bates:** I rise to support this excellent and precise amendment by Jenny. It is essential to include such amendments for areas such as rural Montgomeryshire, where employment possibilities are shallower and narrower than they are in many urban areas. With these amendments included, the proposed Measure has the opportunity to be transformative in terms of skills, employability and the economic wellbeing of rural Wales. Many Members who have lined up on their papers to vote against the amendment have no other reason for doing so than one whip. Think about the reality of this—I am looking at Jeff. These skills, through consultation with the business community, will give rise to a much better opportunity for young people to remain in rural Wales where, as I mentioned, the skills base is often narrower and shallower. Through this mechanism, we can start to rebuild the skills base that we have lost in rural Wales. Without consultation with local businesses, we will lose that.

In reply to an earlier comment by Gareth Jones, we used to have something called Business Link in schools. You may have been referring to that. It was an excellent mechanism that was lost because consulting with local businesses only had to be considered. It was not a legal requirement. This particular amendment tries to rebuild that.

Finally, I am not aware that the business community is directed to join governing

lefel y sgiliau yn unig; mae'n ymwneud hefyd ag amrywiaeth y sgiliau. Mae'n golygu sicrhau ein bod yn edrych ymlaen at y dyfodol ac yn cynllunio ar ei gyfer, gan ragweld anghenion cyflogwyr yn ogystal â'r sector addysg. Nid ydym yn gweithio yn unig ar yr hyn y mae ei angen arnynt yn awr ond yr hyn y bydd ei angen arnynt yn y dyfodol. Wedi'r cyfan, nid ydym yn cynhyrchu deddfwriaeth sy'n ymdrin ag agweddau damcaniaethol ar ddysgu uwch—yr ydym yn edrych ar sgiliau, cyflogaeth ac ochr ymarferol addysg, gyda phwyslais cryf ar wella dysgu galwedigaethol. Ni allwch wneud hynny oni wnewch y sector busnes yn ganolbwynt i hyn. Felly, yr wyf yn annog yr Aelodau i gefnogi'r gwelliannau hyn.

**Mick Bates:** Codaf i gefnogi'r gwelliant rhagorol a chywir hwn gan Jenny. Mae'n hanfodol cynnwys gwelliannau o'r fath ar gyfer ardaloedd fel Sir Drefaldwyn wledig, lle mae posibiladau cyflogaeth yn wacach ac yn brinnach nag y maent mewn llawer o ardaloedd trefol. Gan gynnwys y gwelliannau hyn, mae gan y Mesur arfaethedig y cyfle i drawsnewid sgiliau, cyflogadwyedd a lles economaidd Cymru wledig. Mae llawer o Aelodau sydd wedi nodi ar eu papurau i bleidleisio yn erbyn y gwelliant wedi gwneud hynny heb yr un rheswm heblaw un chwip. Ystyriwch realiti hyn—yr wyf yn edrych ar Jeff. Bydd y sgiliau hyn, drwy ymgynghori â'r gymuned fusnes, yn rhoi cyfle gwell o lawer i bobl ifanc aros yng Nghymru wledig lle mae'r sylfaen sgiliau, fel y soniais, yn aml yn wacach ac yn brinnach. Drwy'r mecanwaith hwn, gallwn ddechrau ailadeiladu'r sylfaen sgiliau yr ydym wedi'i cholli yng Nghymru wledig. Heb ymgynghori â busnesau lleol, byddwn yn colli hynny.

Mewn ymateb i sylw cynharach gan Gareth Jones, ers talwm, yr oedd gennym rywbeth o'r enw Cyswllt Busnes mewn ysgolion. Efallai mai cyfeirio at hwnnw yr oeddech. Yr oedd yn fecanwaith ardderchog a gollwyd oherwydd nid oedd yn rhaid ond ystyried ymgynghori â busnesau lleol. Nid oedd yn ofyniad cyfreithiol. Mae'r gwelliant penodol hwn yn ceisio ailadeiladu hynny.

Yn olaf, nid wyf yn ymwybodol bod y gymuned fusnes wedi'i chyfarwyddo i



bodies—

**Gareth Jones:** There is a perfect opportunity, if the business community wishes to take it up, to serve on the governing bodies of schools and FE colleges. That is my understanding, but I stand to be corrected.

**Mick Bates:** There may be an understanding, and that is a problem with the Government's amendment. Our amendment is precise and clear about sustainable and ongoing engagement with the business community, rather than intermittent engagement that loses the skills that we so desperately need.

**Gareth Jones:** There is another issue, and that is the availability of business people to serve on these governing bodies, because they are busy people. How will you enforce this and ensure that business people take on that role?

**Mick Bates:** That is a bit confusing. You said previously that they were engaged, and local government and the Assembly Government regularly talk to business representatives, so they know of ways to draw on them. I will suggest a few more ways to proceed: talking to the chambers of commerce, business fora and major employers. However, in the past, that has been a temporary arrangement; I want to see something sustainable and precise, as detailed in the amendment that has been put forward by Jenny Randerson.

**Jonathan Morgan:** I support the two amendments that have been tabled by Jenny Randerson. They reflect exactly what the committee suggested during Stage 1 considerations, and, in fact, the committee suggested that the Deputy Minister should bring forward an amendment at Stage 2 for this statutory duty to consult to be placed in the Measure. The Deputy Minister did not bring forward such an amendment at Stage 2, and it was left to the opposition. However, I am baffled as to why Members of the governing parties, who sat on the Stage 1 committee, who listened to a wealth of evidence and who concluded that the principle of consultation with the business sector, work-based learning providers and

ymuno â chyrrff llywodraethu—

**Gareth Jones:** Ceir cyfle perffaith, os yw'r gymuned fusnes yn dymuno manteisio arno, i wasanaethu ar gyrff llywodraethu ysgolion a cholegau AB. Dyna yr wyf fi'n ei ddeall, ond yr wyf yn fodlon cael fy nghywiro.

**Mick Bates:** Efallai fod dealltwriaeth, ac mae hynny'n broblem gyda gwelliant y Llywodraeth. Mae ein gwelliant yn gywir ac yn glir ynghylch ymgysylltu cynaliadwy a pharhaus â'r gymuned fusnes, yn hytrach nag ymgysylltu ysbeidiol sy'n colli'r sgiliau y mae arnom eu hangen mor daer.

**Gareth Jones:** Ceir mater arall, sef argaeledd pobl fusnes i wasanaethu ar y cyrrff llywodraethu hyn, gan eu bod yn bobl brysur. Sut y byddwch yn gorfodi hyn ac yn sicrhau bod pobl fusnes yn derbyn y rôl honno?

**Mick Bates:** Mae hynny ychydig yn ddryslyd. Dywedasoeh yn flaenorol eu bod yn ymgysylltu, a bod llywodraeth leol a Llywodraeth y Cynulliad yn siarad yn rheolaidd â chynrychiolwyr busnes, fel eu bod yn gwybod am ffyrdd o'u defnyddio. Awgrymaf ychydig mwy o ffyrdd i symud ymlaen: siarad â'r siambrau masnach, y fforymau busnes a'r cyflogwyr mawr. Fodd bynnag, yn y gorffennol, bu hwnnw'n drefniant dros dro; mae arnaf eisiau gweld rhywbeth cynaliadwy ac union, fel y disgrifir yn y gwelliant a gyflwynwyd gan Jenny Randerson.

**Jonathan Morgan:** Cefnogaf y ddau welliant a gyflwynwyd gan Jenny Randerson. Maent yn adlewyrchu'r hyn yn union a awgrymodd y pwyllgor yn ystod ystyriaethau Cam 1, ac, mewn gwirionedd, awgrymodd y pwyllgor y dylai'r Dirprwy Weinidog gyflwyno gwelliant yng Ngham 2 ar gyfer rhoi'r ddyletswydd statudol hon i ymgynghori yn y Mesur. Ni chyflwynodd y Dirprwy Weinidog y fath welliant yng Ngham 2, ac fe'i gadawyd i'r wrthblaid. Fodd bynnag, mae'n ddirgelwch i mi pam nad yw Aelodau o'r pleidiau llywodraethu, a eisteddodd ar y pwyllgor Cam 1, a wrandawodd ar lond gwlad o dystiolaeth ac a ddaeth i'r casgliad fod yr egwyddor o ymgynghori â'r sector busnes, darparwyr

student representatives was a good principle to follow and that, therefore, the Measure should be amended to reflect that, are now failing to support amendments that do exactly what the committee suggested at Stage 1.

We all know that the Assembly as an institution and the Assembly Government, over the course of the past 10 years, has done a number of things to try to include consultees. Those of us who were here from the outset will remember the post-16 education reforms that introduced community consortia for education and training. The whole idea behind that was to engage with local employers and businesses to try to get them interested in planning the post-16 agenda. It was also an Assembly Government that came up with the notion of young people's partnerships: committees in each local education authority area that would seek a co-ordinated way of planning young people's services. It was also this Government that came up with the idea of school councils. The principle of consulting with businesses, of involving young people in planning their services, and of consulting with young people has been well-established, not only by Members on this side of the Chamber, but by the Assembly Government. Therefore, I am absolutely at a loss as to why the Deputy Minister did not come forward with his own amendments to reflect what the committee had recommended at Stage 1 and why the Deputy Minister still fails to respond to the clear recommendation of the committee and the clear recommendation by his own party colleagues that there should be a statutory duty to consult with these organisations and with young people on the planning of local curricula.

These two amendments reflect the need to ensure that young people are consulted about the planning of local curricula. They reflect the need to ensure that the business community can have its say about what it feels needs to be achieved in education planning, because we all know that the business community is telling us over and over again that the curriculum, to some extent, does not reflect some of its needs and requirements and that some of the students today who are going into the employment

dysgu yn y gwaith a chynrychiolwyr myfyrwyr yn egwyddor dda i'w dilyn ac, felly, y dylai'r Mesur gael ei ddiwygio i adlewyrchu hynny, bellach yn cefnogi gwelliannau sy'n gwneud yr union beth a awgrymodd y pwyllgor yng Ngham 1.

Gwyddom oll fod y Cynulliad fel sefydliad a Llywodraeth y Cynulliad, yn ystod y 10 mlynedd ddiwethaf, wedi gwneud nifer o bethau i geisio cynnwys ymgynghori. Bydd y rheini ohonom a fu yma o'r cychwyn cyntaf yn cofio'r diwygiadau addysg ôl-16 a gyflwynodd gonsortia cymunedol ar gyfer addysg a hyfforddiant. Yr holl syniad y tu ôl i hynny oedd ymgysylltu â chyflogwyr a busnesau lleol i geisio ennyn eu diddordeb mewn cynllunio'r agenda ôl-16. Syniad Llywodraeth y Cynulliad hefyd oedd partneriaethau pobl ifanc: pwyllgorau yn ardal pob awdurdod addysg lleol a fyddai'n ceisio ffordd gyd-drefnus o gynllunio gwasanaethau pobl ifanc. Syniad y Llywodraeth hon hefyd oedd cynghorau ysgol. Mae'r egwyddor o ymgynghori â busnesau, cynnwys pobl ifanc wrth gynllunio eu gwasanaethau, ac ymgynghori â phobl ifanc wedi'i hen sefydlu, nid yn unig gan Aelodau ar yr ochr hon o'r Siambr, ond gan Lywodraeth y Cynulliad. O ganlyniad, nid wyf yn deall o gwbl pam na wnaeth y Dirprwy Weinidog gyflwyno ei welliannau ei hun i adlewyrchu'r hyn a argymhellodd y pwyllgor yng Ngham 1, na pham mae'r Dirprwy Weinidog yn methu ymateb o hyd i argymhellion clir y pwyllgor a'r argymhelliad clir gan gyd-Aelodau ei blaid ei hun y dylai fod dyletswydd statudol i ymgynghori â'r sefydliadau hyn ac ymgynghori â phobl ifanc wrth gynllunio cwricwla lleol.

Mae'r ddau welliant hyn yn adlewyrchu'r angen i sicrhau yr ymgynghorir â phobl ifanc am gynllunio cwricwla lleol. Maent yn adlewyrchu'r angen i sicrhau y gall y gymuned fusnes ddweud ei dweud am yr hyn y teimla fod angen ei gyflawni wrth gynllunio addysg, gan y gwyddom oll fod y gymuned fusnes yn dweud wrthym droeon nad yw'r cwricwlwm, i ryw raddau, yn adlewyrchu rhai o'i hanghenion a'i gofynion ac nad yw rhai o'r myfyrwyr heddiw sy'n mynd i mewn i'r farchnad gyflogaeth yn

market are not going in with the right level of skills and techniques in the subject areas that they require in order to have a meaningfully engaged and well-equipped workforce.

4.40 p.m.

This amendment makes perfect sense. The action of Government Members today in rejecting these amendments demonstrates a fundamental flaw in this entire process. Anyone outside this institution who reads the report at Stage 1 and the transcript of the consideration at Stage 2 of the proposed Measure, and who reads the transcript of Stage 3 in a few days' time, will wonder why on earth Government Members backed this recommendation at the outset but have now failed to back it today. This amendment needs to be passed and I urge Government Members to change their minds.

**Alun Cairns:** This is clearly an extremely important amendment, because it is the basis on which the proposed Measure is focused, namely improving the skills—ultimately for business—to help to grow the economy. We have had several debates about the state of the economy and I do not need to remind you that we are the poorest part of the United Kingdom despite commitments that have been made time and again by the First Minister when he has been in various jobs. There has also been the question of whether it is a target or not. However, when it comes down to it, it is about placing individuals in the best position so that they can exploit their academic and vocational qualifications for their own good, for the good of their family, for their community and also for Wales. These amendments would really contribute to that consultation on the curriculum with business. That is who this is aimed at. It is about growing prosperity, productivity, output and so on.

Amendments 35 and 36 are clear. There has been quite a distinction in this debate between the governing bodies and the consultation in relation to the curriculum. Yes, I hope that business people play a part in the governing bodies of colleges, but let us not forget that, as Gareth Jones rightly

meddu ar y lefel gywir o sgiliau a thechnegau yn y meysydd pwnc y mae eu hangen ar y gymuned fusnes er mwyn cael gweithlu cymwys iawn sydd wedi'i ymgysylltu'n ystyrlon.

Mae'r gwelliant hwn yn gwneud synnwyr perffaith. Mae camau Aelodau'r Llywodraeth heddiw yn gwrthod y gwelliannau hyn yn dangos gwall sylfaenol yn y broses hon i gyd. Bydd unrhyw un y tu allan i'r sefydliad hwn sy'n darllen yr adroddiad yng Nghyfnod 1 a'r trawsgrifiad wrth ystyried y Mesur arfaethedig yng Nghyfnod 2, ac sy'n darllen y trawsgrifiad o Gyfnod 3 ymhen ychydig ddyddiau, yn meddwl pam yn y byd y gwnaeth Aelodau Llywodraeth gefnogi'r argymhelliad hwn ar y dechrau ond nad ydynt wedi'i gefnogi heddiw. Mae angen derbyn y gwelliant hwn ac yr wyf yn annog Aelodau Llywodraeth i newid eu meddyliau.

**Alun Cairns:** Mae hwn yn amlwg yn welliant pwysig dros ben, oherwydd dyma'r sail sy'n ganolbwynt i'r Mesur arfaethedig, sef gwella'r sgiliau—ar gyfer busnes yn y pen draw—i helpu i sicrhau twf yr economi. Yr ydym wedi cael sawl dadl am gyflwr yr economi ac nid oes angen imi eich atgoffa ein bod yn byw yn rhan dlotaf y Deyrnas Unedig er gwaethaf ymrwymadau a wnaethpwyd droeon gan y Prif Weinidog pan fu mewn swyddi amrywiol. Cwestiynwyd hefyd ai targed ydyw ai peidio. Fodd bynnag, yn y pen draw, mae'n golygu rhoi unigolion yn y sefyllfa orau er mwyn iddynt fanteisio ar eu cymwysterau academaidd a galwedigaethol er eu lles eu hunain, er lles eu teulu, eu cymuned a hefyd Cymru. Byddai'r gwelliannau hyn yn wirioneddol yn cyfrannu at yr ymgynghori hwnnw â busnes ynghylch y cwricwlwm. Dyna at bwy yr anelir hwn. Mae'n ymwneud â thwf ffyniant, cynhyrchiant, cynnyrch ac ati.

Mae gwelliannau 35 a 36 yn glir. Gwahaniaethwyd eithaf tipyn yn y ddadl hon rhwng y cyrff llywodraethu a'r ymgynghori mewn perthynas â'r cwricwlwm. Ydwyf, yr wyf yn gobeithio y bydd pobl fusnes yn chwarae rhan yng nghyrrff llywodraethu colegau, ond gadewch inni beidio ag

highlighted, business people do not always have the time to be a part of those bodies. However, that is their only way of inputting into the education and skills agenda at the moment. Governing bodies talk about management, disciplinary matters and premises. Many business people have a lot to contribute in relation to the courses and the drive, and we achieved this when we ended up with the training and enterprise councils.

Business people welcomed the input, the drive and the focus that they could provide in the field of education and skills through the training and enterprise councils, which Jane Davidson, when she was the Minister with responsibility for education, decided to abolish, as Jonathan Morgan rightly highlighted. They were replaced by the Community Consortia for Education and Training, Education and Learning Wales and all of those other organisations, which have since been disbanded. It goes to show how misguided the Welsh Assembly Government's policy has been in relation to skills and in relation to driving up the skills and education agenda. It is quite obvious that, had we let businesses have a strong input from the outset, we would not have been in the position of creating a body and then disbanding it. Amendments 35 and 36 would allow them to have a say and an input into the drive and focus of the curriculum. Let us not forget that the focus of that curriculum has to be the individual, but it also has to benefit the community through business, through enterprise and, ultimately, through prosperity. If we took more advice from such businesses, maybe we would not be the poorest part of the United Kingdom, as we sadly are.

**John Griffiths:** I think that we got into some wide-ranging areas that are not strictly the province of 14-19 learning pathways policy. However, I would not suggest for one minute that they are not very relevant.

When it comes to consulting business, we have many schemes to ensure that business is very involved in education and training in Wales in a variety of ways and under a variety of initiatives and schemes. We have taken forward 14-19 learning pathways policy with the full participation of all

anghofio, fel yr amlygodd Gareth Jones yn briodol, nad yw'r amser gan bobl fusnes i fod yn rhan o'r cyrff hynny bob amser. Fodd bynnag, dyna eu hunig ffordd o gyfrannu at yr agenda addysg a sgiliau ar hyn o bryd. Mae cyrff llywodraethu yn siarad am reoli, materion disgyblu a safleoedd. Mae gan lawer o bobl fusnes lawer i'w gyfrannu mewn perthynas â'r cyrsiau a'r ysgogiad, a chyflawnwyd hyn gennym pan roddwyd y cynghorau hyfforddiant a menter inni.

Yr oedd pobl fusnes yn croesawu'r cyfraniad, yr ysgogiad a'r ffocws y gallent eu darparu ym maes addysg a sgiliau drwy'r cynghorau hyfforddiant a menter, y penderfynodd Jane Davidson eu diddymu, pan mai hi oedd y Gweinidog a oedd yn gyfrifol am addysg, fel yr amlygodd Jonathan Morgan yn briodol. Fe'u disodlwyd gan y Consortia Cymunedol dros Addysg a Hyfforddiant, Addysg a Dysgu Cymru a'r holl sefydliadau eraill hynny, a aeth ar chwâl ers hynny. Mae'n dangos mor anghywir y bu polisi Llywodraeth Cynulliad Cymru mewn perthynas â sgiliau ac mewn perthynas â chodi'r agenda sgiliau ac addysg. Pe bydden wedi gadael i fusnesau gael cyfraniad cryf o'r cychwyn, mae'n eithaf amlwg na fuasem yn y sefyllfa o greu corff ac wedyn ei chwalu. Byddai gwelliannau 35 a 36 yn caniatáu iddynt ddweud eu dweud a chyfrannu at ysgogiad a ffocws y cwricwlwm. Gadewch inni beidio ag anghofio ei bod yn rhaid i'r cwricwlwm ganolbwyntio ar yr unigolyn, ond ei bod yn rhaid hefyd iddo fod o fudd i'r gymuned drwy fusnes, drwy fenter ac, yn y pen draw, drwy ffyniant. Pe bydden yn cael mwy o gyngor gan fusnesau o'r fath, efallai nad ni fyddai'r rhan dlotaf o'r Deyrnas Unedig, fel yr ydym yn anffodus.

**John Griffiths:** Credaf inni drafod rhai meysydd pellgyrhaeddol nad ydynt yn gwbl berthnasol i bolisi llwybrau dysgu 14-19. Fodd bynnag, ni fyddwn yn awgrymu am funud nad ydynt yn berthnasol iawn.

O ran ymgynghori â busnes, mae gennym gynlluniau lawer i sicrhau y caiff busnes ei gynnwys yn helaeth mewn addysg a hyfforddiant yng Nghymru mewn ffyrdd amrywiol ac o dan fentrau a chynlluniau amrywiol. Yr ydym wedi mynd ymlaen â pholisi llwybrau dysgu 14-19 gyda

stakeholders, including the business sector, private training providers and young people. The 14-19 networks, which are tasked with taking forward this policy, have a broad representation across the education sector, including work-based learning providers and of course the learners themselves, and that is absolutely right and the way in which we intend to continue.

Statutory guidance issued under sections 11 and 29 of the proposed Measure on planning the local curriculum will specify that due attention should be paid to available labour-market intelligence and to local and regional priorities when planning local area curricula. This is crucial to making the sort of progress that Members have alluded to in terms of having a better fit between the skills and the training that are necessary for the economy in Wales and those that are actually provided. Sector skills councils are at the heart of that and play a part in informing the way in which our 14-19 networks go forward. In terms of the monitoring and development of policy, they also have an advisory role in that evaluation process. Therefore, there is much that includes the business sector. Learners themselves, of course, are crucial to this and young people's views are very much shaping the way that 14-19 networks and area development plans progress and develop.

Everything done by the Welsh Assembly Government is done in close consultation with the business sector and, in terms of education, with learners and work-based learning providers. One of the great gains of devolution, undoubtedly, has been the opening up of the process of making policy and policy implementation. I think that these are good examples of how that process works in the area of 14-19 policy and in developing the skills and training that we need to meet the needs of the economy.

**Alun Cairns:** I am trying to work out what the Deputy Minister's logic is for rejecting amendments 35 and 36. These amendments are, surely, pragmatic and sensible and aimed at ensuring the greater involvement of the business community that you have talked

chyfranogiad llawn pob rhanddeiliad, gan gynnwys y sector busnes, darparwyr hyfforddiant preifat a phobl ifanc. Mae'r rhwydweithiau 14-19, sydd â'r dasg o fynd ymlaen â'r polisi hwn, wedi'u cynrychioli'n helaeth ar draws y sector addysg, gan gynnwys darparwyr dysgu yn y gwaith ac wrth reswm y dysgwyr eu hunain, ac mae hynny'n hollol iawn a dyna'r ffordd y bwriadwn fynd ymlaen.

Bydd canllawiau statudol a gyhoeddir o dan adrannau 11 a 29 o'r Mesur arfaethedig ar gynllunio'r cwricwlwm lleol yn pennu y dylid talu sylw dyledus i wybodaeth sydd ar gael am y farchnad lafur ac i flaenoriaethau lleol a rhanbarthol wrth gynllunio cwricwla ardaloedd lleol. Mae hyn yn allweddol i gymryd y math o gamau y mae Aelodau wedi cyfeirio atynt o ran cael gwell cyfatebiaeth rhwng y sgiliau a'r hyfforddiant sy'n angenrheidiol i'r economi yng Nghymru a'r rhai a ddarperir mewn gwirionedd. Mae cynghorau sgiliau sector wrth galon hynny ac yn chwarae rhan yn hysbysu'r modd yr aiff ein rhwydweithiau 14-19 yn eu blaenau. O ran monitro a datblygu polisi, mae ganddynt rôl gynghori hefyd yn y broses werthuso honno. Felly, y mae llawer sydd yn cynnwys y sector busnes. Mae dysgwyr eu hunain, wrth gwrs, yn allweddol i hyn ac mae barn pobl ifanc yn bwysig iawn o ran siapio'r ffordd y mae rhwydweithiau 14-19 a chynlluniau datblygu ardal yn mynd rhagddynt ac yn datblygu.

Caiff popeth a wneir gan Lywodraeth Cynulliad Cymru ei wneud mewn ymgynghoriad agos â'r sector busnes ac, yn nhermau addysg, â dysgwyr a darparwyr addysg seiliedig ar waith. Un o enillion mawr datganoli, yn ddi-os, fu agor y broses o lunio polisi a gweithredu polisi. Yr wyf yn meddwl bod y rhain yn enghreifftiau da o'r modd y mae'r broses honno'n gweithio ym maes polisi 14-19 ac o ran datblygu'r sgiliau a'r hyfforddiant y mae eu hangen arnom i ateb anghenion yr economi.

**Alun Cairns:** Yr wyf yn ceisio deall beth yw rhesymeg y Dirprwy Weinidog dros wrthod gwelliannau 35 a 36. Mae'r gwelliannau hyn, bid siŵr, yn bragmataidd a synhwyrol ac wedi'u hanelu at sicrhau'r mwy o ymwneud gan y gymuned fusnes yr ydych wedi siarad

about and which so many other Ministers have spoken about in the past. What is the difficulty with consulting with business about the nature and focus of the curriculum, bearing in mind what we are trying to achieve with the proposed Measure?

**John Griffiths:** There is no difficulty at all with that consultation, involvement and engagement and we are doing that—it is happening and it will happen. The question is whether we need something on the face of the proposed Measure to make that happen. The answer is that we do not. As I say, we propose to deal with the issue of the involvement—

**Alun Cairns:** Will the Deputy Minister give way?

**John Griffiths:** I will give way again in a moment, Alun.

We propose to deal with the issue of ensuring that accurate labour-market information shapes the local priorities delivered through the education and training system via statutory guidance. We think that that is the better approach.

**Alun Cairns:** I am grateful to the Deputy Minister for giving way again, and I think that we need to give him credit for the number of times that he has accepted interventions throughout the debate thus far. However, I cannot follow the logic of his argument. He says that this does not need to be on the face of the proposed Measure, but let us go back to the Government of Wales Act 1998. Section 5 of the Government of Wales Act 1998 included an obligation on the Assembly to consult with business—that was on the face of the Act. If it was sensible then that that should be on the face of the Act, why are these amendments not sensible, bearing in mind what we are seeking to achieve?

**John Griffiths:** It was sensible then and it is still sensible now, and that is why the business partnership council continues to operate and why we continue to have that level of engagement and involvement.

Amendments 35 and 36, in referring to the

amdano ac y mae cynifer o Weinidogion eraill wedi siarad amdano yn y gorffennol. Beth yw'r anhawster gydag ymgynghori â busnes ynglŷn â natur a ffocws y cwricwlwm, a chofio beth yr ydym yn ceisio'i gyflawni gyda'r Mesur arfaethedig?

**John Griffiths:** Nid oes dim anhawster o gwbl gydag ymgynghori, ymwneud ac ymgysylltu fel yna ac yr ydym yn gwneud hynny—y mae'n digwydd a bydd yn digwydd. Y cwestiwn yw a oes arnom angen rhywbeth ar wyneb y Mesur arfaethedig i beri i hynny ddigwydd. Yr ateb yw nad oes. Fel y dywedais, bwriadwn ddelio â chwestiwn ymwneud—

**Alun Cairns:** A wnaiff y Dirprwy Weinidog ildio?

**John Griffiths:** Ildiaf eto mewn munud, Alun.

Bwriadwn ddelio â chwestiwn sicrhau bod gwybodaeth gywir am y farchnad lafur yn siapio'r blaenoriaethau lleol a gyflawnir drwy'r system addysg a hyfforddi drwy gyfrwng canllawiau statudol. Credwn mai dyna'r ffordd orau o fynd o'i chwmpas.

**Alun Cairns:** Yr wyf yn ddiolchgar i'r Dirprwy Weinidog am ildio eto, ac yr wyf yn meddwl bod angen inni roi clod iddo am y nifer o weithiau y mae wedi derbyn ymyriadau drwy gydol y ddadl hyd yn hyn. Fodd bynnag, ni allaf ddilyn rhesymeg ei ddadl. Dywed nad oes angen i hyn fod ar wyneb y Mesur arfaethedig, ond gadewch inni fynd yn ôl at Ddeddf Llywodraeth Cymru 1998. Yr oedd Adran 5 Deddf Llywodraeth Cymru 1998 yn cynnwys rhwymedigaeth ar y Cynulliad i ymgynghori â busnes—yr oedd hynny ar wyneb y Ddeddf. Os oedd yn synhwyrol bryd hynny y dylai hynny fod ar wyneb y Ddeddf, pam nad yw'r gwelliannau hyn yn synhwyrol, a chofio beth yr ydym yn ceisio'i gyflawni?

**John Griffiths:** Yr oedd yn synhwyrol bryd hynny ac mae'n dal yn synhwyrol yn awr, a dyna pam y mae'r cyngor partneriaeth busnes yn dal i weithredu a pham yr ydym yn dal i gael y lefel honno o ymwneud ac ymgysylltu.

Dywed gwelliannau 35 a 36, wrth gyfeirio at

business sector, work-based learning providers and students, state that that engagement and involvement should be on the basis of what

y sector busnes, darparwyr dysgu seiliedig ar waith a myfyrwyr, y dylai'r ymgysylltu a'r ymwneud hwnnw fod ar sail yr hyn

'the local education authority considers appropriate.'

'y mae'r awdurdod addysg lleol yn ystyried ei fod yn briodol.'

At the moment, it is the 14-19 learning network as a whole, of which the LEA is an important member, but only one part, that decides on membership and consultation processes. We think that that broader approach is the better approach and that is the one that we aim to continue with.

Ar hyn o bryd, y rhwydwaith dysgu 14-19 yn ei gyfanrwydd, y mae'r awdurdod addysg lleol yn aelod pwysig ohono, ond yn un rhan yn unig, sy'n penderfynu ar brosesau ymgynghori ac aelodaeth. Yr ydym ni'n meddwl mai'r dull lletach hwnnw yw'r ffordd orau o fynd o'i chwmpas a dyna'r dull y bwriadwn fynd ymlaen ag ef.

**The Presiding Officer:** I call Jenny Randerson to respond to this debate on group 6.

**Y Llywydd:** Galwaf ar Jenny Randerson i ymateb i'r ddadl hon ar grŵp 6.

**Jenny Randerson:** I will start by addressing Gareth's comments about business people on school governing bodies. Yes, there often are business people on school governing bodies—although not always, by any means—but they do not have a specific remit in terms of curriculum planning. What we are seeking to ensure, through these amendments, is that there is that specific remit and an obligation to consult them in relation to planning the curriculum.

**Jenny Randerson:** Dechreuaf drwy ateb sylwadau Gareth am bobl fusnes ar gyrff llywodraethol ysgolion. Oes, y mae yna bobl fusnes yn aml ar gyrff llywodraethol ysgolion—er nad bob amser, o bell ffordd—ond nid oes ganddynt gylch gwaith penodol o ran cynllunio cwricwlwm. Yr hyn yr ydym yn ceisio'i sicrhau, drwy'r gwelliannau hyn, yw y ceir cylch gwaith penodol a rhwymedigaeth i ymgynghori â hwy mewn perthynas â chynllunio'r cwricwlwm.

4.50 p.m.

Alun pointed out that we are talking about a wide range of duties for school governors and I know from my experience that you have a choice about in which direction you go as a school governor: for example, whether you take an interest in premises or the curriculum or special educational needs and so on. Therefore, it is quite possible for the business person, even when he or she is on the board of governors, not to have anything to do with curriculum planning.

Nododd Alun ein bod yn sôn am amrediad eang o ddyletswyddau i lywodraethwyr ysgolion a gwn o'm profiad fy hun fod gennych ddewis ynghylch pa gyfeiriad yr ewch iddo fel llywodraethwr ysgol: er enghraifft, a gymerwch ddiddordeb yn yr adeiladau neu'r cwricwlwm neu anghenion addysgol arbennig ac ati. Felly, mae'n berffaith bosibl i'r person busnes, hyd yn oed pan yw ar fwrdd y llywodraethwyr, beidio â chael dim i'w wneud â chynllunio cwricwlwm.

Jonathan took us on an interesting trip down memory lane, and the fact that there were so many failed initiatives frightened me somewhat. However, that stresses the importance of thinking clearly about what the Government is doing today in seeking to reject this amendment.

Aeth Jonathan â ni ar daith ddiddorol i'r gorffennol, a chefais dipyn o fraw gan y ffaith y cafwyd cynifer o fentrau methiannus. Fodd bynnag, mae hynny'n pwysleisio pwysigrwydd meddwl yn glir am yr hyn y mae'r Llywodraeth yn ei wneud heddiw wrth geisio gwrthod y gwelliant hwn.

I will give you an example: I was talking to a representative of the training sector in construction recently about the need for more construction workers, and an employer said that it was a great pity that in further education colleges in Wales we have young people being trained to work in parts of the construction industry where there is a surplus of that particular skill, while other young people are having to go to East Anglia to get the appropriate training in skills relating to other sectors of the construction industry. I was assured that that is a common mismatch in our FE colleges for different strands of the construction sector. If you think about that being repeated, it is a terrible waste of investment. The concept of consulting business is surely in line with putting that right.

**John Griffiths:** That is exactly the point that I made earlier: the statutory guidance that we propose to issue will ensure that due attention is paid to available labour-market information and local and regional priorities when planning local area curricula. So, it will provide those skills that are needed in industries such as the construction industry.

**Jenny Randerson:** I hope that you get it to be a lot better than has been the case so far. What message are you sending out today in voting against these amendments, when you have specifically included student representatives and representatives of the work-based learning providers in this section of the legislation? You are voting to reject the business sector. So, whatever you say here today, the message that goes out to business is that we do not value it as much as we value others. Why is it that the Government found it quite all right to have consultation with the business sector on the face of the legislation for the Proposed Learner Travel (Wales) Measure, but not for the Proposed Learning and Skills (Wales) Measure? The message that you are giving to business is that it is explicitly excluded, because others have been explicitly included in this legislation.

**Gareth Jones:** I have been informed that one

Rhoddaf enghraifft ichi: yr oeddwn yn siarad â chynrychiolydd o'r sector hyfforddi mewn adeiladu yn ddiweddar am yr angen am fwy o weithwyr adeiladu, a dywedodd cyflogwr ei bod yn drueni mawr fod gennym bobl ifanc mewn colegau addysg bellach yng Nghymru sy'n cael eu hyfforddi i weithio mewn rhannau o'r diwydiant adeiladu lle mae gormodedd o'r grefft arbennig honno, tra mae pobl ifanc eraill yn gorfod mynd i East Anglia i gael yr hyfforddiant priodol mewn sgiliau perthnasol i sectorau eraill o'r diwydiant adeiladu. Cefais fy sicrhau fod hynny'n ddiffyg cyffredin yn ein colegau addysg bellach o ran gwahanol rannau o'r sector adeiladu. Os meddylwch am ailadrodd hynny, mae'n wastraff buddsoddiad ofnadwy. Mae'r syniad o ymgynghori â busnes, siawns, yn unol â chywiro hynny.

**John Griffiths:** Dyna'r union bwynt a wneuthum gynnu: bydd y canllawiau statudol y cynigiwn eu cyhoeddi'n sicrhau y rhoddir sylw dyledus i'r wybodaeth sydd ar gael am y farchnad lafur a blaenoriaethau lleol a rhanbarthol wrth gynllunio cwricwla ardaloedd lleol. Felly, byddant yn darparu'r sgiliau hynny y mae eu hangen mewn diwydiannau fel y diwydiant adeiladu.

**Jenny Randerson:** Gobeithio y llwyddwch i'w gael yn llawer gwell nag y bu hyd yn hyn. Pa neges yr ydych yn ei hanfon allan heddiw wrth bleidleisio yn erbyn y gwelliannau hyn, a chithau'n benodol wedi cynnwys cynrychiolwyr myfyrwyr a chynrychiolwyr y darparwyr addysg seiliedig ar waith yn yr adran hon o'r ddeddfwriaeth? Yr ydych yn pleidleisio dros wrthod y sector busnes. Felly, beth bynnag a ddywedwch yma heddiw, y neges a aiff allan i fusnes yw nad ydym yn rhoi cymaint o werth arno ag eraill. Pam y bu'n hollol iawn yn llygaid y Llywodraeth cael ymgynghori â'r sector busnes ar wyneb y ddeddfwriaeth ar gyfer y Mesur Arfaethedig ynghylch Teithio gan Ddysgwyr (Cymru), ond nid ar gyfer y Mesur Dysgu a Sgiliau (Cymru) Arfaethedig? Y neges yr ydych yn ei rhoi i fusnes yw ei fod wedi'i gau allan yn benodol, oherwydd mae eraill wedi'u cynnwys yn benodol yn y ddeddfwriaeth hon.

**Gareth Jones:** Yr wyf wedi cael gwybod



third of the membership of FE colleges' governing bodies needs to be from the business community. Therefore, there is, surely, a direct involvement there with planning.

**Jenny Randerson:** I agree with you that that is the case for FE, but this legislation also applies to schools, and the situation with regard to schools is a great deal less specific. It was much more specific in the heyday of the Conservatives, but it has been made less specific over the years.

**Alun Cairns:** Does Jenny Randerson recognise that the fact that a business person is on the governing body of a college or a school does not necessarily enable that person to influence the curriculum? On a governing body, you could be involved in a host of areas, but not necessarily in the curriculum, and a focus on the curriculum is, surely, what this proposed Measure is all about.

**Jenny Randerson:** I agree wholeheartedly, and that is why I specifically referred to that part of your speech. I think that Gareth, because of his past experience, understands that school governors have a whole host of matters that might demand their attention. The key issue, from the Government's point of view, has to be ensuring that a mechanism exists to get the business sector involved in every case, not just when a local business person has the initiative to seize the opportunity to become involved, and is sufficiently aware of the legislation to take that opportunity. It needs to be on the face of the proposed Measure, Minister.

**The Presiding Officer:** Jenny, I assume that you wish to move to a vote on amendment 35?

**Jenny Randerson:** Yes, please.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 35. A oes unrhyw wrthwynebiadau? Gwelaf fod. Felly symudwn i bleidlais.

bod angen i draean aelodaeth cyrff llywodraethol colegau addysg bellach ddod o'r gymuned fusnes. Felly, y mae, siawns, ymwneud uniongyrchol yn y fan honno â chynllunio.

**Jenny Randerson:** Cytunaf â chi fod hynny'n wir am addysg bellach, ond mae'r ddeddfwriaeth hon yn berthnasol i ysgolion hefyd, ac mae'r sefyllfa ynglŷn ag ysgolion yn llawer iawn llai penodol. Yr oedd yn llawer mwy penodol yn nyddiau'r Ceidwadwyr, ond cafodd ei wneud yn llai penodol ar hyd y blynyddoedd.

**Alun Cairns:** A ydyw Jenny Randerson yn cydnabod nad yw'r ffaith fod person busnes ar gorff llywodraethol coleg neu ysgol o reidrwydd yn galluogi'r person hwnnw i ddylanwadu ar y cwricwlwm? Ar gorff llywodraethol, gallech ymwneud â llu o feysydd, ond nid o reidrwydd â'r cwricwlwm, a ffocws ar y cwricwlwm, bid siŵr, yw holl ddiben y Mesur arfaethedig hwn.

**Jenny Randerson:** Cytunaf yn llwyr, a dyna pam y cyfeiriais yn benodol at y rhan honno o'ch araith. Credaf fod Gareth, oherwydd ei brofiad blaenorol, yn deall fod gan lywodraethwyr ysgol lwyth o faterion a allai fynnu eu sylw. Y peth allweddol, o safbwynt y Llywodraeth, o raid, yw sicrhau bod peirianwaith yn bodoli i gael y sector busnes i gyfranogi ym mhob achos, nid dim ond pan fydd person busnes lleol yn ddigon mentrus i achub ar y cyfle i ymwneud â'r peth, ac yn ddigon ymwybodol o'r ddeddfwriaeth i gymryd y cyfle hwnnw. Mae angen iddo fod ar wyneb y Mesur arfaethedig, Weinidog.

**Y Llywydd:** Jenny, yr wyf yn cymryd eich bod yn dymuno symud at bleidlais ar welliant 35?

**Jenny Randerson:** Ydwyf, os gwelwch yn dda.

**The Presiding Officer:** The question is that amendment 35 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 35: O blaid 15, Ymatal 0, Yn erbyn 36*

*Amendment 35: For 15, Abstain 0, Against 36*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Cairns, Alun  
Davies, Andrew R.T.  
Davies, Paul  
German, Michael  
Graham, William  
Isherwood, Mark  
Melding, David  
Millar, Darren  
Morgan, Jonathan  
Randerson, Jenny  
Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Andrews, Leighton  
Asghar, Mohammad  
Barrett, Lorraine  
Chapman, Christine  
Cuthbert, Jeff  
Davidson, Jane  
Davies, Alun  
Davies, Andrew  
Davies, Jocelyn  
Evans, Nerys  
Franks, Chris  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
James, Irene  
Jenkins, Bethan  
Jones, Alun Ffred  
Jones, Ann  
Jones, Carwyn  
Jones, Elin  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Lewis, Huw  
Lloyd, David  
Lloyd, Val  
Mewies, Sandy  
Morgan, Rhodri  
Ryder, Janet  
Sargeant, Carl  
Thomas, Gwenda  
Thomas, Rhodri Glyn  
Wood, Leanne

*Gwrthodwyd y gwelliant.  
Amendment not agreed.*

**Cydweithio—Cyflawni Hawlogoethau a Chanllawiau**  
**Joint Working—Delivery of Entitlements and Guidance**

**Y Llywydd:** Symudwn i grŵp 7, sydd eto ar gydweithio. Gwelliant 8 yw'r prif welliant, ar dudalen 4 o'r rhestr o welliannau mewn trefn. Galwaf ar y Dirprwy Weinidog i gynnig y gwelliant ac i siarad ar y gwelliant arall yn y grŵp.

**John Griffiths:** I move amendment 8 in my name.

*Cafodd gwelliannau 8 a 12 eu grwpio ar gyfer y drafodaeth.  
Amendments 8 and 12 grouped for debate.*

These are technical amendments, and do not

**The Presiding Officer:** We come to group 7, which is also on joint working. Amendment 8 is the lead amendment, on page 4 of the marshalled list. I call on the Deputy Minister to move the amendment and to speak to the other amendment in the group.

**John Griffiths:** Cynigiaf welliant 8 yn fy enw i.

Gwelliannau technegol yw'r rhain, ac nid

change the meaning or the effect of the provision of the joint-working sections. The purpose of the amendments is simply to ensure clarity by removing unnecessary wording.

**Nick Bourne:** I am surprised to hear the Minister try to convince us that that is the case. I came here, as did my party group, thinking that there was merit in some of the proposed Measure, and willing to have concerns allayed. However, that has changed as the afternoon has worn on. John Griffiths is a decent man, but he is having great difficulty in convincing anybody, because he is just not supporting any of the amendments. He has been setting up the ball sometimes for the Chair of the committee, who then kindly obliges by putting it in the back of the Government net. Gradually, as the afternoon has worn on, I have become more and more concerned about this proposed Measure, and not least by what the Minister has just said about these being technical amendments. What they propose to do is alter the wording so that local education authorities and Government bodies are no longer required to give 'due and proper consideration', but simply to consider. That is very different, as he, as a lawyer, will know.

To consider something, you just have to show that it has been on the agenda and that it has been considered. To give due and proper consideration to something means that you have to show that you have attached proper weight to the arguments that are being advanced. That is very different. If he thinks that it is the same, I hope that he will withdraw what he has just said in relation to these amendments, because the words 'due and proper consideration', giving weight to what the local authorities have been told, will be replaced by simply 'considered'. There is a strong difference, and I hope that the Minister, if he really does believe that this does not alter the meaning, will withdraw the amendment, and be content with the wording as it stands, which I and others think gives proper weight to arguments that are put forward in relation to considering cooperative arrangements on joint working.

ydyn yn newid ystyr nac effaith darpariaeth yr adrannau ar gydweithio. Pwrpas y gwelliannau yn syml yw sicrhau eglurder drwy ddileu geiriau diangen.

**Nick Bourne:** Yr wyf yn synnu o glywed y Gweinidog yn ceisio'n darbwyllo ni mai felly y mae. Deuthum yma, fel y daeth fy ngrŵp plaid, gan feddwl bod rhinwedd yn rhywfaint o'r Mesur arfaethedig, ac yn fodlon cael lleddfu fy mhryderon. Fodd bynnag, mae hynny wedi newid wrth i'r prynhawn fynd yn ei flaen. Mae John Griffiths yn ddynd da, ond mae'n cael anhawster mawr darbwyllo neb, oherwydd nid yw'n cefnogi dim o'r gwelliannau. Mae wedi bod yn pasio'r bêl weithiau i Gadeirydd y pwyllgor, sy'n ufuddhau'n garedig wedyn drwy ei rhoi yng nghefn rhwyd y Llywodraeth. Yn raddol, wrth i'r prynhawn fynd yn ei flaen, yr wyf wedi mynd yn fwy a mwy pryderus ynglŷn â'r Mesur arfaethedig hwn, ac nid yn lleiaf yn sgil yr hyn y mae'r Gweinidog newydd ei ddweud o ran mai gwelliannau technegol yw'r rhain. Yr hyn y maent yn bwriadu ei wneud yw newid y geiriad fel nad oes gofyn mwyach ar i awdurdodau addysg lleol a chyrrff llywodraethol roi 'ystyriaeth ddyledus a phriodol', ond dim ond i ystyried. Mae hynny'n wahanol iawn, fel y gŵyr ef, ac yntau'n gyfreithiwr.

I ystyried rhywbeth, nid oes ond rhaid ichi ddangos y bu ar yr agenda ac y cafodd ei ystyried. I roi ystyriaeth ddyledus a phriodol i rywbeth, rhaid ichi ddangos eich bod wedi rhoi pwysau priodol ar y dadleuon a roddwyd gerbron. Mae hynny'n dra gwahanol. Os ydyw ef o'r farn ei fod yr un peth, gobeithio y gwnaiff dynnu'n ôl yr hyn y mae newydd ei ddweud ynglŷn â'r gwelliannau hyn, oherwydd caiff y geiriau 'ystyriaeth ddyledus a phriodol', sy'n rhoi pwysau i'r hyn a ddywedwyd wrth yr awdurdodau lleol, eu disodli gan 'ystyried' a dim mwy. Mae gwahaniaeth mawr, a gobeithio y gwnaiff y Gweinidog, os ydyw'n credu go iawn nad yw hyn yn newid yr ystyr, dynnu'r gwelliant yn ôl, a bodloni ar y geiriad fel y mae, sydd yn fy marn i ac eraill yn rhoi pwysau priodol ar ddadleuon a roddir gerbron mewn perthynas ag ystyried trefniadau cydweithredol ar gyfer cydweithio.

**John Griffiths:** I am always grateful for compliments from Members; whether they are about my genuine niceness or my decency, they always warm the cockles of my heart. I find Nick to be a thoroughly decent person also. When it comes to what we are here to discuss, debate and vote on, as I said earlier, there are always different interpretations when it comes to law, and Nick himself is a former lawyer; there are a number of us here in the Chamber.

5.00 p.m.

I have to, and I do, abide by the advice given by Government lawyers. They are there to advise the Government, of course. As a member of the Government, I accept their advice, which is that these technical amendments—to remove unnecessary words—simply ensure clarity and do not change the meaning or effect of the provisions of the sections on joint working. That is the interpretation that I would abide by.

**Y Llywydd:** A hoffai'r Dirprwy Weinidog symud i bleidlais ar welliant 8? Gwelaf yr hoffai. Y cwestiwn yw y dylid cytuno ar welliant 8. A oes gwrthwynebiad? Gwelaf fod, ac felly symudwn i bleidlais ffurfiol.

**John Griffiths:** Yr wyf bob amser yn ddiolchgar am eiriau canmoliaethus gan Aelodau; boent yn canmol fy neisrwydd gwirioneddol neu fy naioni, byddant bob amser yn cynhesu fy nghalon. Yr wyf finnau'n canfod bod Nick yn ddyn da iawn hefyd. O ran yr hyn yr ydym yma i'w drafod, ei ddadlau a phleidleisio arno, fel y dywedais yn gynharach, ceir gwahanol ddehongliadau bob amser pan ddaw'n fater o gyfraith, ac mae Nick yntau'n gyn-gyfreithiwr; mae nifer ohonom yma yn y Siambr.

Rhaid imi gadw at y cyngor a gaf gan gyfreithwyr y Llywodraeth a gwnaf hynny. Maent yno i gynghori'r Llywodraeth, wrth gwrs. A minnau'n aelod o'r Llywodraeth, derbyniaf eu cyngor, sef bod y gwelliannau technegol hyn—i ddileu geiriau diangen—yn gwneud dim mwy na sicrhau eglurder ac nad ydynt yn newid ystyr nac effaith darpariaethau'r adrannau ynglŷn â chydweithio. Dyna'r dehongliad y byddwn yn glynu wrtho.

**The Presiding Officer:** Would the Deputy Minister like to move to a vote on amendment 8? I see that he would. The question is that amendment 8 be agreed to. Are there any objections? I see that there are, and we will therefore move to a formal vote.

*Gwelliant 8: O blaid 33, Ymatal 0, Yn erbyn 14.  
Amendment 8: For 33, Abstain 0, Against 14.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Andrews, Leighton  
Asghar, Mohammad  
Barrett, Lorraine  
Chapman, Christine  
Cuthbert, Jeff  
Davidson, Jane  
Davies, Alun  
Davies, Andrew  
Evans, Nerys  
Franks, Chris  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
James, Irene  
Jenkins, Bethan  
Jones, Alun Ffred  
Jones, Ann

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Cairns, Alun  
Davies, Andrew R.T.  
Davies, Paul  
German, Michael  
Isherwood, Mark  
Jones, Helen Mary  
Melding, David  
Morgan, Jonathan  
Randerson, Jenny  
Williams, Kirsty

Jones, Carwyn  
 Jones, Gareth  
 Jones, Ieuan Wyn  
 Lewis, Huw  
 Lloyd, David  
 Lloyd, Val  
 Mewies, Sandy  
 Morgan, Rhodri  
 Ryder, Janet  
 Sargeant, Carl  
 Thomas, Gwenda  
 Watson, Joyce  
 Wood, Leanne

*Derbyniwyd gwelliant 8.  
 Amendment 8 agreed.*

**Cydweithio—Canllawiau a Chyfarwyddiadau—Diogelu Grwpiau sy'n Agored i Niwed  
 Joint Working—Guidance and Directions—Safeguarding Vulnerable Groups**

**Y Llywydd:** Galwaf ar Paul Davies i gynnig gwelliant 25 yng ngrŵp 8 ac i siarad am y gwelliant arall yn y grŵp.

**The Presiding Officer:** I call on Paul Davies to move amendment 25 in group 8, and to speak to the other amendment in the group.

**Paul Davies:** I move amendment 25 in my name and with the name of Jenny Randerson in support.

**Paul Davies:** Cynigiau welliant 25 yn fy enw i a chydag enw Jenny Randerson yn ei gefnogi.

*Cafodd gwelliannau 25 a 26 eu grwpio ar gyfer y drafodaeth.  
 Amendments 25 and 26 grouped for debate.*

I am pleased to speak to my next group of amendments, amendments 25 and 26. The Stage 1 committee report made it clear that consideration should be given to the impact that the proposed Measure would have on a variety of groups of people. For those young people who would be regarded as vulnerable and for those who may find the arrangements quite challenging, particularly with regard to being transported from one location to another, I believe that it is right that the Welsh Ministers issue guidance to ensure that we safeguard those vulnerable groups of students who may be attending one or more locations for their education and training. We must ensure that arrangements are in place to safeguard those students and their interests. These amendments reflect the concern of those who feel that we should be issuing guidance to ensure that vulnerable groups are taken into account when planning where and how they would access the courses that they wish to take. If we do not include this specific duty to safeguard vulnerable groups, the effect would be a lack of clarity about whether a designated person should have

Yr wyf yn falch o siarad am y grŵp nesaf o welliannau, gwelliant 25 a gwelliant 26. Yn adroddiad y pwyllgor Cyfnod 1, fe'i gwnaethpwyd yn glir y dylid ystyried yr effaith y byddai'r Mesur arfaethedig yn ei chael ar amrywiaeth o grwpiau o bobl. Ar gyfer y bobl ifanc hynny a ystyrid yn agored i niwed ac ar gyfer y rheini a fyddai'n cael y trefniadau'n eithaf anodd, yn enwedig o ran cael eu cludo o'r naill leoliad i'r llall, credaf ei bod yn iawn i Weinidogion Cymru gyhoeddi canllawiau i sicrhau ein bod yn diogelu'r grwpiau agored i niwed hynny o fyfyrwyr a allai fod yn mynychu un lleoliad neu fwy nag un sefydliad i gael eu haddysg a'u hyfforddiant. Rhaid inni sicrhau bod trefniadau ar gael i ddiogelu'r myfyrwyr hynny a'u buddiannau. Mae'r gwelliannau hyn yn adlewyrchu pryder y rheini sy'n teimlo y dylem fod yn cyhoeddi canllawiau i sicrhau bod grwpiau agored i niwed yn cael eu hystyried wrth gynllunio ymhle a sut y byddent yn cael gafael ar y cyrsiau y maent yn dymuno'u dilyn. Os na chynhwyswn y ddyletswydd benodol hon i ddiogelu grwpiau agored i niwed, effaith hynny fyddai diffyg

responsibility for learners who move from a school to a further education college for part of their education.

Further education establishments are a much more relaxed environment than schools. For example, lunch and break times in the further education environment are much more free and easy than in a school, and rightly so. That would have to be dealt with. I know that some are deeply concerned about this issue and feel that the crossover between schools and further education will not work unless parents are convinced that their children, who go to study a vocational subject in an FE college, will be properly looked after.

I accept that we cannot wrap young people up in cotton wool and keep them away from all risks, but we have a strong legal duty to minimise those risks and to look after them at every opportunity. These amendments would merely place a duty on Welsh Ministers to issue guidance. They do not say that we ought to issue a raft of new regulations or that the proposed Measure needs to be amended to stipulate how those vulnerable groups are to be listed and protected. It merely states that the Minister should issue guidance to ensure the maximum degree of protection for vulnerable groups.

I understand that vulnerable groups are already defined in statute, and therefore supporting these amendments should not pose a problem. It is about ensuring that we cover all eventualities. These very straightforward amendments would at least allow the Government to issue guidance to ensure that we treat the needs of vulnerable groups with the utmost seriousness. If agreed, these amendments would give parents the peace of mind that they require and ensure that all vulnerable groups are safeguarded and protected. I urge all Members to support these amendments.

**Jenny Randerson:** I support these amendments, which I think are crucial. You all know that I am a strong advocate of further education and of what it has to offer,

egllurder ynglŷn ag a ddylid dynodi rhywun i fod yn gyfrifol am ddysgwyr sy'n symud o ysgol i goleg addysg bellach am ran o'u haddysg.

Mae sefydliadau addysg bellach yn amgylchedd mwy hamddenol o lawer nag ysgolion. Er enghraifft, mae amser cinio ac amser egwyl yn yr amgylchedd addysg bellach yn fwy llac o lawer nag mewn ysgol, ac mae hynny'n gwbl iawn. Byddai'n rhaid ymdrin â hynny. Gwn fod rhai'n poeni'n fawr am y mater hwn a'u bod yn teimlo na wnaiff y pontio rhwng ysgolion ac addysg bellach weithio oni argyhoeddir rhieni y caiff eu plant sy'n mynd i astudio pwnc galwedigaethol mewn coleg AB ofal iawn.

Derbyniaf na allwn lapio pobl ifanc mewn gwllân cotwm a'u cadw'n ddiogel rhag pob perygl, ond mae'n ddyletswydd gyfreithiol gref arnom liniaru'r peryglon hynny a gofalu amdanynt ar bob cyfle. Yr unig ddyletswydd ar Weinidogion Cymru yn sgil y gwelliannau hyn fyddai cyhoeddi canllawiau. Nid ydynt yn dweud y dylem gyhoeddi cyfres o reoliadau newydd na bod angen diwygio'r Mesur arfaethedig er mwyn dweud yn benodol sut y dylid rhestru ac amddiffyn y grwpiau agored i niwed hynny. Nid yw ond yn dweud y dylai'r Gweinidog gyhoeddi canllawiau er mwyn sicrhau cymaint o warchodaeth ag y bo modd i grwpiau agored i niwed.

Deallaf fod grwpiau agored i niwed eisoes wedi'u diffinio drwy statud, ac felly ni ddylai cefnogi'r gwelliannau hyn beri problem. Mae a wnelo â sicrhau ein bod yn darparu ar gyfer pob posibilrwydd. Byddai'r gwelliannau syml iawn hyn o leiaf yn caniatáu i'r Llywodraeth gyhoeddi canllawiau er mwyn sicrhau ein bod yn trin anghenion grwpiau agored i niwed gyda'r difrifoldeb mwyaf. Pe cytunid iddynt, byddai'r gwelliannau hyn yn rhoi'r tawelwch meddwl i rieni y maent yn gofyn amdano ac yn sicrhau bod pob grŵp agored i niwed yn cael ei ddiogelu a'i warchod. Anogaf bob Aelod i gefnogi'r gwelliannau hyn.

**Jenny Randerson:** Cefnogaf y gwelliannau hyn, sydd yn fy marn i'n hollbwysig. Gwyddoch i gyd fy mod yn lladmerydd cryf o blaid addysg bellach a'r hyn y mae ganddi

but I would be the first to say that further education institutions are not used to dealing with people under the age of 16, and are not geared up to deal with them. I had the advantage of working in an institution that had strong links with other institutions, and it was beginning to get a small trickle of 15-year-olds in as part of link courses. That involved a tremendous amount of reorganisation by the institution and a change in attitude by the staff concerned. There are all sorts of situations that we need to be worried about, and they will arise every day. With the young person getting on a bus to go from a school to a college, what happens if something goes wrong and that person concerned does not reach the college? Whose responsibility is that young person while he or she is on that bus? Is it the responsibility of the college or the school to check whether he or she arrived? Whose responsibility is it when an FE college lecturer teaching a 14-year-old or a 15-year-old is off ill? In a college, the students would probably be sent to the library to do some studying. In a school, that would not be possible. You must have new frameworks put in place. Whose responsibility is the young person during the lunch hour? Whose responsibility is it if the person disappears and does not turn up at a class? Is it the legal responsibility of the FE institution or of the school?

A huge number of day-to-day practical problems need resolving. Do not listen to me; listen to the trade unions. The teaching unions are really concerned about this. It is crucial that staff feel at ease with these new arrangements. They will not work if staff are not at ease, and they certainly will not work if parents are not at ease. The parents of a 14-year-old have to be completely confident that sending their child to a further education college keeps them as safe as they would be in their local school; otherwise, parents will not opt for this. Then, we will have this vast edifice of legislation, over which we have laboured for so long, and over which FE colleges and schools will labour for many hours to come to get the planning and the timetabling right, but none of it will work unless people have confidence in it. This amendment ought to be agreed to.

i'w gynnig, ond fi fyddai'r cyntaf i ddweud nad yw sefydliadau addysg bellach yn gyfarwydd ag ymdrin â phobl dan 16 oed, ac nad ydynt yn barod eto i ymdrin â hwy. Cefais y fantais o weithio mewn sefydliad a chanddo gysylltiadau cryf â sefydliadau eraill, ac yr oedd yn dechrau derbyn ffrwd fach o bobl ifanc 15 oed fel rhan o gyrsgiau cyswllt. Yr oedd hynny'n golygu llawer iawn o ad-drefnu gan y sefydliad a newid agwedd gan y staff dan sylw. Mae pob math o sefyllfaoedd y mae angen inni boeni amdanynt, a bydd y rheini'n codi bob dydd. Os bydd yr unigolyn ifanc yn mynd ar fws i fynd o'r ysgol i goleg, beth sy'n digwydd os aiff rhywbeth o'i le ac nad yw'r unigolyn hwnnw'n cyrraedd y coleg? Cyfrifoldeb pwy yw'r unigolyn ifanc pan fydd yn dal ar y bws? Ai cyfrifoldeb y coleg ynteu'r ysgol yw gwneud yn siŵr a ydynt wedi cyrraedd? Cyfrifoldeb pwy ydyw pan fydd darlithydd coleg AB sy'n addysgu rhywun 14 neu 15 oed yn absennol oherwydd salwch? Mewn coleg, mae'n debygol y câi'r myfyrwyr eu hanfon i'r llyfrgell i wneud ychydig o waith astudio. Mewn ysgol, ni fyddai modd gwneud hynny. Rhaid ichi gael fframweithiau newydd yn eu lle. Cyfrifoldeb pwy yw'r unigolyn ifanc yn ystod yr awr ginio? Cyfrifoldeb pwy ydyw os bydd yr unigolyn yn diflannu ac nad yw'n dod i'r dosbarth? Ai cyfrifoldeb cyfreithiol y sefydliad AB ynteu'r ysgol?

Mae angen datrys nifer enfawr o broblemau ymarferol beunyddiol. Peidiwch â gwrando arnaf fi; gwrandewch ar yr undebau llafur. Mae undebau'r athrawon yn poeni o ddifrif am hyn. Mae'n hollbwysig bod staff yn teimlo'n gyfforddus ynglŷn â'r trefniadau newydd hyn. Ni wnânt weithio onid yw'r staff yn gyfforddus, ac yn sicr, ni wnânt weithio oni fydd y rhieni'n gyfforddus. Rhaid i rieni plentyn 14 oed fod yn gwbl hyderus bod anfon eu plentyn i goleg addysg bellach yn ei gadw'r un mor ddiogel ag y byddai yn ei ysgol leol; fel arall, ni fydd rhieni'n dewis hyn. Yna, bydd gennym y corff anferth hwn o ddeddfwriaeth, yr ydym wedi llafurio drosto gyhyd, ac y bydd colegau AB ac ysgolion yn llafurio drosto am oriau maith eto er mwyn sicrhau bod y cynllunio a'r amserlennu'n iawn, ond ni wnaiff ddim ohono weithio oni fydd gan bobl hyder ynddo. Dylid cytuno i'r gwelliant hwn.

**Jonathan Morgan:** Many people outside the Assembly will slowly be realising the consequences of this new law and the consequence of those people under the age of 16 being able to access studies at a further education college. For many parents, that might be a nervous time: they will be concerned about what their child may experience at an FE college and about whether the arrangements will be similar to the variety of support available to them in school. We have to ensure that this new law is written in such a way as to take account of a potentially vulnerable group of students who might be taught in a variety of places.

At Stage 2, during the consideration of the amendments, the Deputy Minister said that the National Assembly for Wales (Legislative Competence) (Social Welfare and Other Fields) Order 2008, on vulnerable children, would be sufficient. I am not entirely convinced that relying on another LCO is the best way of dealing with this matter, particularly as we have not had any Measures arising from it yet. It is slightly premature to say that this institution has all the legislative clout that it needs to deal with a vulnerable group of young students whom we need to take account of. I appreciate that the Deputy Minister was trying to make an effort by saying that the legislation does exist, but it is merely the power to make legislation as opposed to legislation itself. I do not think that that is a sufficient level of protection for this vulnerable group of students.

Jenny Randerson made a valuable point about the practical issues that those young people could face in the situations in which they could find themselves, and about how we would expect schools and colleges to respond. I believe strongly that those pupils, and also their parents need to have absolute confidence in the law that we are seeking to pass today.

5.10 p.m.

I want to place on record my thanks to Rhodri Glyn Thomas, who was a member of the committee when we considered this

**Jonathan Morgan:** Bydd llawer o bobl y tu allan i'r Cynulliad yn sylweddoli'n raddol beth yw canlyniadau'r gyfraith newydd hon a'r canlyniad bod pobl dan 16 oed yn gallu manteisio ar astudio mewn coleg addysg bellach. I lawer o rieni, gallai hynny fod yn adeg nerfus: byddant yn poeni ynglŷn â'r hyn y gallai eu plentyn ei brofi mewn coleg AB ac ynglŷn ag a fydd y trefniadau'n debyg i'r amrywiaeth o gymorth sydd ar gael iddynt yn yr ysgol. Rhaid inni sicrhau bod y gyfraith newydd hon yn cael ei hysgrifennu yn y fath fodd fel ei bod yn ystyried grŵp o fyfyrwyr a allai fod yn agored i niwed y gellid eu dysgu mewn amrywiaeth o leoedd.

Yn ystod Cyfnod 2, wrth ystyried y gwelliannau, dywedodd y Dirprwy Weinidog y byddai Gorchymyn Cynulliad Cenedlaethol Cymru (Cymhwysedd Deddfwriaethol) (Lles Cymdeithasol a Meysydd Eraill ) 2008, ar gyfer plant agored i niwed, yn ddigonol. Nid wyf yn gwbl argyhoeddedig mai dibynnu ar Orchymyn arall yw'r ffordd orau o ymdrin â'r mater hwn, yn enwedig gan nad ydym wedi cael unrhyw Fesur yn codi ohono eto. Mae'n gynnwys braidd inni ddweud bod y sefydliad hwn wedi cael yr holl rym deddfwriaethol y mae ei angen arni i ymdrin â grŵp o fyfyrwyr agored i niwed y mae angen inni ei ystyried. Sylweddolaf fod y Dirprwy Weinidog yn ceisio gwneud ymdrech drwy ddweud bod y ddeddfwriaeth ar gael, ond dim ond y grym i wneud deddfwriaeth yw hwnnw o'i gymharu â deddfwriaeth ei hun. Ni chredaf fod hynny'n cynnig digon o warchodaeth i'r grŵp hwn o fyfyrwyr sy'n agored i niwed.

Gwnaeth Jenny Randerson bwynt gwerthfawr ynglŷn â'r materion ymarferol y gallai'r bobl ifanc hynny eu hwynebu yn y sefyllfaoedd y gallent eu cael eu hunain, ac ynglŷn â sut y byddem yn disgwyl i ysgolion a cholegau ymateb. Credaf yn gryf fod angen i'r disgyblion hynny a'u rhieni hefyd gael ffydd ddiysgog yn y gyfraith yr ydym yn ceisio'i phasio heddiw.

Yr wyf am gofnodi fy niolch i Rhodri Glyn Thomas, a oedd yn aelod o'r pwyllgor pan ystyriwyd y gwelliant hwn, ond a ataliodd ei



amendment, but who abstained from the vote. He did so because he could see the validity of the argument that Jenny Randerson and I put across. Admittedly, he did not go that one step further and vote in favour of it, but he could see that there was an argument for trying everything possible to protect a vulnerable group of people. It is not good enough for the Government to say that we can rely on other legislation. I am not convinced that it provides for a level of support that we can be confident about. That is why it is essential that this amendment be agreed to today.

**Y Llywydd:** Galwaf ar y Dirprwy Weinidog i ateb y ddadl ar grŵp 8.

**John Griffiths:** This is a further example of everyone wanting to achieve the same aim—in this case, to ensure that the rights of vulnerable young people are properly safeguarded—but of having different views on how best to achieve that in practice. The legislative competence Order on vulnerable children was mentioned, as was the Stage 1 committee. That LCO is one part of the picture of ensuring that we safeguard vulnerable young people properly, but there is certainly much more. The Safeguarding Vulnerable Groups Act 2006 operates in relation to regulated activity, and not in relation to premises. Therefore, it is not about where those regulated activities take place, but about the regulated activities themselves. Among such activities are teaching, training, instruction, care and supervision of children, wherever they may take place. Therefore, that legislation applies to schools, to further education institutions, and to private learning providers. That Act is crucial if we are to look after the rights of our vulnerable young people properly.

Regulations are being developed under that Act, and they will apply in Wales. They will be developed in Wales, which gives us the opportunity to put in place all that is necessary to look after the interests of young people. That scheme goes live in October 2009 and, once it is fully implemented, will regulate activity with proper monitoring and

bleidlais. Gwnaeth hynny oherwydd ei fod yn gallu gweld dilysrwydd y ddadl a gyflwynwyd gan Jenny Randerson a minnau. Cyfaddefaf nad aeth yr un cam pellach hwnnw a phleidleisio o'i blaid, ond gallai weld bod dadl dros roi cynnig ar bopeth posibl er mwyn amddiffyn grŵp o bobl agored i niwed. Nid yw'n ddigon da i'r Llywodraeth ddweud y gallwn ddbynnu ar ddeddfwriaeth arall. Nid wyf yn argyhoeddedig ei bod yn darparu ar gyfer lefel y gefnogaeth y gallwn deimlo'n hyderus yn ei chylch. Dyna pam mae'n hollbwysig inni gytuno i'r gwelliant hwn heddiw.

**The Presiding Officer:** I call the Deputy Minister to respond to the debate on group 8.

**John Griffiths:** Dyma enghraifft arall o bawb yn dymuno cyrraedd yr un nod—yn yr achos hwn, sicrhau bod hawliau pobl ifanc agored i niwed yn cael eu diogelu'n iawn—ond bod gennym wahanol farn ynglŷn â sut orau mae cyflawni hynny'n ymarferol. Crybwyllwyd y Gorchymyn cymhwysedd deddfwriaethol ar gyfer plant agored i niwed, a hefyd y pwyllgor Cyfnod 1. Y Gorchymyn hwnnw yw un rhan o'r darlun o sicrhau ein bod yn diogelu pobl ifanc agored i niwed yn iawn, ond yn sicr, mae llawer mwy na hynny. Mae Deddf Diogelu Grwpiau Agored i Niwed 2006 yn gweithredu yng nghyswllt gweithgareddau sy'n cael eu rheoleiddio, ac nid yng nghyswllt eiddo. Felly, nid ymhle y mae'r gweithgareddau sy'n cael eu rheoleiddio'n digwydd sy'n cyfri ond y gweithgareddau eu hunain. Ymhlith gweithgareddau o'r fath y mae addysgu, hyfforddi, cyfarwyddo, gofalu am blant a'u goruchwyllo, lle bynnag y bydd hynny'n digwydd. Felly, mae'r ddeddfwriaeth honno'n berthnasol i ysgolion, i sefydliadau addysg bellach, ac i ddarparwyr addysg breifat. Mae'r Ddeddf honno'n hollbwysig er mwyn inni ofalu'n briodol am hawliau ein pobl ifanc agored i niwed.

Mae rheoliadau wrthi'n cael eu datblygu dan y Ddeddf honno, a byddant yn berthnasol yng Nghymru. Fe'u datblygir yng Nghymru, sy'n rhoi'r cyfle inni wneud yr holl drefniadau angenrheidiol er mwyn gofalu am fuddiannau pobl ifanc. Bydd y cynllun hwnnw'n cael ei roi ar waith ym mis Hydref 2009 ac, ar ôl iddo gael ei roi ar waith yn llawn, bydd yn

supervision. Any individual who works or volunteers or who is seeking to work or volunteer with children or vulnerable adults must apply to join that scheme. They then become subject to monitoring, and if the individual is considered unsuitable by the independent safeguarding authority, they are barred from regulated activity with children or vulnerable adults. That is quite an important set of provisions to ensure that the necessary protection is in place.

It is also worth noting that the proposals for Welsh regulations are more stringent than those proposed for England. During the consultation process in Wales, they have received widespread support. Anyone with an automatic bar from working with a vulnerable group will not be allowed to work in controlled activities; in England, they will be able to do so, with appropriate monitoring, supervision, and risk assessment. In addition, we have two comprehensive sets of guidance already issued by the Welsh Assembly Government: 'Safeguarding Children—Working Together Under the Children Act 2004', and 'Safeguarding Children in Education: the role of local authorities and governing bodies under the Education Act 2002'. It is clear that a comprehensive set of protection measures is in place and will continue to be developed to deal properly with these issues as far as Wales is concerned. We have also mentioned the legislative competence Order on vulnerable children, which received Royal Assent in December 2008.

There is one other issue that I want to pick up on, and that is the question of where the responsibility lies when our young people are moving between schools and further education institutions. This needs clarification, and the issue was raised in committee at Stage 1, as already mentioned. I propose that this issue is best addressed in statutory guidance, which should make it clear that the duty of care lies with the home institution. If a learner receives his or her education at more than one institution, it is

rheoleiddio gweithgareddau drwy eu monitro a'u goruchwyllo'n briodol. Rhaid i unrhyw unigolyn sy'n gweithio neu'n gwirfoddoli neu sy'n bwriadu gweithio neu wirfoddoli gyda phlant neu oedolion agored i niwed wneud cais am gael ymuno â'r cynllun hwnnw. Yna, cânt eu monitro, ac, os bydd yr awdurdod diogelu annibynnol yn meddwl bod yr unigolyn yn anaddas, fe'i rhwystrir rhag ymgymryd â gweithgareddau sydd wedi'u rheoleiddio gyda phlant neu oedolion agored i niwed. Mae'r set honno o ddarpariaethau'n eithaf pwysig er mwyn sicrhau bod y warchodaeth angenrheidiol ar gael.

Mae'n werth nodi hefyd bod y cynigion ar gyfer rheoliadau Cymru'n fwy llym na'r rheini a gynigir ar gyfer Lloegr. Yn ystod y broses ymgynghori yng Nghymru, maent wedi cael cefnogaeth eang. Ni chaniateir i neb sydd wedi'i wahardd yn awtomatig rhag gweithio gyda grŵp agored i niwed weithio mewn gweithgareddau sydd wedi'u rheoleiddio; yn Lloegr, byddant yn gallu gwneud hynny, os cânt eu monitro a'u goruchwyllo'n briodol a bod asesiad risg yn cael ei gynnal. Hefyd, mae gennym ddwy set gynhwysfawr o ganllawiau sydd wedi'u cyhoeddi eisoes gan Lywodraeth y Cynulliad: 'Diogelu Plant—Gweithio Gyda'n Gilydd o dan Ddeddf Plant 2004', a 'Diogelu Plant mewn Addysg: Rôl awdurdodau lleol a chyrrff llywodraethu o dan Ddeddf Addysg 2002'. Mae'n glir bod set gynhwysfawr o fesurau gwarchod yn ei lle ac y bydd yn dal i gael ei datblygu er mwyn ymdrin yn iawn â'r materion hyn yng nghyswllt Cymru. Yr ydym wedi crybwyll hefyd y Gorchymyn cymhwysedd deddfwriaethol ar gyfer plant agored i niwed, a gafodd Gydsyniad Brenhinol ym mis Rhagfyr 2008.

Mae un mater arall yr wyf yn dymuno cyfeirio ato, sef pwy sy'n gyfrifol pan fydd ein pobl ifanc yn symud rhwng ysgolion a sefydliadau addysg bellach. Mae angen egluro hyn, a chodwyd y mater mewn pwyllgor yng Nghyfnod 1, fel y crybwyllwyd eisoes. Yr wyf yn cynnig mai'r ffordd orau o ddelio â'r mater hwn yw drwy ganllawiau statudol, a ddylai egluro mai â'r sefydliad cartref y mae'r ddyletswydd gofal. Os bydd dysgwr yn cael ei addysg neu ei haddysg mewn mwy nag un sefydliad, mae'n bwysig

important that the home institution is clearly identified as being responsible for the duty of care. For example, if a learner is a registered pupil at a school and attends a further education institution as well, the duty of care will lie with the school as it is the home institution. I urge Members to reject the amendment.

**Paul Davies:** I am extremely disappointed that the Government is unable to support amendments 25 and 26, tabled in my name. I find it astonishing that the Deputy Minister says that regulations will be developed in the future. Vulnerable people want these safeguards in place now, not two months, six months or 12 months down the line. In failing to support these amendments—

**John Griffiths:** We must realise that the provisions of this proposed Measure will not be enforced today, even if we vote it through today, as I very much hope we will.

**Paul Davies:** Your regulations could take two or three years to implement. That is why it is important to get those safeguards included in the proposed Measure today.

**Janet Ryder:** Would you agree that placing the duty of care responsibility on the body with which the student is registered as a full-time student could lead to substantial costs for that institution? Do you, like me, wonder whether that has been fully costed, and whether the implications have been fully thought through? Would you also agree that it is not so much those who teach and work with the pupils—who will have undergone checks in any case—who are the cause of concern, but the fact that young and perhaps immature students will be mixing with much older and mature students? There is nothing to stop that from happening, and that was the concern raised by many people in committee.

**Paul Davies:** I share your concerns. In failing to support these amendments, the Government is not giving due consideration to the way in which this proposed Measure would impact on many groups of people, as you have just said. The transportation of a significant number of young people who

y nodir yn glir mai'r sefydliad cartref sy'n gyfrifol am y ddyletswydd gofal. Er enghraifft, os yw dysgwr yn ddisgybl cofrestredig mewn ysgol ac yn mynychu sefydliad addysg bellach hefyd, yn yr ysgol y bydd y ddyletswydd gofal gan mai dyma'r sefydliad cartref. Yr wyf yn annog Aelodau i wrthod y gwelliant.

**Paul Davies:** Yr wyf wedi fy siomi'n fawr na all y Llywodraeth gefnogi gwelliannau 25 a 26 a gyflwynwyd yn fy enw i. Mae'n fy syfrdanu bod y Dirprwy Weinidog yn dweud y bydd rheoliadau'n cael eu datblygu yn y dyfodol. Mae ar bobl agored i niwed eisiau gweld y diogelwch hwn ar waith yn awr, nid dau fis, chwe mis neu 12 mis i ffwrdd. Wrth fethu cefnogi'r gwelliannau hyn—

**John Griffiths:** Rhaid inni sylweddoli na fydd darpariaethau'r Mesur arfaethedig hwn yn cael eu gorfodi heddiw, hyd yn oed os byddwn yn pleidleisio o'i blaid heddiw, fel yr wyf yn gobeithio y byddwn yn ei wneud.

**Paul Davies:** Gallai eich rheoliadau gymryd dwy neu dair blynedd i'w gweithredu. Dyna pam ei bod yn bwysig cynnwys y diogelwch hwnnw yn y Mesur arfaethedig heddiw.

**Janet Ryder:** A fydddech yn cytuno y byddai rhoi cyfrifoldeb dyletswydd gofal ar y corff lle mae'r myfyriwr wedi cofrestru fel myfyriwr amser llawn yn gallu arwain at gostau sylweddol i'r sefydliad hwnnw? A ydych chi, fel finnau, yn pendroni a yw hynny wedi cael ei gostio'n llawn, ac a yw'r goblygiadau wedi cael eu hystyried yn llawn? A fydddech hefyd yn cytuno nad nid yn unig y rheini sy'n dysgu ac yn gweithio gyda'r disgyblion—a fydd wedi cael archwiliadau beth bynnag—sy'n achosi pryder, ond y ffaith y bydd myfyrwyr ifanc ac efallai anaeddfed yn cymysgu â myfyrwyr hŷn o lawer ac aeddfed? Nid oes dim i rwystro hynny rhag digwydd, a dyna oedd y pryder a godwyd gan nifer o bobl yn y pwyllgor.

**Paul Davies:** Yr wyf yn rhannu eich pryderon. Wrth fethu cefnogi'r gwelliannau hyn, nid yw'r Llywodraeth yn ystyried yn briodol y ffordd y byddai'r Mesur arfaethedig hwn yn effeithio ar nifer o grwpiau o bobl, fel yr ydych newydd ei ddweud. Bydd cludo nifer fawr o bobl ifanc y gellid eu hystyried

could be regarded as vulnerable will also be challenging, when those arrangements should in fact safeguard them. It is disappointing that the arrangements to safeguard those students and their interests will not be in place.

**Jenny Randerson:** I am quite gobsmacked at the Deputy Minister's revelation that the home institution will remain responsible for providing a duty of care, even when the learner is at another institution. By implication, the only way in which they can do that is by sending a member of staff with the learners. As Janet has said, there are immense potential costs, and an immense legal framework would have to underpin any arrangements in terms of checks on staff and students with whom learners would be mixing. That possibly undermines the whole effectiveness of this proposed Measure.

**Paul Davies:** I am equally gobsmacked by what we have heard from the Deputy Minister this afternoon. By not including a specific duty to safeguard vulnerable groups, we will undoubtedly see a lack of clarity about whether a designated person is responsible for learners who move from a school to an FE college to receive part of their education. As I said earlier, I accept that we cannot wrap young people in cotton wool and keep them away from all risks, but, in opposing this amendment, we are missing a valuable opportunity to minimise those risks.

5.20 p.m.

**David Melding:** Were you as concerned as I was to hear the Deputy Minister saying that he intends to use the powers conferred by the legislative competence Order on vulnerable children to pick up on some of the issues generated by the proposed Measure? Do you not think that it is appalling that the Deputy Minister has acknowledged that there are deficiencies—otherwise he could not have made that statement—and that the Government has not framed the legislation in a coherent way for some of the most vulnerable people in our society?

yn agored i niwed hefyd yn peri her, pan ddylai'r trefniadau hynny mewn gwirionedd eu diogelu. Mae'n siomedig na fydd y trefniadau i ddiogelu'r myfyrwyr hynny a'u buddiannau ar waith.

**Jenny Randerson:** Yr wyf yn geg agored yn dilyn datguddiad y Dirprwy Weinidog mai'r sefydliad cartref fydd yn dal yn gyfrifol am ddarparu dyletswydd gofal, hyd yn oed pan fydd y dysgwr mewn sefydliad arall. Mae hynny'n golygu mai'r unig ffordd y gallant wneud hynny yw drwy anfon aelod o staff gyda'r dysgwyr. Fel y dywedodd Janet, ceir costau posibl sylweddol, a byddai'n rhaid cael fframwaith cyfreithiol dwys yn sail i unrhyw drefniadau o ran archwiliadau ar staff ac ar fyfyrwyr y byddai'r dysgwyr yn cymysgu â hwy. Mae'r posibilrwydd hwnnw'n tansilio effeithiolrwydd y Mesur arfaethedig hwn.

**Paul Davies:** Yr wyf yr un mor geg agored oherwydd yr hyn yr ydym wedi'i glywed gan y Dirprwy Weinidog y prynhawn yma. Drwy beidio â chynnwys dyletswydd benodol i ddiogelu grwpiau agored i niwed, yn ddiau byddwn yn gweld diffyg eglurder ynghylch a yw unigolyn penodol yn gyfrifol am ddysgwyr sy'n symud o ysgol i goleg AB i gael rhan o'i addysg. Fel y dywedais yn gynharach, yr wyf yn derbyn na allwn lapio pobl mewn gwllân cotwm a'u cadw'n ddiogel rhag pob perygl ond, drwy wrthwynebu'r gwelliant hwn, yr ydym yn colli cyfle gwerthfawr i leihau'r risgiau hynny.

**David Melding:** A oeddech yr un mor bryderus â mi wrth glywed y Dirprwy Weinidog yn dweud ei fod yn bwriadu defnyddio'r pwerau a gyflwynir gan y Gorchymyn cymhwysedd deddfwriaethol ar blant agored i niwed i fynd ar drywydd rhai o'r materion a gynhyrchir gan y Mesur arfaethedig? Onid ydych yn meddwl ei bod yn warthus bod y Dirprwy Weinidog wedi cydnabod bod diffygion—fel arall ni fyddai wedi gallu gwneud y datganiad hwnnw—ac nad yw'r Llywodraeth wedi fframio'r deddfwriaeth mewn ffordd gydlynol ar gyfer rhai o'r bobl fwyaf agored i niwed yn ein cymdeithas?

**Paul Davies:** It is absolutely appalling, and he should ensure that these provisions are in place in the proposed Measure. I do not feel that this is acceptable. We are ignoring our duty to these young people. These are straightforward amendments, as far as I am concerned, and they would allow the Government to issue guidance to ensure that we treat vulnerable groups with the utmost seriousness.

I will close by reiterating my extreme disappointment at the Government's decision to vote against the amendments, and I urge it to reconsider its position.

**Y Llywydd:** Yr wyf yn cymryd, felly, yr hoffech symud i bleidlais ar welliant 25.

**Paul Davies:** Hoffwn.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 25. A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

**Paul Davies:** Mae'n gwbl warthus, a dylai sicrhau bod y darpariaethau hyn ar waith yn y Mesur arfaethedig. Nid wyf yn teimlo bod hyn yn dderbyniol. Yr ydym yn anwybyddu ein dyletswydd i'r bobl ifanc hyn. Mae'r rhain yn welliannau syml yn fy marn i, a byddent yn caniatáu i'r Llywodraeth gyhoeddi canllawiau i sicrhau ein bod yn trin grwpiau agored i niwed yn gwbl ddifrifol.

Yr wyf am gau drwy ailadrodd fy siom dybryd ynghylch penderfyniad y Llywodraeth i bleidleisio yn erbyn y gwelliannau, ac yr wyf yn ei hannog i ailystyried ei safbwynt.

**The Presiding Officer:** I take it, therefore, that you wish to move to a vote on amendment 25.

**Paul Davies:** Yes.

**The Presiding Officer:** The question is that amendment 25 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 25: O blaid 15, Ymatal 0, Yn erbyn 34.  
Amendment 25: For 15, Abstain 0, Against 34.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Cairns, Alun  
Davies, Andrew R.T.  
Davies, Paul  
German, Michael  
Isherwood, Mark  
Melding, David  
Morgan, Jonathan  
Ramsay, Nick  
Randerson, Jenny  
Ryder, Janet  
Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Andrews, Leighton  
Asghar, Mohammad  
Barrett, Lorraine  
Chapman, Christine  
Cuthbert, Jeff  
Davidson, Jane  
Davies, Alun  
Davies, Andrew  
Evans, Nerys  
Franks, Chris  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
James, Irene  
Jenkins, Bethan  
Jones, Alun Ffred  
Jones, Ann  
Jones, Carwyn  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Lewis, Huw  
Lloyd, David

Lloyd, Val  
 Mewies, Sandy  
 Morgan, Rhodri  
 Sargeant, Carl  
 Thomas, Gwenda  
 Thomas, Rhodri Glyn  
 Watson, Joyce  
 Wood, Leanne

*Gwrthodwyd y gwelliant.  
 Amendment not agreed.*

**Y Llywydd:** Yn unol â'r rhestr o welliannau mewn trefn, symudwn at waredu gwelliant 9, a gafodd ei drafod fel rhan o grŵp 1. Yr wyf yn gwahodd y Dirprwy Weinidog i gynnig gwelliant 9 yn ffurfiol.

**John Griffiths:** I move amendment 9 in my name.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 9. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 9 ei dderbyn.

*Derbyniwyd gwelliant 9.  
 Amendment 9 agreed.*

**Y Llywydd:** Gan ein bod wedi gwaredu gwelliant 9, yn unol â'r rhestr o welliannau mewn trefn symudwn at waredu gwelliant 30, a gafodd ei drafod fel rhan o grŵp 1. Yr wyf yn gwahodd Paul Davies i gynnig gwelliant 30 yn ffurfiol.

**Paul Davies:** Cynigaf welliant 30 yn fy enw i a chydag enw Jenny Randerson yn ei gefnogi.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 30. A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

**The Presiding Officer:** In accordance with the marshalled list, we come to dispose of amendment 9, which was discussed as part of group 1. I invite the Deputy Minister to formally move amendment 9.

**John Griffiths:** Cynigaf welliant 9 yn fy enw i.

**The Presiding Officer:** The question is that amendment 9 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, amendment 9 is therefore agreed.

**The Presiding Officer:** As we have disposed of amendment 9, in accordance with the marshalled list we now come to dispose of amendment 30, which was discussed as part of group 1. I invite Paul Davies to formally move amendment 30.

**Paul Davies:** I move amendment 30 in my name and with the name of Jenny Randerson in support.

**The Presiding Officer:** The question is that amendment 30 be agreed. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 30: O blaid 14, Ymatal 0, Yn erbyn 35.  
 Amendment 30: For 14, Abstain 0, Against 35.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
 The following Members voted for:

Bates, Mick  
 Black, Peter  
 Bourne, Nick  
 Burnham, Eleanor  
 Cairns, Alun  
 Davies, Andrew R.T.

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
 The following Members voted against:

Andrews, Leighton  
 Asghar, Mohammad  
 Barrett, Lorraine  
 Chapman, Christine  
 Cuthbert, Jeff  
 Davidson, Jane

Davies, Paul  
 German, Michael  
 Isherwood, Mark  
 Melding, David  
 Morgan, Jonathan  
 Ramsay, Nick  
 Randerson, Jenny  
 Williams, Kirsty

Davies, Alun  
 Davies, Andrew  
 Evans, Nerys  
 Franks, Chris  
 Gibbons, Brian  
 Gregory, Janice  
 Griffiths, John  
 Griffiths, Lesley  
 Hart, Edwina  
 Hutt, Jane  
 James, Irene  
 Jenkins, Bethan  
 Jones, Alun Ffred  
 Jones, Ann  
 Jones, Carwyn  
 Jones, Gareth  
 Jones, Helen Mary  
 Jones, Ieuan Wyn  
 Lewis, Huw  
 Lloyd, David  
 Lloyd, Val  
 Mewies, Sandy  
 Morgan, Rhodri  
 Ryder, Janet  
 Sargeant, Carl  
 Thomas, Gwenda  
 Thomas, Rhodri Glyn  
 Watson, Joyce  
 Wood, Leanne

*Gwrthodwyd y gwelliant.  
 Amendment not agreed.*

**Y Llywydd:** Gan ein bod wedi gwaredu gwelliant 30, yn unol â'r rhestr o welliannau mewn trefn symudwn at waredu gwelliant 29, a gafodd ei drafod fel rhan o grŵp 1. Yr wyf yn gwahodd Paul Davies i gynnig gwelliant 29 yn ffurfiol.

**Paul Davies:** Cynigiau welliant 29 yn fy enw i a chydag enw Jenny Randerson yn ei gefnogi.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 29. A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

**The Presiding Officer:** As we have disposed of amendment 30, in accordance with the marshalled list we now come to dispose of amendment 29, which was discussed as part of group 1. I invite Paul Davies to formally move amendment 29.

**Paul Davies:** I move amendment 29 in my name and with the name of Jenny Randerson in support.

**The Presiding Officer:** The question is that amendment 29 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 29: O blaid 14, Ymatal 0, Yn erbyn 35.  
 Amendment 29: For 14, Abstain 0, Against 35.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
 The following Members voted for:

Bates, Mick  
 Black, Peter  
 Bourne, Nick  
 Burnham, Eleanor  
 Cairns, Alun  
 Davies, Andrew R.T.  
 Davies, Paul

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
 The following Members voted against:

Andrews, Leighton  
 Asghar, Mohammad  
 Barrett, Lorraine  
 Chapman, Christine  
 Cuthbert, Jeff  
 Davidson, Jane  
 Davies, Alun

German, Michael  
 Isherwood, Mark  
 Melding, David  
 Morgan, Jonathan  
 Ramsay, Nick  
 Randerson, Jenny  
 Williams, Kirsty

Davies, Andrew  
 Evans, Nerys  
 Franks, Chris  
 Gibbons, Brian  
 Gregory, Janice  
 Griffiths, John  
 Griffiths, Lesley  
 Hart, Edwina  
 Hutt, Jane  
 James, Irene  
 Jenkins, Bethan  
 Jones, Alun Ffred  
 Jones, Ann  
 Jones, Carwyn  
 Jones, Gareth  
 Jones, Helen Mary  
 Jones, Ieuan Wyn  
 Lewis, Huw  
 Lloyd, David  
 Lloyd, Val  
 Mewies, Sandy  
 Morgan, Rhodri  
 Ryder, Janet  
 Sargeant, Carl  
 Thomas, Gwenda  
 Thomas, Rhodri Glyn  
 Watson, Joyce  
 Wood, Leanne

*Gwrthodwyd y gwelliant.  
 Amendment not agreed.*

**Y Llywydd:** Gan ein bod wedi gwaredu gwelliant 29, yn unol â'r rhestr o welliannau mewn trefn symudwn at waredu gwelliant 10, a gafodd ei drafod fel rhan o grŵp 3. Gwahoddaf y Dirprwy Weinidog i gynnig gwelliant 10 yn ffurfiol.

**John Griffiths:** I move amendment 10 in my name.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 10. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 10 ei dderbyn.

*Derbyniwyd gwelliant 10.  
 Amendment 10 agreed.*

**Y Llywydd:** Gan ein bod wedi gwaredu gwelliant 10, symudwn at waredu gwelliant 11, a gafodd ei drafod fel rhan o grŵp 3. Gwahoddaf y Dirprwy Weinidog i gynnig gwelliant 11 yn ffurfiol.

**John Griffiths:** I move amendment 11 in my name.

**The Presiding Officer:** As we have disposed of amendment 29, in accordance with the marshalled list we now come to dispose of amendment 10, which was discussed as part of group 3. I invite the Deputy Minister to formally move amendment 10.

**John Griffiths:** Cynigiau welliant 10 yn fy enw i.

**The Presiding Officer:** The question is that amendment 10 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, amendment 10 is therefore agreed.

**The Presiding Officer:** As we have disposed of amendment 10, we now come to dispose of amendment 11, which was discussed as part of group 3. I invite the Deputy Minister to formally move amendment 11.

**John Griffiths:** Cynigiau welliant 11 yn fy enw i.



**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 11. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 11 ei dderbyn.

*Derbyniwyd gwelliant 11.  
Amendment 11 agreed.*

**Y Llywydd:** Gan ein bod wedi gwaredu gwelliant 11, yn unol â'r rhestr o welliannau mewn trefn symudwn at waredu gwelliant 24, a gafodd ei drafod fel rhan o grŵp 4. Yr wyf yn gwahodd Paul Davies i gynnig gwelliant 24 yn ffurfiol.

**Paul Davies:** Cynigaf welliant 24 yn fy enw i a chydag enw Jenny Randerson yn ei gefnogi.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 24. A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

**The Presiding Officer:** The question is that amendment 11 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, amendment 11 is therefore agreed.

**The Presiding Officer:** As we have disposed of amendment 11, in accordance with the marshalled list we now come to dispose of amendment 24, which was discussed as part of group 4. I invite Paul Davies to formally move amendment 24.

**Paul Davies:** I move amendment 24 in my name and with the name of Jenny Randerson in support.

**The Presiding Officer:** The question is that amendment 24 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 24: O blaid 14, Ymatal 0, Yn erbyn 34.  
Amendment 24: For 14, Abstain 0, Against 34.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Bates, Mick  
Black, Peter  
Bourne, Nick  
Cairns, Alun  
Davies, Andrew R.T.  
Davies, Paul  
German, Michael  
Isherwood, Mark  
Melding, David  
Morgan, Jonathan  
Ramsay, Nick  
Randerson, Jenny  
Ryder, Janet  
Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Andrews, Leighton  
Asghar, Mohammad  
Barrett, Lorraine  
Chapman, Christine  
Cuthbert, Jeff  
Davidson, Jane  
Davies, Alun  
Davies, Andrew  
Evans, Nerys  
Franks, Chris  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
James, Irene  
Jenkins, Bethan  
Jones, Alun Ffred  
Jones, Ann  
Jones, Carwyn  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Lewis, Huw  
Lloyd, David  
Lloyd, Val  
Mewies, Sandy  
Morgan, Rhodri  
Sargeant, Carl

Thomas, Gwenda  
 Thomas, Rhodri Glyn  
 Watson, Joyce  
 Wood, Leanne

*Gwrthodwyd y gwelliant.  
 Amendment not agreed.*

**Y Llywydd:** Gan ein bod wedi gwaredu gwelliant 24, yn unol â'r rhestr o welliannau mewn trefn symudwn at waredu gwelliant 31. I invite Jenny Randerson to formally move amendment 31.

**Jenny Randerson:** I move amendment 31 in my name and with the name of Paul Davies in support.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 31. A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

**The Presiding Officer:** As we have disposed of amendment 24, in accordance with the marshalled list we now come to dispose of amendment 31. Yr wyf yn gwahodd Jenny Randerson i gynnig gwelliant 31 yn ffurfiol.

**Jenny Randerson:** Cynigiau welliant 31 yn fy enw i a chydag enw Paul Davies yn ei gefnogi.

**The Presiding Officer:** The question is that amendment 31 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 31: O blaid 15, Ymatal 0, Yn erbyn 34.  
 Amendment 31: For 15, Abstain 0, Against 34.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
 The following Members voted for:

Bates, Mick  
 Black, Peter  
 Bourne, Nick  
 Burnham, Eleanor  
 Cairns, Alun  
 Davies, Andrew R.T.  
 Davies, Paul  
 German, Michael  
 Isherwood, Mark  
 Melding, David  
 Morgan, Jonathan  
 Ramsay, Nick  
 Randerson, Jenny  
 Ryder, Janet  
 Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
 The following Members voted against:

Andrews, Leighton  
 Asghar, Mohammad  
 Barrett, Lorraine  
 Chapman, Christine  
 Cuthbert, Jeff  
 Davidson, Jane  
 Davies, Alun  
 Davies, Andrew  
 Evans, Nerys  
 Franks, Chris  
 Gibbons, Brian  
 Gregory, Janice  
 Griffiths, John  
 Griffiths, Lesley  
 Hart, Edwina  
 Hutt, Jane  
 James, Irene  
 Jenkins, Bethan  
 Jones, Alun Ffred  
 Jones, Ann  
 Jones, Carwyn  
 Jones, Gareth  
 Jones, Helen Mary  
 Jones, Ieuan Wyn  
 Lewis, Huw  
 Lloyd, David  
 Lloyd, Val  
 Mewies, Sandy  
 Morgan, Rhodri  
 Sargeant, Carl  
 Thomas, Gwenda  
 Thomas, Rhodri Glyn  
 Watson, Joyce

Wood, Leanne

*Gwrthodwyd y gwelliant.  
Amendment not agreed.*

**Y Llywydd:** Gan ein bod wedi gwaredu gwelliant 31, yn unol â'r rhestr o welliannau mewn trefn symudwn at waredu gwelliant 34, a gafodd ei drafod fel rhan o grŵp 5. Yr wyf yn gwahodd Jenny Randerson i gynnig gwelliant 34 yn ffurfiol.

**Jenny Randerson:** I move amendment 34 in my name and with the name of Paul Davies in support.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 34. A oes unrhyw wrthwynebiadau? Gwelaf fod. Felly, symudwn i bleidlais.

**The Presiding Officer:** As we have disposed of amendment 31, in accordance with the marshalled list we now come to dispose of amendment 34, which was discussed as part of group 5. I invite Jenny Randerson to formally move amendment 34.

**Jenny Randerson:** Cynigiaf welliant 34 yn fy enw i a chydag enw Paul Davies yn ei gefnogi.

**The Presiding Officer:** The question is that amendment 34 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 34: O blaid 14, Ymatal 0, Yn erbyn 35.  
Amendment 34: For 14, Abstain 0, Against 35.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Cairns, Alun  
Davies, Andrew R.T.  
Davies, Paul  
German, Michael  
Isherwood, Mark  
Melding, David  
Morgan, Jonathan  
Ramsay, Nick  
Randerson, Jenny  
Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Andrews, Leighton  
Asghar, Mohammad  
Barrett, Lorraine  
Chapman, Christine  
Cuthbert, Jeff  
Davidson, Jane  
Davies, Alun  
Davies, Andrew  
Evans, Nerys  
Franks, Chris  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
James, Irene  
Jenkins, Bethan  
Jones, Alun Ffred  
Jones, Ann  
Jones, Carwyn  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Lewis, Huw  
Lloyd, David  
Lloyd, Val  
Mewies, Sandy  
Morgan, Rhodri  
Ryder, Janet  
Sargeant, Carl  
Thomas, Gwenda  
Thomas, Rhodri Glyn  
Watson, Joyce  
Wood, Leanne

*Gwrthodwyd y gwelliant.  
Amendment not agreed.*

**Y Llywydd:** Gan ein bod wedi gwaredu gwelliant 34, yn unol â'r rhestr o welliannau mewn trefn symudwn at waredu gwelliant 36, a gafodd ei drafod fel rhan o grŵp 6. Yr wyf yn gwahodd Jenny Randerson i gynnig gwelliant 36 yn ffurfiol.

**Jenny Randerson:** I move amendment 36 in my name and with the name of Paul Davies in support.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 36. A oes unrhyw wrthwynebiad? Gwelfaf fod. Felly, symudwn i bleidlais.

**The Presiding Officer:** As we have disposed of amendment 34, in accordance with the marshalled list we now come to dispose of amendment 36, which was discussed as part of group 6. I invite Jenny Randerson to formally move amendment 36.

**Jenny Randerson:** Cynigiaf welliant 36 yn fy enw i a chydag enw Paul Davies yn ei gefnogi.

**The Presiding Officer:** The question is that amendment 36 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 36: O blaid 14, Ymatal 0, Yn erbyn 35.  
Amendment 36: For 14, Abstain 0, Against 35.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Cairns, Alun  
Davies, Andrew R.T.  
Davies, Paul  
German, Michael  
Isherwood, Mark  
Melding, David  
Morgan, Jonathan  
Ramsay, Nick  
Randerson, Jenny  
Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Andrews, Leighton  
Asghar, Mohammad  
Barrett, Lorraine  
Chapman, Christine  
Cuthbert, Jeff  
Davidson, Jane  
Davies, Alun  
Davies, Andrew  
Evans, Nerys  
Franks, Chris  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
James, Irene  
Jenkins, Bethan  
Jones, Alun Ffred  
Jones, Ann  
Jones, Carwyn  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Lewis, Huw  
Lloyd, David  
Lloyd, Val  
Mewies, Sandy  
Morgan, Rhodri  
Ryder, Janet  
Sargeant, Carl  
Thomas, Gwenda  
Thomas, Rhodri Glyn  
Watson, Joyce  
Wood, Leanne

*Gwrthodwyd y gwelliant.  
Amendment not agreed.*

**Y Llywydd:** Gan ein bod wedi gwaredu gwelliant 36, yn unol â'r rhestr o welliannau mewn trefn symudwn at waredu gwelliant 12, a gafodd ei drafod fel rhan o grŵp 7. Yr wyf yn gwahodd y Dirprwy Weinidog i gynnig gwelliant 12 yn ffurfiol.

**John Griffiths:** Cynigiau welliant 12 yn fy enw i.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 12. A oes unrhyw wrthwynebiad? Gwela fod. Felly, symudwn i bleidlais.

**The Presiding Officer:** As we have disposed of amendment 36, in accordance with the marshalled list we now come to dispose of amendment 12, which was discussed as part of group 7. I invite the Deputy Minister to formally move amendment 12.

**John Griffiths:** I move amendment 12 in my name.

**The Presiding Officer:** The question is that amendment 12 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 12: O blaid 35, Ymatal 0, Yn erbyn 14.  
Amendment 12: For 35, Abstain 0, Against 14.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Andrews, Leighton  
Asghar, Mohammad  
Barrett, Lorraine  
Chapman, Christine  
Cuthbert, Jeff  
Davidson, Jane  
Davies, Alun  
Davies, Andrew  
Evans, Nerys  
Franks, Chris  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
James, Irene  
Jenkins, Bethan  
Jones, Alun Ffred  
Jones, Ann  
Jones, Carwyn  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Lewis, Huw  
Lloyd, David  
Lloyd, Val  
Mewies, Sandy  
Morgan, Rhodri  
Ryder, Janet  
Sargeant, Carl  
Thomas, Gwenda  
Thomas, Rhodri Glyn  
Watson, Joyce  
Wood, Leanne

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Cairns, Alun  
Davies, Andrew R.T.  
Davies, Paul  
German, Michael  
Isherwood, Mark  
Melding, David  
Morgan, Jonathan  
Ramsay, Nick  
Randerson, Jenny  
Williams, Kirsty

*Derbyniwyd y gwelliant.  
Amendment agreed.*

**Y Llywydd:** Gan ein bod wedi gwaredu gwelliant 12, yn unol â'r rhestr o welliannau mewn trefn symudwn at waredu gwelliant 26, a gafodd ei drafod fel rhan o grŵp 8. Yr wyf yn gwahodd Paul Davies i gynnig gwelliant 26 yn ffurfiol.

**Paul Davies:** Cynigïaf welliant 26 yn fy enw i a chydag enw Jenny Randerson yn ei gefnogi.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 26. A oes gwrthwynebiad? Gwela fod. Felly, symudwn i bleidlais.

**The Presiding Officer:** As we have disposed of amendment 12, in accordance with the marshalled list we now come to dispose of amendment 26, which was discussed as part of group 8. I invite Paul Davies to formally move amendment 26.

**Paul Davies:** I move amendment 26 in my name and with the name of Jenny Randerson in support.

**The Presiding Officer:** The question is that amendment 26 be agreed to. Are there any objections? I see that there are. therefore, we will move to a vote.

*Gwelliant 26: O blaid 15, Ymatal 0, Yn erbyn 34.*

*Amendment 26: For 15, Abstain 0, Against 34.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Cairns, Alun  
Davies, Andrew R.T.  
Davies, Paul  
German, Michael  
Isherwood, Mark  
Melding, David  
Morgan, Jonathan  
Ramsay, Nick  
Randerson, Jenny  
Ryder, Janet  
Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Andrews, Leighton  
Asghar, Mohammad  
Barrett, Lorraine  
Chapman, Christine  
Cuthbert, Jeff  
Davidson, Jane  
Davies, Alun  
Davies, Andrew  
Evans, Nerys  
Franks, Chris  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
James, Irene  
Jenkins, Bethan  
Jones, Alun Ffred  
Jones, Ann  
Jones, Carwyn  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Lewis, Huw  
Lloyd, David  
Lloyd, Val  
Mewies, Sandy  
Morgan, Rhodri  
Sargeant, Carl  
Thomas, Gwenda  
Thomas, Rhodri Glyn  
Watson, Joyce  
Wood, Leanne

*Gwrthodwyd y gwelliant.  
Amendment not agreed.*

**Cymhwyso Darpariaethau at Sefydliadau yn y Sector Addysg Uwch  
Application to Institutions within the Higher Education Sector**

**Y Llywydd:** Mae grŵp 9 yn ymwneud â chymhwyso darpariaethau at sefydliadau yn y sector addysg uwch. Gwelliant 13 yw'r prif welliant yn y grŵp hwn, ac yr ydym wedi cyrraedd tudalen 7 o'r rhestr o welliannau wedi eu didoli. Galwaf ar y Dirprwy Weinidog i gynnig gwelliant 13 a siarad am y gwelliannau eraill yn y grŵp.

**John Griffiths:** I move amendment 13 in my name.

*Cafodd gwelliannau 13, 15 a 21 eu grwpio ar gyfer y drafodaeth.  
Amendments 13, 15 and 21 grouped for debate.*

These amendments provide that Welsh Ministers may make regulations applying the provisions of Part 2 of the proposed Measure for 16 to 18-year-olds to institutions in the higher education sector. Amendment 21 is the substantive amendment, with amendments 13 and 15 being technical and consequent upon that amendment.

5.30 p.m.

These amendments would be relevant to situations where a further education institution ceased to be autonomous and fell under the control of an institution within the higher education sector. A case in point would be that of Merthyr College, which merged with the University of Glamorgan. These amendments are necessary in order to ensure that where, for example, a further education institution and a higher education institution merge, learners are not disadvantaged under such an arrangement and enjoy the increased choice and better support that the Measure brings. Future examples of such mergers would be covered, as was Merthyr College in its merger with the University of Glamorgan.

**Nick Bourne:** I thank the Deputy Minister for setting out the reasons for these amendments, which, as he said, relate to sections 33 and 36. I quite appreciate the need for some measure for the sort of situation he has outlined in relation to Merthyr College. However, we will oppose these amendments, because although we

**The Presiding Officer:** Group 9 deals with application to institutions within the higher education sector. Amendment 13 is the lead amendment in this group, and we have reached page 7 of the marshalled list. I call the Deputy Minister to move amendment 13 and to speak to the other amendments in the group.

**John Griffiths:** Cynigiau welliant 13 yn fy enw i.

Mae'r gwelliannau hyn yn darparu y caiff Gweinidogion Cymru lunio rheoliadau wrth gymhwyso darpariaethau Rhan 2 y Mesur arfaethedig ar gyfer pobl ifanc 16 i 18 oed at sefydliadau yn y sector addysg uwch. Gwelliant 21 yw'r prif welliant, gyda gwelliannau 13 a 15 yn rhai technegol ac yn deillio o'r gwelliant hwnnw.

Byddai'r gwelliannau hyn yn berthnasol i sefyllfaoedd lle'r oedd sefydliad addysg bellach wedi methu bod yn annibynnol a dod dan reolaeth sefydliad sydd yn y sector addysg uwch. Un enghraifft fyddai Coleg Merthyr, a unodd â Phrifysgol Morgannwg. Mae'r gwelliannau hyn yn angenrheidiol i sicrhau, er enghraifft, lle mae sefydliad addysg bellach a sefydliad addysg uwch yn uno, nad yw dysgwyr o dan anfantais o dan drefniant o'r fath a'u bod yn cael y dewis ehangach a'r gwell cymorth a ddaw yn sgil y Mesur. Byddai enghreifftiau o golegau'n uno fel hyn yn y dyfodol yn cael eu cwmpasu, fel yr oedd Coleg Merthyr wrth iddo uno â Phrifysgol Morgannwg.

**Nick Bourne:** Diolchaf i'r Dirprwy Weinidog am egluro'r rhesymau am y gwelliannau hyn, sydd, fel y dywedodd, yn ymwneud ag adrannau 33 a 36. Yr wyf yn llwyr werthfawrogi'r angen am ryw fesur ar gyfer y math o sefyllfa y mae wedi'i hamlinellu yng nghyswllt Coleg Merthyr. Fodd bynnag, byddwn yn gwrthwynebu'r

accept that there should be the power to make these regulations, at the moment, the provision reads that:

‘The regulations may apply those provisions with such modifications as appear to the Welsh Ministers to be necessary or expedient.’

This gives far too much executive power to Ministers, because there is no requirement for them to act reasonably. My party and I are suspicious of concentrating so much power in the hands of Ministers without any check at all. It would not be something that would be open to judicial review, because it simply has to appear to them to be necessary and expedient and there is no check on it at all. For that reason, we will oppose these amendments.

**Jenny Randerson:** I was quite surprised to see these amendments. HE institutions were not a topic that came into the frame at all when we were discussing this earlier. My discussions with higher education institutions in the last 24 or 48 hours since I started actively preparing for this debate suggest that they are blissfully unaware of the potential impact upon them. Bearing in mind the potential reconfiguration of FE and HE in future years, the way in which this is written could have a major impact on higher education institutions. Therefore, I have a question for the Minister, which I hope he can answer positively: how much discussion has taken place with higher education institutions and with the organisations representing them? Were they consulted on this and, if so, what are their views in relation to the practical implications of being encompassed within the scope of the proposed Measure?

**John Griffiths:** I reassure Members that it is not the intention of the Welsh Assembly Government to take a blanket approach and apply the provisions of the Measure to all higher education institutions. As I said earlier, it is to provide for situations such as that where Merthyr College merged with the University of Glamorgan. It is to cover that specific example, but also to ensure that any

gwelliannau hyn, oherwydd er ein bod yn derbyn y dylai fod pŵer i wneud y rheoliadau hyn, ar hyn o bryd, mae'r ddarpariaeth yn darllen:

Gall y rheoliadau hyn fod yn berthnasol i'r darpariaethau hynny gydag unrhyw addasiadau y cred Gweinidogion Cymru sy'n angenrheidiol neu'n hwylus.

Mae hyn yn rhoi llawer gormod o rym gweithredol i Weinidogion, oherwydd nid oes gofyniad ar iddynt ymddwyn yn rhesymol. Mae fy mhlaidd i a minnau'n ddrwgdybus o ganoli gormod o rym yn nwylo Gweinidogion heb unrhyw reolaeth o gwbl. Nid yw'n rhywbeth a fyddai'n agored i adolygiad barnwrol, oherwydd nid oes ond rhaid iddo ymddangos yn angenrheidiol a hwylus iddynt hwy ac nid oes unrhyw reolaeth arno o gwbl. Am y rheswm hwnnw, byddwn yn gwrthwynebu'r gwelliannau hyn.

**Jenny Randerson:** Yr oeddwn yn synnu braidd o weld y gwelliannau hyn. Nid oedd sefydliadau AU yn fater a grybwyllwyd o gwbl pan drafodasom hyn yn gynharach. Mae fy nhrafodaethau gyda sefydliadau addysg uwch yn y 24 neu'r 48 awr diwethaf ers imi ddechrau paratoi o ddifrif ar gyfer y ddadl hon yn awgrymu nad ydynt yn gwybod dim am yr effaith bosibl arnynt. Ac ystyried yr ad-drefnu posibl ar AB ac AU yn y blynyddoedd i ddod, gallai'r ffordd y mae hyn wedi cael ei ysgrifennu gael effaith fawr ar sefydliadau addysg uwch. Felly, mae gennyf gwestiwn i'r Gweinidog, y gobeithiaf y gall ei ateb yn gadarnhaol: faint o drafod sydd wedi bod gyda sefydliadau addysg uwch a chyda'r mudiadau sy'n eu cynrychioli? A ymgynghorwyd â hwy ynghylch hyn ac, os felly, beth yw eu barn ynglŷn â goblygiadau ymarferol cael eu cwmpasu gan y Mesur arfaethedig?

**John Griffiths:** Gallaf sicrhau'r Aelodau nad bwriad Llywodraeth Cynulliad Cymru yw gweithredu mewn modd unffurf a chymhwyso darpariaethau'r Mesur i bob sefydliad addysg uwch. Fel y dywedais yn gynharach, darparu a wna ar gyfer sefyllfaoedd fel yr un lle'r unodd Coleg Merthyr â Phrifysgol Morgannwg. Mae'n cwmpasu'r enghraifft benodol honno, ond



further mergers would also be brought within the scope of the proposed Measure, if appropriate. It is clearly in the best interest of learners that this course of action is taken and it certainly does not constitute any threat to higher education in Wales.

**Y Llywydd:** Ddirprwy Weinidog, a ydych am symud i bleidlais ar welliant 13?

**John Griffiths:** Yes.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 13. A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

mae hefyd yn sicrhau y byddai unrhyw gynlluniau uno pellach yn dod o fewn cwmpas y Mesur arfaethedig os yw hynny'n briodol. Mae'n amlwg er lles pennaf dysgwyr bod hyn yn digwydd ac yn sicr nid yw'n fygythiad o gwbl i addysg uwch yng Nghymru.

**The Presiding Officer:** Deputy Minister, do you wish to move to a vote on amendment 13?

**John Griffiths:** Ydwyf.

**The Presiding Officer:** The question is that amendment 13 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 13: O blaid 39, Ymatal 0, Yn erbyn 9.  
Amendment 13: For 39, Abstain 0, Against 9.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Asghar, Mohammad  
Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Burnham, Eleanor  
Chapman, Christine  
Cuthbert, Jeff  
Davidson, Jane  
Davies, Alun  
Davies, Andrew  
Davies, Jocelyn  
Evans, Nerys  
Franks, Chris  
German, Michael  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
James, Irene  
Jenkins, Bethan  
Jones, Alun Ffred  
Jones, Ann  
Jones, Carwyn  
Jones, Gareth  
Jones, Ieuan Wyn  
Lewis, Huw  
Lloyd, David  
Lloyd, Val  
Mewies, Sandy  
Morgan, Rhodri  
Ryder, Janet  
Sargeant, Carl  
Thomas, Gwenda  
Thomas, Rhodri Glyn  
Watson, Joyce

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Bourne, Nick  
Cairns, Alun  
Davies, Andrew R.T.  
Davies, Paul  
Isherwood, Mark  
Melding, David  
Morgan, Jonathan  
Ramsay, Nick  
Randerson, Jenny

Williams, Kirsty  
Wood, Leanne

*Derbyniwyd gwelliant 13.  
Amendment 13 agreed.*

### **Rheoliadau—Gweithredu'r Cwricwlwm Lleol Regulations—Operation of the Local Curriculum**

**Y Llywydd:** Mae'r degfed grŵp o welliannau yn ymwneud â rheoliadau gweithredu'r cwricwlwm lleol. Gwelliant 14 yw'r prif welliant. Mae i'w weld ar dudalen 7 yn y rhestr o welliannau wedi'i gosod mewn trefn. Galwaf ar y Dirprwy Weinidog i gynnig gwelliant 14 a siarad am y gwelliannau eraill yn y grŵp.

**John Griffiths:** I move amendment 14 in my name.

*Cafodd gwelliannau 14, 17, 18, 19 a 20 eu grwpio ar gyfer y drafodaeth.  
Amendments 14, 17, 18, 19 and 20 grouped for debate.*

These are technical amendments to ensure that the regulation-making powers in sections 35 and 43 are sufficiently wide. Amendment 14 simply aims to ensure that any regulations made to apply the local curriculum provisions to pupils at special schools or to students who have learning difficulties, can apply the provisions of both the interpretation section, section 33 of the proposed Measure, and any directions given under section 34. This will make certain that the proposed Measure operates as intended.

Amendments 17, 18, 19 and 20 all relate to section 43 of the proposed Measure. Section 43 allows regulations to be made so that the existing body of education legislation will apply in an appropriate fashion in respect of children who receive education at more than one educational institution. Regulations under this section, for example, could specify that for the purposes of any legislation that governs meetings with the child's parents, the child is to be treated as a registered pupil at more than one school, so that the parents have the right to meet with those responsible for the child's education at both schools. Or, the regulations could specify that the prohibition on charging for admission to a maintained school for full-time education

**The Presiding Officer:** The tenth group of amendments relates to regulations about the operation of the local curriculum. The lead amendment in this group is amendment 14, which appears on page 7 of the marshalled list. I call on the Deputy Minister to move amendment 14 and to speak to the other amendments in the group.

**John Griffiths:** Cynigïaf welliant 14 yn fy enw i.

Gwelliannau technegol yw'r rhain i sicrhau bod y pwerau i lunio rheoliadau yn adrannau 35 a 43 yn ddigon eang. Nod gwelliant 14 yn syml yw sicrhau bod unrhyw reoliadau a wneir i gymhwyso'r darpariaethau cwricwlwm lleol i ddisgyblion mewn ysgolion arbennig neu i fyfyrwyr sydd ag anawsterau dysgu, yn gallu cymhwyso darpariaethau'r adran ddehongli, adran 33 o'r Mesur arfaethedig, ac unrhyw gyfarwyddiadau a roddir o dan adran 34. Bydd hyn yn sicrhau bod y Mesur arfaethedig yn gweithredu fel y bwriadwyd.

Mae a wnelo gwelliannau 17, 18, 19 ac 20 i gyd ag adran 43 o'r Mesur arfaethedig. Mae Adran 43 yn caniatáu llunio rheoliadau fel y bydd y corff presennol o ddeddfwriaeth addysg yn gymwys mewn modd priodol yng nghyswllt plant sy'n cael addysg mewn mwy nag un sefydliad addysgol. Gallai rheoliadau o dan yr adran hon, er enghraifft, bennu, at ddibenion unrhyw ddeddfwriaeth sy'n rheoli cyfarfodydd gyda rhieni'r plentyn, fod y plentyn i gael ei drin fel disgybl cofrestredig mewn mwy nag un ysgol, fel bod gan y rhieni'r hawl i gwrdd â'r rhai sy'n gyfrifol am addysg y plentyn yn y ddwy ysgol. Neu, gallai'r rheoliadau bennu bod y gwaharddiad ar godi tâl am dderbyn disgyblion i ysgol a gynhelir i gael addysg amser llawn yn

applies to a person over compulsory school age who is taking a local curriculum course at a school. Otherwise, such a person could be treated as having been admitted to the school for part-time education and a charge could be made. These are technical amendments to ensure that the power in section 43 is wide enough to allow necessary provision to be made, so that the scheme in the proposed Measure can properly work.

**Nick Bourne:** The only one of these amendments that we are concerned about, which the Minister has touched on, is amendment 18, and particularly the wording:

‘a person in respect of whom charges may be made in respect of admission to a maintained school.’

We would not want to countenance charges being made for admission to a maintained school and I hope that the Deputy Minister will consider the necessity to clarify that. I hear what the Deputy Minister has said and my concerns, and those of the group, are somewhat allayed, but it presents a fairly open possibility of introducing charges in respect of maintained schools. For admission, it is very clear,

‘a person in respect of whom charges may be made in respect of admission to a maintained school.’

That obviously is a concern, that there may be the prospect of charges for going to schools in the state sector.

**John Griffiths:** It is technically the situation at the moment that schools are able to charge for what might be considered part-time evening courses. I am not aware of it happening anywhere, but this is just to make certain that somebody going to a school on a part-time basis would not be subject to any charging regime.

**Y Llywydd:** Dirprwy Weinidog, a ydych yn dymuno symud i bleidlais ar welliant 14?

**John Griffiths:** Ydwyf.

gymwys i berson hŷn na'r oedran ysgol gorfodol sy'n dilyn cwrs cwricwlwm lleol mewn ysgol. Fel arall, gallai unigolyn o'r fath gael ei drin fel pe bai wedi cael ei dderbyn i'r ysgol i gael addysg ran-amser a gellid codi tâl. Gwelliannau technegol yw'r rhain i sicrhau bod y pŵer yn adran 43 yn ddigon eang i ganiatáu i'r ddarpariaeth angenrheidiol gael ei gwneud, er mwyn i'r cynllun yn y Mesur arfaethedig allu gweithio'n iawn.

**Nick Bourne:** Yr unig un o'r gwelliannau hyn yr ydym yn pryderu yn ei gyloch, y mae'r Gweinidog wedi cyffwrdd ag ef, yw gwelliant 18, a'r geiriad yn arbennig:

‘yn un y caniateir codi taliadau ar ei gyfer ynghylch cael ei dderbyn i ysgol a gynhelir’.

Ni fyddem am gefnogi codi taliadau am dderbyn disgyblion i ysgol a gynhelir a gobeithiaf y bydd y Dirprwy Weinidog yn ystyried yr anghenraid i egluro hynny. Clywaf yr hyn y mae'r Dirprwy Weinidog wedi'i ddweud ac mae fy mhryderon i, a rhai'r grŵp, wedi cael eu tawelu rywfaint, ond mae'n golygu posibilrwydd gweddol agored y gellir cyflwyno taliadau mewn ysgolion a gynhelir. O ran derbyn disgyblion, mae'n glir iawn,

‘yn un y caniateir codi taliadau ar ei gyfer ynghylch cael ei dderbyn i ysgol a gynhelir’.

Mae hynny yn amlwg yn bryder, y gallai fod posibilrwydd o daliadau am fynd i ysgolion yn sector y wladwriaeth.

**John Griffiths:** Yn dechnegol, y sefyllfa ar hyn o bryd yw y gall ysgolion godi tâl am yr hyn y gellid ei ystyried yn gyrsiau min nos rhan-amser. Nid wyf yn ymwybodol ei fod yn digwydd yn unrhyw le, ond nid yw hyn ond i wneud yn siŵr na fyddai rhywun sy'n mynd i ysgol ar sail ran-amser yn ddarostyngedig i unrhyw gyfundrefn codi tâl.

**The Presiding Officer:** Deputy Minister, do you wish to move to a vote on amendment 14?

**John Griffiths:** I do.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 14. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 14 ei dderbyn.

*Derbyniwyd gwelliant 14.  
Amendment 14 agreed.*

**Y Llywydd:** Yn awr symudwn at waredu gwelliant 15, a gafodd ei drafod fel rhan o grŵp 9. Yr wyf yn gwahodd y Dirprwy Weinidog i gynnig gwelliant 15 yn ffurfiol.

**John Griffiths:** Cynigiau welliant 15 yn fy enw i.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 15. A oes gwrthwynebiad? Gwelaf fod, felly symudwn i bleidlais.

**The Presiding Officer:** The question is that amendment 14 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, amendment 14 is therefore agreed.

**The Presiding Officer:** We now come to dispose of amendment 15, which has been debated as part of group 9. I invite the Deputy Minister to formally move amendment 15.

**John Griffiths:** I move amendment 15 in my name.

**The Presiding Officer:** The question is that amendment 15 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 15: O blaid 44, Ymatal 0, Yn erbyn 9.  
Amendment 15: For 44, Abstain 0, Against 9.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Andrews, Leighton  
Asghar, Mohammad  
Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Burnham, Eleanor  
Chapman, Christine  
Cuthbert, Jeff  
Davidson, Jane  
Davies, Alun  
Davies, Andrew  
Davies, Jocelyn  
Evans, Nerys  
Franks, Chris  
German, Michael  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
James, Irene  
Jenkins, Bethan  
Jones, Alun Ffred  
Jones, Ann  
Jones, Carwyn  
Jones, Elin  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Lewis, Huw

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Bourne, Nick  
Cairns, Alun  
Davies, Andrew R.T.  
Davies, Paul  
Graham, William  
Isherwood, Mark  
Melding, David  
Millar, Darren  
Morgan, Jonathan

Lloyd, David  
 Lloyd, Val  
 Mewies, Sandy  
 Morgan, Rhodri  
 Ramsay, Nick  
 Randerson, Jenny  
 Ryder, Janet  
 Sargeant, Carl  
 Thomas, Gwenda  
 Thomas, Rhodri Glyn  
 Watson, Joyce  
 Williams, Kirsty  
 Wood, Leanne

*Derbyniwyd gwelliant 15.  
 Amendment 15 agreed.*

5.40 p.m.

**Gwasanaethau Cymorth i Ddysgwyr—Cyngor—Didueddrwydd  
 Learner Support Services—Advice—Impartiality**

**Y Llywydd:** Mae grŵp 11 yn ymdrin â gwasanaethau cymorth i ddysgwyr. Yr wyf yn gwahodd Jenny Randerson i gynnig gwelliant 32.

**Jenny Randerson:** I move amendment 32 in my name and with the name of Paul Davies in support.

The purpose of this amendment is to ensure that, when advice is given to pupils, it is available in both English and Welsh. We are talking about informal as well as formal advice. So, if you take the example of a Welsh-medium school, one would expect its student advice services to be fully set up and for it to be using the Welsh language, but often people come in to provide specific advice that is not provided by staff, such as advice on careers and so on. It is essential for that advice to be available appropriately in English or Welsh and for a student, who opts for Welsh-medium education, to have access to informal and formal advice through the language of his or her choice.

As currently written, I do not believe that the legislation makes this particular aspect of advice specific enough. It includes other aspects in relation to impartiality and so on, but it does not refer specifically to advice for the Welsh-medium sector, even taking into account the amendment that the Government put forward and that was agreed earlier this

**The Presiding Officer:** Group 11 relates to learner support services. I invite Jenny Randerson to move amendment 32.

**Jenny Randerson:** Cynigiau welliant 32 yn fy enw i a chydag enw Paul Davies yn ei gefnogi.

Pwrpas y gwelliant hwn yw sicrhau, pan roddir cyngor i ddisgyblion, ei fod ar gael yn y Gymraeg a'r Saesneg. Yr ydym yn sôn am gyngor anffurfiol yn ogystal â ffurfiol. Felly, os edrychwch chi ar enghraifft ysgol cyfrwng Cymraeg, byddai rhywun yn disgwyl i'w gwasanaethau cynghori myfyrwyr fod wedi'u sefydlu'n llwyr ac y byddai'n defnyddio'r Gymraeg, ond yn aml mae pobl yn dod i mewn i ddarparu cyngor penodol na chaiff ei ddarparu gan y staff, megis cyngor ynglŷn â gyrfaedd ac ati. Mae'n hanfodol fod y cyngor hwnnw ar gael yn briodol yn y Gymraeg neu'r Saesneg a bod myfyriwr, sy'n dewis cael addysg cyfrwng Cymraeg, yn gallu cyrchu at gyngor anffurfiol a ffurfiol drwy ei ddewis iaith ef neu hi.

Fel y mae wedi cael ei hysgrifennu ar hyn o bryd, ni chredaf fod y ddeddfwriaeth yn gwneud yr agwedd neilltuol hon ar gyngor yn ddigon penodol. Mae'n cynnwys agweddau eraill yn ymwneud â bod yn diduedd ac ati, ond nid yw'n cyfeirio'n benodol at gyngor i'r sector cyfrwng Cymraeg, hyd yn oed wrth ystyried y gwelliant a gyflwynwyd gan y

afternoon.

**Paul Davies:** Mae'n bleser gennyf gefnogi'r gwelliant hwn yn enw Jenny Randerson. Mae adroddiad Cyfnod 1 y Mesur arfaethedig hwn yn argymhell y dylai unrhyw wasanaeth a chynngor a ddosberthir i ddysgwyr fod yn ddiuedd ac yn statudol. Derbyniaf fod y Llywodraeth wedi cyflwyno gwelliannau i sicrhau hynny yng Nghyfnod 2 y Mesur arfaethedig, ond mae'n hanfodol bod unrhyw ddysgwr yn derbyn y cynngor diduedd drwy'r iaith o'i ddewis. Mae gwelliant Jenny Randerson yn ymwneud â chydarddoldeb a thegwch. Os ydym am greu Cymru wirioneddol ddwyieithog, mae'n hollbwysig bod Llywodraeth y Cynulliad yn cefnogi'r gwelliant hwn ac yr wyf yn erfyn ar Aelodau i'w gefnogi.

**John Griffiths:** We are in familiar territory here in terms of this debate in as much as, again, this amendment has an ambition, which everyone would share, to move towards a situation where these services are equally available in both languages. Again, we are not yet able to provide services in that way in Wales and there are questions about workability and achievability, if this amendment were to be agreed; we oppose it for that reason.

Leaner support services can cover a wide range of specialist activities such as individual counselling on specialist areas of expertise. There is a danger that that level of specialist individual counselling could not be provided in the Welsh language in parts of Wales and services could be called into question as a result. We think that, for those reasons, it is best to deal with these issues in terms of statutory guidance.

It is the Welsh Assembly Government's intention to address the availability of learner support services through the media of Welsh and English as a matter within statutory guidance, which could of course give due regard to the difficulties and complexities involved. A good reason would have to be provided as to why advice was only available in one language. We believe that that

Llywodraeth ac y cytunwyd arno'n gynharach y prynhawn yma.

**Paul Davies:** It is my pleasure to support this amendment in the name of Jenny Randerson. The Stage 1 report on this proposed Measure recommends that services and advice provided for learners should be unbiased and statutory. I accept that the Government did table amendments to do that at Stage 2 of the proposed Measure, but it is essential that learners receive the unbiased advice in the language of their choice. Jenny Randerson's amendment is about equality and fairness. If we are to create a truly bilingual Wales, it is vital that the Assembly Government supports this amendment and I urge Members to do so.

**John Griffiths:** Yr ydym ar dir cyfarwydd yma o safbwynt y ddadl hon yn yr ystyr, unwaith eto, fod gan y gwelliant hwn uchelgais, y dylai pawb ei rannu, i symud ymlaen i sefyllfa lle mae'r gwasanaethau hyn ar gael yn gydradd yn y naill iaith a'r llall. Eto, nid ydym hyd yma'n gallu darparu gwasanaethau yn y ffordd honno yng Nghymru ac mae cwestiynau ynglŷn â'r gallu i weithredu a chyflawni'r gwelliant hwn, pe cytunid ar y gwelliant; gwrthwynebwn ef am y rheswm hwnnw.

Gall gwasanaethau cymorth i ddysgwyr gwmpasu amrediad eang o weithgareddau arbenigol megis cwnsela unigol ar feysydd hynod o arbenigol. Mae perygl na fyddai modd darparu'r lefel honno o gwnsela arbenigol drwy gyfrwng y Gymraeg mewn rhannau o Gymru ac y gallai hynny fwrw amheuaeth ar wasanaeth o ganlyniad. Credwn, am y rhesymau hynny, mai'r peth gorau yw delio â'r materion hyn drwy ganllawiau statudol.

Bwriad Llywodraeth Cynulliad Cymru yw ymdrin ag argaeledd gwasanaethau cymorth i ddysgwyr drwy gyfrwng y Gymraeg a'r Saesneg fel mater o fewn canllawiau statudol, a allai wrth gwrs roi sylw dyledus i'r anawsterau a'r cymhlethdodau perthnasol. Byddai rhaid darparu rheswm da pam nad yw cynngor ar gael ond mewn un iaith yn unig. Credwn fod hynny'n darparu'r hyblygrwydd

provides the necessary flexibility.

However, I should also say that the guidance will be particularly robust in relation to the learning coach function, because it is such a central component within the 14-19 learner support development. We certainly wish to reiterate the Welsh Assembly Government's commitment to ensuring that, wherever possible, learner support services are delivered through the two languages of Wales, but, again, progress is dependent on recognition of where we currently stand in terms of working towards a truly bilingual country.

**Jenny Randerson:** I am very disappointed by the Minister's response. There is a poverty of ambition there, and there is a problem with the tactics that he sets out: that is, basically, what incorporating it in guidance turns out to be. The problem with it is that those who can take the easy option will do so, and I do not believe that it is not possible to have regard to the principles in this legislation in a way that sets out a much more ambitious agenda in relation to the provision of guidance. I fear that the easy option will be to allow guidance to be in whatever is the obvious language at the time, rather than seeking out someone who can provide the appropriate language—it is bound to be the Welsh language, because I am sure that there will never be difficulty in finding people to provide guidance in English. I appreciate that there could well be difficulty in finding someone to provide guidance in Welsh, but I believe that we have to be ambitious, and we have to work on the rights of people to receive every aspect of education through the medium of Welsh when they require it.

**The Presiding Officer:** Do you wish to move to a vote on amendment 32?

**Jenny Randerson:** Yes.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 32. Oes unrhyw wrthwynebiadau? Gwelaf fod. Felly, galwaf am bleidlais.

angenrheidiol.

Fodd bynnag, dylwn ddweud hefyd y bydd y canllawiau'n arbennig o gadarn yng nghyswllt swyddogaeth yr anogwr dysgu, gan ei fod yn gydran mor ganolog o fewn datblygu cymorth i ddysgwyr 14-19. Yr ydym yn sicr yn dymuno ailddatgan ymrwymiad Llywodraeth Cynulliad Cymru i sicrhau, lle bydd yn bosibl, y darperir gwasanaethau cymorth i ddysgwyr yn nwy iaith Cymru, ond eto, mae cynnydd yn dibynnu ar gydnabod ein sefyllfa bresennol o ran gweithio tuag at wlad wirioneddol ddwyieithog.

**Jenny Randerson:** Mae ateb y Gweinidog yn fy siomi'n fawr. Ceir diffyg uchelgais ynddo, a phroblem gyda'r tactegau y mae'n eu gosod allan: sef, yn y bôn, beth fydd ei ymgorffori mewn canllawiau yn ei olygu yn y pen draw. Y broblem yw y bydd y rheini a all wneud y dewis hawdd yn gwneud hynny, ac nid wyf yn credu ei bod yn bosibl ystyried egwyddorion y ddeddfwriaeth hon mewn modd sy'n gosod allan agenda lawer mwy uchelgeisiol yng nghyswllt darparu canllawiau. Yr wyf yn ofni mai'r dewis hawdd fydd gadael i'r canllawiau fod yn yr iaith sy'n ymddangos yn amlwg ar y pryd, yn hytrach na chwilio am rywun a all ddarparu'r iaith briodol—yr iaith Gymraeg fydd honno, yn anochel, gan fy mod yn siŵr na fydd byth dim anhawster wrth ganfod pobl i ddarparu canllawiau yn Saesneg. Yr wyf yn gwerthfawrogi y gallai fod yn wirioneddol anodd canfod rhywun i ddarparu canllawiau yn Gymraeg, ond credaf ei bod yn rhaid inni fod yn uchelgeisiol, a bod rhaid inni weithio ar hawliau pobl i gael pob agwedd ar addysg drwy gyfrwng y Gymraeg pan fydd hynny'n ofynnol ganddynt.

**Y Llywydd:** A ydych yn dymuno symud at bleidlais ar welliant 32?

**Jenny Randerson:** Ydw.

**The Presiding Officer:** The question is that amendment 32 be agreed to. Are there any objections? I see that there are. Therefore, I call for a vote.

*Gwelliant 32: O blaid 16, Ymatal 1, Yn erbyn 36.  
Amendment 32: For 16, Abstain 1, Against 36.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Cairns, Alun  
Davies, Andrew R.T.  
Davies, Paul  
German, Michael  
Graham, William  
Isherwood, Mark  
Melding, David  
Millar, Darren  
Morgan, Jonathan  
Ramsay, Nick  
Randerson, Jenny  
Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Andrews, Leighton  
Asghar, Mohammad  
Barrett, Lorraine  
Chapman, Christine  
Cuthbert, Jeff  
Davidson, Jane  
Davies, Alun  
Davies, Andrew  
Davies, Jocelyn  
Evans, Nerys  
Franks, Chris  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
James, Irene  
Jenkins, Bethan  
Jones, Alun Ffred  
Jones, Ann  
Jones, Carwyn  
Jones, Elin  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Lewis, Huw  
Lloyd, David  
Lloyd, Val  
Mewies, Sandy  
Morgan, Rhodri  
Ryder, Janet  
Sargeant, Carl  
Thomas, Gwenda  
Thomas, Rhodri Glyn  
Watson, Joyce  
Wood, Leanne

Ymataliodd yr Aelodau canlynol:  
The following Members abstained:

Jones, Gareth

*Gwrthodwyd y gwelliant.  
Amendment not agreed.*

### **Llwybr Dysgu: Dehongli Learning Pathway: Interpretation**

**Y Llywydd:** Symudwn i grŵp 12, sydd yn ymwneud â dehongli llwybrau dysgu. Galwaf ar y Dirprwy Weinidog i gynnig gwelliant 16.

**John Griffiths:** I move amendment 16 in my name.

This is a technical amendment. Its purpose is merely to add a definition of 'registered pupil', which is the same as that which

**The Presiding Officer:** We come to group 12, which relates to the interpretation of learning pathways. I call on the Deputy Minister to move amendment 16.

**John Griffiths:** Cynigiau welliant 16 yn fy enw i.

Gwelliant technegol yw hwn. Ei unig ddiben yw ychwanegu diffiniad o 'ddisgybl cofrestredig' sydd yr un fath â'r un sy'n



applies for the purposes of the Education Act 1996.

berthnasol at ddibenion Deddf Addysg 1996.

**Y Llywydd:** Diolchaf i'r Dirprwy Weinidog. Nid oes neb am siarad ar y gwelliant, ac yr wyf yn cymryd fod y Gweinidog eisiau symud i bleidlais ar y gwelliant. Felly, y cwestiwn yw y dylid cytuno ar welliant 16. Gwelaf nad oes gwrthwynebiad. Felly, yn unol â Rheol Sefydlog Rhif 7.35, yr wyf yn datgan fod gwelliant 16 wedi ei gytuno.

**The Presiding Officer:** Thank you, Deputy Minister. No-one wishes to speak to the amendment, and I assume that the Deputy Minister wishes to move to a vote on the amendment. Therefore, the question is that amendment 16 be agreed to. I see that there is no objection. Therefore, in accordance with Standing Order No. 7.35, I declare that amendment 16 is agreed.

*Derbyniwyd gwelliant 16.  
Amendment 16 agreed.*

**Y Llywydd:** Gan ein bod wedi gwaredu gwelliant 16, yn unol â'r rhestr o welliannau mewn trefn symudwn at waredu gwelliannau 17, 18, 19 a 20, a gafodd eu trafod fel rhan o grŵp 10. Yr wyf yn gwahodd y Dirprwy Weinidog i gynnig gwelliant 17.

**The Presiding Officer:** As we have disposed of amendment 16, in accordance with the marshalled list we now come to dispose of amendments 17, 18, 19 and 20, which were discussed as part of group 10. I invite the Deputy Minister to move amendment 17.

**John Griffiths:** Cynigiaf welliant 17 yn fy enw i.

**John Griffiths:** I move amendment 17 in my name.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 17. A oes unrhyw wrthwynebiadau? Gwelaf nad oes. Felly, yn unol â Rheol Sefydlog Rhif 7.35, yr wyf yn datgan fod y gwelliant wedi ei gytuno.

**The Presiding Officer:** The question is that amendment 17 be agreed to. Are there any objections? I see that there are none. Therefore, in accordance with Standing Order No. 7.35, I declare that the amendment is agreed.

*Derbyniwyd gwelliant 17.  
Amendment 17 agreed.*

**Y Llywydd:** Gan ein bod wedi gwaredu gwelliant 17, yr wyf yn gwahodd y Dirprwy Weinidog i gynnig gwelliant 18.

**The Presiding Officer:** As we have disposed of amendment 17, I invite the Deputy Minister to move amendment 18.

**John Griffiths:** Cynigiaf welliant 18 yn fy enw i.

**John Griffiths:** I move amendment 18 in my name.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 18. A oes unrhyw wrthwynebiadau? Gwelaf nad oes. Felly, yn unol â Rheol Sefydlog Rhif 7.35, yr wyf yn datgan fod y gwelliant wedi ei gytuno.

**The Presiding Officer:** The question is that amendment 18 be agreed to. Are there any objections? I see that there are none. Therefore, in accordance with Standing Order No. 7.35, I declare that the amendment is agreed.

*Derbyniwyd gwelliant 18.  
Amendment 18 agreed.*

**Y Llywydd:** Gan ein bod wedi gwaredu gwelliant 18, symudwn at waredu gwelliant

**The Presiding Officer:** As we have disposed of amendment 18, we come to dispose of

19. Yr wyf yn gwahodd y Gweinidog i gynnig gwelliant 19.

**John Griffiths:** Cynigiaf welliant 19 yn fy enw i.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 19. A oes unrhyw wrthwynebiadau? Gwelaf nad oes. Felly, yn unol â Rheol Sefydlog Rhif 7.35, yr wyf yn datgan fod y gwelliant wedi ei gytuno.

*Derbyniwyd gwelliant 19.  
Amendment 19 agreed.*

**Y Llywydd:** Gan ein bod wedi gwaredu gwelliant 19, symudwn at waredu gwelliant 20. Yr wyf yn gwahodd y Gweinidog i gynnig gwelliant 20 yn ffurfiol.

5.50 p.m.

**John Griffiths:** I move amendment 20 in my name.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 20. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 20 ei dderbyn.

*Derbyniwyd gwelliant 20.  
Amendment 20 agreed.*

### **Cychwyn Commencement**

**Y Llywydd:** Galwaf ar y Dirprwy Weinidog i gynnig gwelliant 22 a siarad am y gwelliant arall yn y grŵp.

**John Griffiths:** I move amendment 22 in my name.

*Cafodd gwelliannau 22 a 23 eu grwpio ar gyfer y drafodaeth.  
Amendments 22 and 23 grouped for debate.*

Again, these are technical amendments. Amendment 22 provides for commencement of sections 43, 45, 46 and 47 two months after Royal Approval, which is standard practice with primary legislation. It is to ensure that there is no need to make a commencement Order simply to bring into

amendment 19. I invite the Deputy Minister to move amendment 19.

**John Griffiths:** I move amendment 19 in my name.

**The Presiding Officer:** The question is that amendment 19 be agreed to. Are there any objections? I see that there are none. Therefore, in accordance with Standing Order No. 7.35, I declare that the amendment is agreed.

**The Presiding Officer:** As we have disposed of amendment 19, we come to dispose of amendment 20. I invite the Deputy Minister to move amendment 20.

**John Griffiths:** Cynigiaf welliant 20 yn fy enw i.

**The Presiding Officer:** The question is that amendment 20 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, amendment 20 is therefore agreed.

**The Presiding Officer:** I call on the Deputy Minister to move amendment 22 and to speak to the other amendment in the group.

**John Griffiths:** Cynigiaf welliant 22 yn fy enw i.

Eto, gwelliannau technegol yw'r rhain. Mae Gwelliant 22 yn caniatáu cychwyn adrannau 43, 45, 46 a 47 ddau fis ar ôl Cymeradwyaeth Frenhinol, sef yr arfer safonol gyda deddfwriaeth sylfaenol. Diben hyn yw sicrhau nad oes angen Gorchymyn cychwyn er mwyn dod â theitl byr y Mesur arfaethedig

force the short title of the proposed Measure or the provisions that enable Orders to be made to commence the substantive provisions of the proposed Measure. The effect of amendment 23 is simply to ensure that section 46 is clearly drafted.

**Y Llywydd:** Nid oes neb am siarad ar y grŵp, ac yr wyf yn cymryd bod y Dirprwy Weinidog am symud i bleidlais ar welliant 22. Felly, y cwestiwn yw y dylid cytuno ar welliant 22. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 22 ei dderbyn.

*Derbyniwyd gwelliant 22.  
Amendment 22 agreed.*

**Y Llywydd:** Gan ein bod wedi gwaredu gwelliant 22, symudwn at waredu gwelliant 23, a gafodd ei drafod fel rhan o grŵp 13. Yr wyf yn gwahodd y Dirprwy Weinidog i gynnig gwelliant 23 yn ffurfiol.

**John Griffiths:** I move amendment 23 in my name.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 23. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 23 ei dderbyn.

*Derbyniwyd gwelliant 23.  
Amendment 23 agreed.*

**Y Llywydd:** Gan ein bod wedi gwaredu gwelliant 23, symudwn at waredu gwelliant 21, a drafod fel rhan o grŵp 9. Yr wyf yn gwahodd y Dirprwy Weinidog i gynnig gwelliant 21 yn ffurfiol.

**John Griffiths:** I move amendment 21 in my name.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 21. A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

*Gwelliant 21: O blaid 36, Ymatal 0, Yn erbyn 17.  
Amendment 21: For 36, Abstain 0, Against 17.*

Pleidleisiodd yr Aelodau canlynol o blaid:

i rym na'r darpariaethau sy'n galluogi gwneud Gorchmynion i gychwyn prif ddarpariaethau'r Mesur arfaethedig. Unig effaith gwelliant 23 yw sicrhau y caiff adran 46 ei drafftio'n glir.

**The Presiding Officer:** No-one wishes to speak to the group, and I assume that the Deputy Minister wishes to move to a vote on amendment 22. Therefore, the question is that amendment 22 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, amendment 22 is therefore agreed.

**The Presiding Officer:** As we have disposed of amendment 22, we come to dispose of amendment 23, which was discussed as part of group 13. I invite the Deputy Minister to formally move amendment 23.

**John Griffiths:** Cynigiau welliant 23 yn fy enw i.

**The Presiding Officer:** The question is that amendment 23 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, amendment 23 is therefore agreed.

**The Presiding Officer:** As we have disposed of amendment 23, we come to dispose of amendment 21, which was discussed as part of group 9. I invite the Deputy Minister to formally move amendment 21.

**John Griffiths:** Cynigiau welliant 21 yn fy enw i.

**The Presiding Officer:** The question is that amendment 21 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

Pleidleisiodd yr Aelodau canlynol yn erbyn:

The following Members voted for:

Andrews, Leighton  
 Asghar, Mohammad  
 Barrett, Lorraine  
 Chapman, Christine  
 Cuthbert, Jeff  
 Davies, Alun  
 Davies, Andrew  
 Davies, Jocelyn  
 Evans, Nerys  
 Franks, Chris  
 Gibbons, Brian  
 Gregory, Janice  
 Griffiths, John  
 Griffiths, Lesley  
 Hart, Edwina  
 Hutt, Jane  
 James, Irene  
 Jenkins, Bethan  
 Jones, Alun Ffred  
 Jones, Ann  
 Jones, Carwyn  
 Jones, Elin  
 Jones, Gareth  
 Jones, Helen Mary  
 Jones, Ieuan Wyn  
 Lewis, Huw  
 Lloyd, David  
 Lloyd, Val  
 Mewies, Sandy  
 Morgan, Rhodri  
 Ryder, Janet  
 Sargeant, Carl  
 Thomas, Gwenda  
 Thomas, Rhodri Glyn  
 Watson, Joyce  
 Wood, Leanne

The following Members voted against:

Bates, Mick  
 Black, Peter  
 Bourne, Nick  
 Burnham, Eleanor  
 Cairns, Alun  
 Davidson, Jane  
 Davies, Andrew R.T.  
 Davies, Paul  
 German, Michael  
 Graham, William  
 Isherwood, Mark  
 Melding, David  
 Millar, Darren  
 Morgan, Jonathan  
 Ramsay, Nick  
 Randerson, Jenny  
 Williams, Kirsty

*Derbyniwyd y gwelliant.  
 Amendment agreed.*

### **Teithio gan Ddysgwyr Learner Travel**

**Y Llywydd:** Symudwn at grŵp 14, ar deithio gan ddysgwr. Galwaf ar Paul Davies i gynnig gwelliant 27.

**Paul Davies:** I move amendment 27 in my name and with the name of Jenny Randerson in support.

The issue of transport was raised at Stage 1, and, at the time, the committee felt that it was sufficiently important to make reference to the Proposed Learner Travel (Wales) Measure. That is why this amendment has been tabled. During the course of the Stage 1 committee debate, the Chair, Jeff Cuthbert, said that the committee was concerned about the limitations of that proposed Measure, and

**The Presiding Officer:** We now come to group 14, on learner travel. I call on Paul Davies to move amendment 27.

**Paul Davies:** Cynigiau welliant 27 yn fy enw i a chydag enw Jenny Randerson yn ei gefnogi.

Codwyd mater trafndiaeth yng Nghyfnod 1 ac, ar y pryd, yr oedd y pwyllgor yn teimlo ei fod yn ddigon pwysig i gyfeirio at y Mesur Arfaethedig ynghylch Teithio gan Ddysgwyr (Cymru). Dyna pam mae'r gwelliant hwn wedi'i gyflwyno. Yn ystod dadl pwyllgor Cyfnod 1, dywedodd y Cadeirydd, Jeff Cuthbert, fod y pwyllgor yn pryderu am gyfyngiadau'r Mesur arfaethedig hwnnw, ac

specifically about its exclusion of travel during the school day and the fact that it provided a right to transport only to a pupil's nearest school. On behalf of the committee, Jeff specifically recommended that the Deputy Minister bring forward amendments to ensure that the matter be taken account of. No amendment has yet been forthcoming, which is why this amendment has been tabled—to take account of the interaction between this proposed Measure and the Proposed Learner Travel (Wales) Measure. The Stage 1 committee recommended that the matter be dealt with in the proposed Measure to take account of the fact that we are not only talking about people being transported to a place of learning and then collected at the end of the day: potentially, people will be transported from one location to another during the school day because they are studying a variety of courses. The issue of free travel during the school or college day is at the centre of this, and the proposed Measure will not work without that entitlement. Given the financial situation of local authorities, that imperative will certainly be required to ensure that they provide that free transport. Otherwise, there will be endless arguments about this in practice. We all know of the dramatic limitations of the Proposed Learner Travel (Wales) Measure, and the committee's recommendation sensibly sought to overcome that and point to a way forward.

If this right is not included in the legislation, it will have a major impact on the freedom of choice of a large number of people and on the type of courses that they can pursue.

The costs of travel are prohibitive for many families. It is the poorest families that will suffer the most, particularly those in rural areas. If this travel were to be provided for free by the local authority or by the learner institutions, the impact on rural areas particularly would be massive regardless of what the legislation stipulates. It is the cost of travel that stops people from taking up so many options in life. If this new system is to work, it will rely on students being able to access a potentially wide variety of locations to pursue their courses. By rejecting this amendment, the proposed Measure will not take into account the arrangements for those

yn benodol am y ffaith ei fod yn eithrio teithio yn ystod y diwrnod ysgol a'r ffaith mai dim ond hawl i drafnidiaeth i ysgol agosaf disgybl yr oedd yn ei darparu. Ar ran y pwyllgor, argymhellodd Jeff yn benodol y dylai'r Dirprwy Weinidog gyflwyno gwelliannau i sicrhau bod y mater yn cael ei ystyried. Nid oes gwelliant wedi'i gyflwyno hyd yma, a dyna pam mae'r gwelliant hwn wedi'i gyflwyno—er mwyn ystyried y rhyngweithio rhwng y Mesur arfaethedig hwn a'r Mesur Arfaethedig ynghylch Teithio gan Ddysgwyr (Cymru). Argymhellodd pwyllgor Cyfnod 1 y dylid delio â'r mater yn y Mesur arfaethedig er mwyn ystyried y ffaith nad dim ond sôn yr ydym am bobl yn cael eu cludo i fan dysgu a'u casglu oddi yno ar ddiwedd y dydd: o bosibl, caiff pobl eu cludo o un lleoliad i'r llall yn ystod y diwrnod ysgol gan eu bod yn astudio amrywiaeth o gyrsiau. Mae mater teithio am ddim yn ystod y diwrnod ysgol neu goleg yn ganolog i hyn, ac ni fydd y Mesur arfaethedig yn gweithio heb yr hawl honno. Ac ystyried sefyllfa ariannol awdurdodau lleol, yn sicr bydd angen y gorchymyn hwnnw er mwyn sicrhau eu bod yn darparu'r drafnidiaeth honno am ddim. Fel arall, ceir dadleuon diddiwedd am hyn yn ymarferol. Yr ydym oll yn gwybod am gyfyngiadau dramatig y Mesur Arfaethedig ynghylch Teithio gan Ddysgwyr (Cymru), a nod doeth argymhelliad y pwyllgor oedd ceisio goresgyn hynny a dangos ffordd ymlaen.

Os na chaiff yr hawl hon ei chynnwys yn y ddeddfwriaeth, caiff effaith fawr ar ryddid dewis nifer mawr o bobl ac ar y math o gyrsiau y gallant eu dilyn.

Mae costau teithio'n ormod i nifer o deuluoedd. Y teuluoedd tlotaf fydd yn dioddef fwyaf, yn enwedig y rheini mewn ardaloedd gwledig. Pe bai'r teithio'n cael ei ddarparu am ddim gan yr awdurdod lleol neu gan y sefydliadau dysgwyr, byddai'r effaith ar ardaloedd gwledig yn enfawr, beth bynnag a bennir gan y ddeddfwriaeth. Cost teithio sy'n atal pobl rhag gwneud cynifer o ddewisiadau mewn bywyd. Er mwyn i'r system newydd hon weithio, bydd rhaid i fyfyrwyr allu mynd i amrywiaeth eang o leoliadau, o bosibl, er mwyn dilyn eu cyrsiau. Drwy wrthod y gwelliant hwn, ni fydd y Mesur arfaethedig yn ystyried y trefniadau ar

who may have to travel some distance, and those who may have to make several trips during the school day to reach the locations where their chosen courses are taught. It will also fail to take account of complex travel arrangements. Unless the amendment is agreed to, I fear that students' inability to travel between institutions will represent a serious barrier to their taking up learning opportunities. The whole idea of expanding learning opportunities will then be lost because there will be no framework to allow people to travel between institutions.

The geography of Wales means that, on some occasions, people may have to travel some distance. I therefore urge Members to support this amendment.

**Jenny Randerson:** In supporting Paul's amendment, I remind Members exactly what the Stage 1 committee said.

'We recommend that the Minister clearly outlines how he intends to overcome the limitations on transport that the Learner Travel Measure has created and that amendments are brought forward to this proposed Measure to ensure that the transport provision and related costs are not a barrier to collaboration and pupil choice. Furthermore, the Minister should state clearly who is responsible for the costs relating to transport provision.'

The Minister has not done so and therefore we are attempting to deal with it through this amendment. It is crucial. This proposed Measure is a good idea but it can be sunk entirely by some of the detail that has been left completely untouched. Issues such as who is responsible for a pupil aged 14 during the learning day are the key issues that could sink this, given the significant costs of travel. There will be learner travel and I am fully supportive of Measures to introduce more e-learning, and of making use of videoconferencing. Only last week I was talking to teachers and lecturers who said that, with all the gadgetry in the world, the key person is still the lecturer and the teacher. Without them, you will not have an adequate learning environment, and you will still have to rely on students moving. It will cost money. As long as hard-pressed financial

gyfer y rheini a all orfod teithio cryn bellter, a'r rheini a all orfod gwneud sawl taith yn ystod diwrnod ysgol i gyrraedd y lleoliadau lle caiff y cyrsiau o'u dewis eu dysgu. Hefyd, ni fydd yn gallu ystyried trefniadau teithio cymhleth. Oni chytunir â'r gwelliant, yr wyf yn ofni y bydd anallu myfyrwyr i deithio rhwng sefydliadau'n rhwystro difrifol iddynt gael cyfleoedd i ddysgu. Yna, caiff yr holl syniad o ehangu cyfleoedd i ddysgu ei golli gan na fydd fframwaith i ganiatáu i bobl deithio rhwng sefydliadau.

Mae daearyddiaeth Cymru'n golygu, ar rai achlysuron, y gallai pobl orfod teithio cryn bellter. Felly, yr wyf yn annog yr Aelodau'n gryf i gefnogi'r gwelliant hwn.

**Jenny Randerson:** Wrth gefnogi gwelliant Paul, atgoffaf yr Aelodau beth yn union a ddywedodd pwyllgor Cyfnod 1.

'Rydym yn argymhell y dylai'r Gweinidog roi amlinelliad clir o sut mae'n bwriadu dod dros y cyfyngiadau ar gludiant y mae'r Mesur Teithio gan Ddysgwyr wedi'u creu ac y dylai gwelliannau gael eu cyflwyno i'r Mesur arfaethedig hwn er mwyn sicrhau nad yw darparu cludiant a'r costau sy'n gysylltiedig â hynny yn rhwystro cydlafurio a dewis i ddisgyblion. Ymhellach, dylai'r Gweinidog ddatgan yn glir pwy sy'n gyfrifol am y costau ynglŷn â darparu cludiant.'

Nid yw'r Gweinidog wedi gwneud hynny, felly yr ydym yn ceisio delio â'r mater drwy'r gwelliant hwn. Mae'n hollbwysig. Mae'r Mesur arfaethedig hwn yn syniad da ond gallai gael ei suddo'n gyfan gwbl gan rai o'r manylion sydd heb eu cyffwrdd o gwbl. Materion megis pwy sy'n gyfrifol am ddisgybl 14 oed yn ystod y diwrnod dysgu yw'r materion allweddol a allai suddo hyn, ac ystyried y costau teithio sylweddol. Bydd teithio i ddysgwyr, ac yr wyf yn llwyr gefnogi Mesurau i gyflwyno mwy o e-ddysgu, a defnyddio mwy o fideogynadledda. Yr wythnos diwethaf, yr oeddwn yn siarad ag athrawon a darlithwyr a ddywedodd, er gwaethaf holl ddyfeisiadau'r byd, mai'r darlithydd a'r athro yw'r unigolyn allweddol o hyd. Hebddynt, ni fydd gennyh amgylchedd dysgu digonol, a byddwch yn dal i orfod dibynnu ar fyfyrwyr yn symud.

institutions do not have clarity over who will pay, there will be endless arguments, and there will be families whose children are put off doing the course that is most suitable for them because it costs money to access it. It will be cheaper to take a less suitable course at a nearer institution because it costs a great deal less money. That would undermine all the high principles that lie behind this proposed Measure.

**Jonathan Morgan:** I am delighted to support amendment 27 tabled in the name of Paul Davies. It is right that it is tabled now, as it was also considered at Stage 2. Jenny Randerson was right to point out what the Stage 1 committee said in its report, because it was clearly sufficiently concerned to make a recommendation about the transport arrangements.

6.00 p.m.

For the committee to say in its recommendation that we need an amendment that will overcome the limitations on transport that the Learner Travel (Wales) Measure 2008 created, and for amendments to be brought forward that reflect both that and the fact that this could have an impact on students if it is not amended, demonstrates a substantial degree of concern. I urge those Labour Members and certainly the Plaid Cymru Member who sat with us on the Proposed Learning and Skills (Wales) Measure Committee at Stage 1 to vote with us this afternoon. If you vote against the amendment, plenty of people outside the Chamber will have observed this entire process through Stages 1, 2 and 3 and will wonder why on earth you have changed your minds. They will wonder about the value of having a Stage 1 process. What is the point of collecting evidence, reviewing it, and making a considered judgment as to the amendments that are needed to improve this legislation only to reject such amendments at a later stage? They will ask why you signed up to suggested amendments at Stage 1 only to happily reject them at Stage 2 and now at Stage 3.

If this new law is to work, it has to take into

Bydd yn costio arian. Cyn belled â na fydd sefydliadau ariannol dan bwysau yn glir ynghylch pwy fydd yn talu, ceir dadleuon diddiwedd, a cheir teuluoedd a'u plant yn cael eu hanghymell rhag dilyn y cwrs sydd fwyaf addas ar eu cyfer gan ei bod yn costio arian i gael mynediad ato. Bydd yn rhatach dilyn cwrs llai addas mewn sefydliad agosach gan ei fod yn costio llawer llai o arian. Byddai hynny'n tansailio'r holl egwyddorion clodwiw sy'n sail i'r Mesur arfaethedig hwn.

**Jonathan Morgan:** Mae'n bleser gennyf gefnogi gwelliant 27 a gyflwynwyd yn enw Paul Davies. Mae'n iawn iddo gael ei gyflwyno yn awr, gan ei fod hefyd wedi cael ei ystyried yng Nghyfnod 2. Yr oedd Jenny Randerson yn gywir pan soniodd am yr hyn a ddywedodd pwyllgor Cyfnod 1 yn ei adroddiad, gan ei fod yn amlwg yn poeni digon i wneud argymhelliad am y trefniadau trafniadaeth.

Mae'r ffaith bod y pwyllgor yn dweud yn ei argymhelliad bod angen gwelliant arnom a fydd yn goresgyn y cyfyngiadau ar deithio a grëwyd yn sgil Mesur Teithio gan Ddysgwyr (Cymru) 2008, a bod angen cyflwyno gwelliannau sy'n adlewyrchu hynny a'r ffaith y gallai hyn effeithio ar fyfyrwyr oni chaiff ei ddiwygio, yn dangos bod cryn bryder ynglŷn â hyn. Pwysaf ar yr Aelodau Llafur hynny ac yn sicr ar yr Aelod Plaid Cymru a fu'n eistedd gyda ni ar Bwyllgor y Mesur Dysgu a Sgiliau Arfaethedig (Cymru) yng Nghyfnod 1 i bleidleisio gyda ni'r prynhawn yma. Os pleidleiswch yn erbyn y gwelliant, bydd digon o bobl y tu allan i'r Siambr hon wedi sylwi ar y broses hon yn ei chrynsyth drwy Gyfnod 1, 2 a 3 ac yn pendroni pam ar y ddaear yr ydych wedi newid eich meddwl. Byddant yn pendroni ynglŷn â gwerth cael proses Cyfnod 1. Beth yw pwynt casglu tystiolaeth, ei hadolygu, a phwyso a mesur pa welliannau y mae eu hangen er mwyn gwella'r ddeddfwriaeth hon dim ond i wrthod gwelliannau o'r fath yn ddiweddarach? Byddant yn gofyn ichi pam y gwnaethoch gytuno i'r gwelliannau a awgrymwyd yng Nghyfnod 1 dim ond i'w gwrthod yn hapus yng Nghyfnod 2 ac yn awr yng Nghyfnod 3.

Os yw'r gyfraith newydd hon am weithio,

account the way in which a student's day will change. This is not just about ferrying children from home to school at the start of the day, and then back again at the end of the day; they will have to move between institutions during the day, and you have not taken that into account. If the Deputy Minister does not intend to amend this part of the legislation, perhaps he could tell me and the other members of the Stage 1 and Stage 2 committees how he will respond to our concerns about the Learner Travel (Wales) Measure 2008 potentially having a detrimental impact on those students. Will it not be a barrier to collaboration and pupil choice? I am at a loss to understand why the Deputy Minister has not sought to bring forward a Government amendment to take that into consideration. That was the committee's clear recommendation.

When we discussed this at Stage 2, in Legislation Committee No. 2, Jeff Cuthbert, who chaired the original Stage 1 committee that produced the report said that there would be more consideration of the issue. We are now at Stage 3. Later today, we will be at Stage 4—if we ever get there. I do not know when Jeff Cuthbert thinks we will get more consideration. This is the time to amend this law to make it better, and to do the job that the Stage 1 committee felt needed to be done. I do not understand why the Government has felt that an amendment is not necessary. I hope that the Deputy Minister can assure me this afternoon that arrangements are being put in place to ensure that learner travel issues will not be a barrier to collaboration, or to pupils and students making those active decisions about the courses that they wish to study.

**Kirsty Williams:** I also sat on the Stage 1 committee and I begin by agreeing with the points raised by Jonathan Morgan. Given the response of the Government to the Stage 1 report, and to amendments at Stage 2 and this afternoon, one wonders what is the point of the process that we have embarked upon. The Stage 1 committee took evidence from a great number of people over many hours, and

rhaid iddi ystyried sut y bydd diwrnod myfyriwr yn newid. Nid dim ond mater o gludo plant o'u cartref i'r ysgol ar ddechrau'r diwrnod, ac yn ôl wedyn ar ddiwedd y diwrnod ydyw; bydd yn rhaid iddynt symud o'r naill sefydliad i'r llall yn ystod y diwrnod, ac nid ydych wedi ystyried hynny. Os nad yw'r Dirprwy Weinidog yn bwriadu diwygio'r rhan hon o'r ddeddfwriaeth, efallai y gallai ddweud wrthyf ac wrth aelodau eraill pwyllgor Cyfnod 1 a Chyfnod 2 sut y bydd yn ymateb i'n pryderon y gallai mesur Teithio gan Ddysgwyr (Cymru) 2008 gael effaith niweidiol ar y myfyrwyr hynny. Oni fydd yn rhwystro cydweithredu ac yn rhwystro disgyblion rhag cael dewis? Ni allaf ddeall pam nad yw'r Dirprwy Weinidog wedi ceisio cyflwyno gwelliant gan y Llywodraeth sy'n rhoi sylw i hynny. Dyna argymhelliad clir y pwyllgor.

Pan drafodwyd hyn yng Nghyfnod 2, ym Mhwyllgor Deddfwriaeth Rhif 2, dywedodd Jeff Cuthbert a gadeiriodd y pwyllgor Cyfnod 1 gwreiddiol a gynhyrnod yr adroddiad y byddai'r mater yn cael ei ystyried eto. Yr ydym yn awr wedi cyrraedd Cyfnod 3. Yn ddiweddarach heddiw, byddwn wedi cyrraedd Cyfnod 4—os cyrhaeddwn y fan honno byth. Ni wn pa bryd y bydd Jeff Cuthbert yn meddwl yr ystyriwn y peth eto. Dyma'r adeg i ddiwygio'r gyfraith hon i'w gwella, ac i wneud y gwaith yr oedd y pwyllgor Cyfnod 1 yn meddwl yr oedd angen ei wneud. Ni ddeallaf pam mae'r Llywodraeth wedi teimlo nad oes angen gwelliant. Yr wyf yn gobeithio y gall y Dirprwy Weinidog fy sicrhau y prynhawn yma bod trefniadau'n cael eu rhoi ar waith i sicrhau na fydd materion teithio gan ddysgwyr yn rhwystro cydweithredu, nac yn rhwystro disgyblion a myfyrwyr rhag gwneud y penderfyniadau gweithredol hynny ynglŷn â'r cyrsiau y maent yn dymuno'u hastudio.

**Kirsty Williams:** Eisteddais innau hefyd ar bwyllgor Cyfnod 1 a dechreuaf drwy gyuno â'r pwyntiau a godwyd gan Jonathan Morgan. Ac ystyried ymateb y Llywodraeth i adroddiad Cyfnod 1, ac i'r gwelliannau yng Nghyfnod 2 a'r prynhawn yma, mae rhywun yn amau pwynt y broses yr ydym wedi rhoi cychwyn arni. Derbyniodd pwyllgor Cyfnod 1 dystiolaeth gan nifer mawr o bobl dros



on that basis made recommendations in its report. Those recommendations have been blithely ignored by this Government, and that raises the question of whether this process is worth while for us as Assembly Members and, perhaps more importantly, for those people who were called in as witnesses to give evidence. We may as well let the party whips sort it all out in a back room rather than go through this process in vain.

The issue of learner travel is important because this legislation is completely incompatible with the Learner Travel (Wales) Measure 2008, which was passed a matter of months ago. This is all complicated by the fact that the learner travel Measure covered transport for 14 to 16-year-olds, which is free if a learner qualifies under the distance criteria, but made post-16 travel discretionary and dependent on the local authority. That Measure makes transport available but only to the nearest school. A student wishes to study A-level drama, but it is not offered at his nearest secondary school, which I will call school A. However, it is offered at a secondary school in the county that is not a million miles away—school B. School B also offers the two other A-level courses that the student would like to pursue, and therefore it seems to make sense for that student to go to school B. The local authority is not required to pay for the transport that would allow that student to access A-level drama, and so it will pay for transport to school A only, which does not offer that course.

At the moment, the system does not cover the new reality as envisaged by John Griffiths, whereby children can choose between different institutions that can offer a broader curriculum, with certain schools delivering certain subjects rather than competing with each other. Even if a child moves during the day, the home institution cannot necessarily afford to pay for that transport. Only last night, it was announced that Gwernyfed High School, which intended to send 10 children to Coleg Powys in September, will be able to pay the transport costs of only five of them owing to cuts in its budget.

oriau maith, ac ar y sail honno, gwnaeth argymhellion yn ei adroddiad. Mae'r argymhellion hynny wedi'u hanwybyddu'n llon gan y Llywodraeth hon, ac mae hynny'n codi'r cwestiwn a yw'r broses hon yn un werth ei dilyn i ni Aelodau'r Cynulliad, ac yn bwysicach efallai, i'r bobl hynny a alwyd yn dystion i roi tystiolaeth. Ni waeth inni adael i chwipiaid y pleidiau drefnu'r cyfan mewn ystafell gefn yn hytrach na mynd drwy'r broses hon yn ofer.

Mae mater teithio gan ddysgwyr yn bwysig oherwydd bod y ddeddfwriaeth hon yn gwbl anghydnaws â Mesur Teithio gan Ddysgwyr (Cymru) 2008, a basiwyd ychydig fisoedd yn ôl. Mae hyn i gyd yn fwy cymhleth yn sgil y ffaith bod y Mesur teithio gan ddysgwyr yn golygu bod cludiant i bobl ifanc 14 -16 oed yn cael ei ddarparu am ddim os bydd dysgwr yn gymwys dan y maen prawf pellter, ond bod talu am deithio i'r rhai sydd dros 16 oed yn fater dewisol sy'n dibynnu ar yr awdurdod lleol. Mae'r Mesur yn sicrhau bod cludiant ar gael ond dim ond i'r ysgol agosaf. Mae myfyriwr yn dymuno astudio drama at Safon Uwch, ond nid yw'r pwnc yn cael ei gynnig yn ei ysgol uwchradd agosaf. Fodd bynnag, fe'i cynigir mewn ysgol uwchradd yn y sir nad yw'n bell iawn i ffwrdd—yn ysgol B. Mae ysgol B hefyd yn cynnig y ddau gwrs Safon Uwch arall y byddai'r myfyriwr yn hoffi eu dilyn, ac felly, i bob golwg, mae'n gwneud synnwyr i'r myfyriwr hwnnw fynd i ysgol B. Nid oes gofyn i'r awdurdod lleol dalu am y cludiant a fyddai'n caniatáu i'r myfyriwr hwnnw astudio drama at Safon Uwch, ac felly dim ond i ysgol A y bydd yn talu am gludiant, ysgol nad yw'n cynnig y cwrs hwnnw.

Ar hyn o bryd, nid yw'r system yn darparu ar gyfer y realiti newydd fel y'i rhagwelir gan John Griffiths, lle caiff plant ddewis rhwng gwahanol sefydliadau sy'n gallu cynnig cwricwlwm ehangach, gydag ysgolion penodol yn cynnig pynciau penodol yn hytrach na chystadlu â'i gilydd. Hyd yn oed os bydd plentyn yn symud yn ystod y diwrnod, ni fydd y sefydliad cartref o anghenraid yn gallu fforddio talu am y cludiant hwnnw. Dim ond neithiwr, cyhoeddwyd na fydd Ysgol Uwchradd Gwernyfed, a oedd yn bwriadu anfon 10 plentyn i Goleg Powys ym mis Medi, ond yn

gallu talu costau cludo pump ohonynt oherwydd bod ei chyllideb wedi'i thocio.

What about Welsh-medium education? What should the parents in my constituency do if their children cannot study all their GCSE courses through the medium of Welsh because we do not have that facility in the south of the county? The nearest facility would be at Ysgol Gyfun Ystalyfera. However, parents are regularly denied transport by Powys County Council for their children to access a full Welsh-medium curriculum at Ystalyfera. The fact is that this proposed Measure and the Learner Travel (Wales) Measure 2008 are simply incompatible. If you want this legislation to offer choice, you cannot ignore the transport difficulties, especially, although not solely, in rural areas. You have to make some provision, either by supporting Paul Davies's amendment 27, or by coming up with some way of saying that schools are not suitable if they cannot accommodate the choice of parents. That is happening daily, and choice becomes reality only to those whose parents can afford it.

**Gareth Jones:** I agree that we need to look at learner travel and at what is involved, as more travel will be needed as a result of this proposed Measure. However, in this new reality that you referred to, why did you not mention teacher travel? That will also increase, will it not? Will that not solve some of the problems that you raised? On that basis, could this amendment on learner travel not be described as confined and restrictive?

**Kirsty Williams:** Hopefully, some teachers will travel, which will mean that students do not have to. However, the Deputy Minister has made it clear that there will be an expectation that pupils have to travel. The issue is about parent choice. Put simply, parents in Brecon and Radnorshire cannot choose for their children to study all GCSE subjects through the medium of Welsh without going out of county. Perhaps it is possible for teachers to travel to teach one or two courses, but not a whole curriculum. Children can choose to study at a different

Beth am addysg cyfrwng Cymraeg? Beth y dylai'r rhieni yn fy etholaeth ei wneud oni all eu plant astudio pob un o'u cyrsiau TGAU drwy gyfrwng y Gymraeg oherwydd nad yw'r cyfleuster hwnnw gennym yn ne'r sir? Y cyfleuster agosaf fyddai yn Ysgol Gyfun Ystalyfera. Fodd bynnag, bydd Cyngor Sir Powys yn gwrthod ceisiadau'n rheolaidd gan rieni am gael cludiant i'w plant er mwyn iddynt fanteisio ar gwricwlwm llawn drwy gyfrwng y Gymraeg yn Ystalyfera. Y ffaith yw bod y Mesur arfaethedig hwn a Mesur Teithio gan Ddysgwyr (Cymru) 2008 yn gwbl anghydnaws â'i gilydd. Os ydych am i'r ddeddfwriaeth hon gynnig dewis, ni allwch anwybyddu'r anawsterau cludiant, yn enwedig, ond nid yn unig, yn yr ardaloedd gwledig. Rhaid ichi wneud rhywfaint o ddarpariaeth, naill ai drwy gefnogi gwelliant 27 Paul Davies, neu drwy ganfod rhyw ffordd o ddweud nad yw ysgolion yn addas oni allant ymateb i ddewis y rhieni. Mae hynny'n digwydd bob dydd, a dim ond i'r rheini y mae eu rhieni'n gallu ei fforddio y mae dewis ar gael mewn gwirionedd.

**Gareth Jones:** Cytunaf fod angen inni edrych ar deithio gan ddysgwyr ac ar yr hyn mae hynny'n ei olygu, oherwydd bydd angen mwy o deithio yn sgil y Mesur arfaethedig hwn. Serch hynny, yn y realiti newydd hwn a grybwyllwyd gennych, pam na soniasoch am athrawon yn teithio? Bydd hynny'n cynyddu hefyd, oni fydd? Oni fydd hynny'n datrys rhai o'r problemau a godwyd gennych? Ar y sail honno, oni ellid disgrifio'r gwelliant hwn ynglŷn â theithio gan ddysgwyr yn un cul a chyfyngol?

**Kirsty Williams:** Gobeithio y bydd rhai athrawon yn teithio, gan olygu na fydd yn rhaid i fyfyrwyr wneud hynny. Serch hynny, mae'r Dirprwy Weinidog wedi'i gwneud yn glir mai'r disgwyl yw y bydd yn rhaid i ddisgyblion deithio. A'i dweud yn syml, ni all rhieni ym Mrycheiniog a Sir Faesyfed ddewis i'w plant ddysgu eu holl bynciau TGAU drwy gyfrwng y Gymraeg heb fynd allan o'r sir. Efallai fod modd i athrawon deithio i ddysgu cwrs neu ddau, ond nid y cwricwlwm i gyd. Gall plant ddewis astudio mewn sefydliad gwahanol, ond dim ond os

institution, but only if their parents have the financial resources and if they have the time. That means that there is a divide between the children who will have a choice and those who will be denied the choice because the Deputy Minister has not listened to the recommendations made during Stage 1 or Stage 2. He is determined to follow the little checklist that he has on his desk and ignore the real problems that will arise.

**Alun Cairns:** I support amendment 27 tabled in the name of Paul Davies. Unless it is agreed, it will make the proposed Measure meaningless to a huge proportion of students and pupils. They would like to exercise the extended choice offered by the proposed Measure, but they will not be allowed to do that in reality because of a lack of financial capacity.

The whole purpose of the scrutiny process, from Stage 1 through to Stage 4, which follows this debate, is about improving the legislation and making it more relevant and accessible. The Stage 1 committee recognised at the outset that the Learner Travel (Wales) Measure 2008 went contrary to the objectives of this proposed Measure. When the learner travel Measure was debated, we argued against the principle of providing travel to and from school only for pupils who have special educational needs. Pupils still have to fight local authorities to get to attend mainstream schools in the morning and special schools in the afternoon. The Deputy First Minister and Minister for the Economy and Transport rejected the pragmatism that would have been achieved by agreeing a sensible amendment, aimed at helping the most vulnerable people. It is because of the position that he took then that we are landed in this position today. He was not prepared to accept the best interests of pupils with special educational needs, and today's proposed Measure reflects that decision. Its effects are applicable to every other pupil who wishes to be transported from one part of the county to another, to exercise the choice.

6.10 p.m.

I find it difficult to understand why Labour and Plaid Cymru Assembly Members, who

oes gan eu rhieni'r adnoddau ariannol ac os yw'r amser ganddynt. Mae hynny'n golygu bod bwlch rhwng y plant a gaiff ddewis a'r plant y gwrthodir y dewis iddynt oherwydd nad yw'r Dirprwy Weinidog wedi gwrandao ar yr argymhellion yn ystod Cyfnod 1 neu Gyfnod 2. Mae'n benderfynol o ddilyn y rhestr wirio fach sydd ganddo ar ei ddesg ac anwybyddu'r gwir broblemau a fydd yn codi.

**Alun Cairns:** Cefnogaf welliant 27 a gyflwynwyd yn enw Paul Davies. Oni chytunir i hyn, bydd y Mesur arfaethedig yn ddiystyr i gyfran enfawr o fyfyrwyr a disgyblion. Byddent yn hoffi manteisio ar y dewis ehangach a gynigir gan y Mesur arfaethedig, ond ni chaniateir iddynt wneud hynny mewn gwirionedd oherwydd diffyg arian.

Holl bwrpas y broses craffu, o Gyfnod 1 drwodd i Gyfnod 4, sy'n dilyn y ddadl hon, yw gwella'r ddeddfwriaeth a'i gwneud yn fwy perthnasol a hygyrch. Sylweddolodd pwyllgor Cyfnod 1 ar y cychwyn fod Mesur Teithio gan Ddysgwyr (Cymru) 2008 yn groes i amcanion y Mesur arfaethedig hwn. Pan ddadleuwyd ynglŷn â'r Mesur teithio gan ddysgwyr, yr oeddem yn dadlau yn erbyn egwyddor darparu teithio i'r ysgol ac oddi yno'n unig i ddisgyblion a chanddynt anghenion addysgol arbennig. Rhaid i ddisgyblion ddal i frwydro yn erbyn awdurdodau lleol er mwyn cael mynychu un o ysgolion y brif ffrwd yn y bore ac ysgol arbennig yn y prynhawn. Gwrthododd y Dirprwy Brif Weinidog a'r Gweinidog dros yr Economi a Thrafnidiaeth yr ateb pragmatig y byddai cytuno i welliant call wedi'i gynnig, gyda'r nod o gynorthwyo'r bobl fwyaf agored i niwed. Ei safbwynt bryd hynny sy'n gyfrifol am y sefyllfa yr ydym ynddi heddiw. Nid oedd yn barod i dderbyn buddiannau gorau disgyblion a chanddynt anghenion addysgol arbennig, ac mae'r Mesur a gynigir heddiw'n adlewyrchu'r penderfyniad hwnnw. Mae ei effeithiau'n berthnasol i bob disgybl arall sy'n dymuno cael ei gludo o'r naill ran o'r sir i'r llall, er mwyn cael dewis.

Fe'i caf yn anodd deall pam mae Aelodau'r Blaid Lafur a Phlaid Cymru yn y Cynulliad,

are pragmatic in many ways but also socialist in their principles, are not prepared—and I just saw Leanne Wood looking up at me. [*Interruption.*] I disagree with many socialist policies, but I respect absolutely the right of socialists to make the argument that so many of them make. However, when we are arguing about the principle—[*Interruption.*] If Rhodri Glyn Thomas wants to intervene, I will happily allow him to. However, I find it difficult to understand why so many Members make arguments on the basis of access, equality of opportunity, and equality of access and on the basis of supporting pupils in accessing those choices when they intend to vote against amendment 27.

**Rhodri Glyn Thomas:** Comrade, I just want to respect the fact that you will accept well-thought-out socialist arguments, as you said earlier. [*Laughter.*]

**Alun Cairns:** Of course I understand and accept some of the arguments, but that does not necessarily mean that I agree with them. [ASSEMBLY MEMBERS: ‘Oh.’] I notice the flippant way in which many Members have reacted to that, which is disappointing, because this is a sensible amendment aimed at extending choice. We have not heard a sensible argument opposed to it because many of the other arguments that you have presented in other debates on the subject are inconsistent. [*Laughter.*] It is no laughing matter, because failure to support the amendment will reduce choice for many pupils and students, and will question the motive of this legislation. If it is meant to improve choice, we should give that choice to students and pupils. The reality is that urban pupils and students will often get the choice but rural pupils and students will not, because of the impracticality of the distances that they will be expected to travel. Unless the amendment is agreed to, and unless we are able to provide support to those pupils, one of the motives behind the proposed Measure will be undermined, thus undermining the rolls, courses and choices that are available to students and pupils, particularly those who attend sixth forms.

sy'n bragmatig mewn sawl ffordd ond hefyd yn sosialwyr o ran eu hegwyddorion, yn barod—a gwelais Leanne Wood yn edrych i fyny ataf yn awr. [*Torri ar draws.*] Yr wyf yn anghytuno â llawer o bolisiau sosialaidd, ond yr wyf yn parchu'n llwyr hawl sosialwyr i gyflwyno'r ddadl y mae cynifer ohonynt yn eu cyflwyno. Fodd bynnag, pan fyddwn yn dadlau ynglŷn â'r egwyddor—[*Torri ar draws.*] Os yw Rhodri Glyn Thomas am ymyrryd, yr wyf yn falch iawn o ganiatáu iddo wneud hynny. Fodd bynnag, fe'i caf yn anodd deall pam mae cynifer o Aelodau'n dadlau ar sail mynediad, cyfle cyfartal a mynediad cyfartal ac ar sail cefnogi disgyblion i fanteisio ar y dewisiadau hynny a hwythau'n bwriadu pleidleisio yn erbyn gwelliant 27.

**Rhodri Glyn Thomas:** Gymrawd, yr unig beth yr wyf am ei wneud yw parchu'r ffaith y byddwch yn derbyn dadleuon sosialaidd sydd wedi'u hystyried yn ofalus, fel y dywedasocho gynnau.[*Chwerthin*]

**Alun Cairns:** Wrth gwrs fy mod yn deall ac yn derbyn rhai o'r dadleuon, ond nid yw hynny o anghenraid yn golygu fy mod yn cytuno â hwy. [AELODAU'R CYNULLIAD: 'O'] Sylwaf ar y ffordd wamal y mae llawer o'r Aelodau wedi ymateb i hynny, sy'n siomedig, oherwydd mae'r gwelliant hwn yn un call a'i nod yw ehangu dewis. Nid ydym wedi clywed dadl gall yn ei erbyn oherwydd bod llawer o'r dadleuon eraill yr ydych wedi'u cyflwyno ynglŷn â'r pwnc mewn dadleuon eraill yn anghyson. [*Chwerthin.*] Nid yw'n destun chwerthin, oherwydd bydd methu â chefnogi'r gwelliant yn lleihau'r dewis i lawer o ddisgyblion a myfyrwyr, ac yn codi amheuan ynglŷn â chymhelliant y ddeddfwriaeth hon. Os mai'r bwriad yw gwella dewis, dylem roi'r dewis hwnnw i fyfyrwyr a disgyblion. Y gwir yw y bydd y dewis ar gael yn aml i ddisgyblion a myfyrwyr y trefi ond na fydd ar gael i ddisgyblion a myfyrwyr cefn gwlad, oherwydd bod y pellter y bydd disgwyl iddynt ei deithio'n anymarferol. Oni chytunir i'r gwelliant, ac oni allwn ddarparu cymorth ar gyfer y disgyblion hynny, tansailir un o'r cymhellion sy'n gefn i'r Mesur arfaethedig, ac felly tansailir y cyfleoedd i gofrestru, y cyrsiau a'r dewisiadau sydd ar gael i

fyfyrwyr a disgyblion, yn enwedig i'r rheini sy'n mynychu'r chweched dosbarth.

**John Griffiths:** One of the driving policies for travel arrangements in 14 to 19 education policy has been to minimise travel, and that remains the aim. There is good reason to minimise travel: we do not want to see young people spending an inordinate length of time travelling when they should be learning. That policy driver is very well made and intended, and there are many ways of achieving it, some of which have already been mentioned. The deliverers of learning, namely the teachers and lecturers, can do some of the travelling rather than the learners.

Blended learning is important. I take the point that lecturers and teachers are the key, and that is why I state that this is about blended learning. It is not just about the new technologies; it is also about traditional face-to-face teaching and lecturing. It is about bringing the two together.

**David Melding:** We are now approaching the end of probably the most crucial stage of the process, and all the amendments proposed by opposition Members in the early stages and during this debate have either been reversed by the Government or rejected during this debate. When people look at our process, will they think that this is a new, more inclusive way of doing Welsh politics?

**John Griffiths:** I hope that they will take from the debate the fact that the Welsh Assembly Government has considered the opposition amendments, made a rational reply to the issues raised and set out its policy accordingly. When you are making legislation, as I said earlier, it is vital to ensure that it delivers policy, and does so effectively. It is possible to put forward amendments with the best of intentions that would not deliver the improvements sought. We must look at the practical effect and whether it would add value. We must also consider all the existing legislation in the areas concerned. Where we consider that the existing legislation is adequate, there is no purpose in passing amendments that would add nothing of value.

**John Griffiths:** Un o'r polisiau sydd wedi sbarduno'r trefniadau teithio yn y polisi addysg 14 i 19 oedd ceisio lleihau teithio, a dyna'r nod o hyd. Mae rheswm da dros leihau teithio: nid ydym am weld pobl ifanc yn treulio gormod o amser yn teithio pan ddylent fod yn dysgu. Mae'r sbardun hwnnw i'r polisi'n un cadarn a'i fwriad yn dda, ac mae sawl ffordd o gyflawni hynny. Crybwyllwyd rhai ohonynt eisoes. Gall y rhai sy'n darparu'r dysgu, sef yr athrawon a'r darlithwyr, wneud rhywfaint o'r teithio yn hytrach na'r dysgwyr.

Mae dysgu cyfunol yn bwysig. Derbyniaf y pwynt mai'r darlithwyr a'r athrawon yw'r allwedd, a dyna pam yr wyf yn dweud bod a wnelo hyn â dysgu cyfunol. Nid oes a wnelo â'r technolegau newydd yn unig; mae'n ymwneud hefyd ag addysgu a darlithio wyneb-yn-wyneb traddodiadol. Mae a wnelo â dod â'r ddau at ei gilydd.

**David Melding:** Yr ydym yn awr yn dod at gyfnod pwysicaf y broses mae'n debyg, ac mae'r holl welliannau a gynigiwyd gan Aelodau'r gwrthbleidiau yn ystod y cyfnodau cynnar y ddadl naill ai wedi'u gwrthdroi gan y Llywodraeth neu wedi'u gwrthod yn ystod y ddadl hon. Pan fydd pobl yn edrych ar ein proses, a fyddant yn meddwl bod hyn yn ffordd newydd, fwy cynhwysol o ymdrin â gwleidyddiaeth yng Nghymru?

**John Griffiths:** Gobeithiaf y byddant yn gweld o'r ddadl fod Llywodraeth Cynulliad Cymru wedi ystyried gwelliannau'r gwrthbleidiau, wedi ymateb yn rhesymegol i'r materion a godwyd ac wedi egluro ei pholisi'n unol â hynny. Pan ydych yn gwneud deddfwriaeth, fel y dywedais yn gynharach, mae'n hollbwysig sicrhau ei bod yn rhoi polisi ar waith, a'i bod yn gwneud hynny'n effeithiol. Gellir rhoi gwelliannau gerbron gyda'r bwriadau gorau na fyddent yn sicrhau'r gwelliannau a geisir. Rhaid inni edrych ar yr effaith ymarferol ac ystyried a fyddai'n ychwanegu gwerth. Rhaid inni hefyd ystyried yr holl ddeddfwriaeth bresennol yn y meysydd dan sylw. Lle y barnwn fod y ddeddfwriaeth bresennol yn ddigonol, nid oes diben derbyn gwelliannau

na fyddent yn ychwanegu dim o werth.

I also hope that it will be apparent that some of the Government amendments introduced during the course of the proposed Measure's passage through the Assembly have very much come about as a result of listening to points made by a variety of stakeholders. We can clearly demonstrate that that has been the case. It would not be fair for people to conclude from this process that the Welsh Assembly Government has not listened or responded to the concerns raised during the passage of the proposed Measure.

**Nick Bourne:** I am grateful to the Deputy Minister for giving way. I wish to put a simple question to him. A concern that has been raised by Members from all parties at earlier Stages is in relation to the cost of travel and the cost to pupils and their parents of exercising their choices. You must recognise that this is a significant problem in rural Wales. I have been to colleges and schools where this is a serious issue. Who should pick up the bill for those students who will be obliged to travel long distances to exercise the choice that you want them to have? Who should pick up that bill?

**John Griffiths:** At the moment, we have a perfectly good set of examples of how those transport costs have been effectively addressed. We have a local approach and there is real creativity within the local networks on transport issues. They are not issues that cannot be overcome. As I said, blended learning is an option as well as teachers and lecturers travelling, but, also, those transport costs have been met when a strong business case has been made. The approach that the networks have taken is rightly to say that travel should be minimised for some of the reasons that I have mentioned, such as the fact that we do not want our learners to spend their time travelling when they should be spending it in classrooms receiving the education and training that will enable them to go on to higher education or worthwhile careers. There are also environmental drivers for minimising travel. With all those policy imperatives in mind, the local networks have sought to minimise travel, but where a strong business case has been made, that travel has

Yr wyf hefyd yn gobeithio y bydd yn amlwg bod rhai o welliannau'r Llywodraeth a gyflwynwyd yn ystod hynt y Mesur arfaethedig drwy'r Cynulliad wedi codi i raddau helaeth o ganlyniad i wrando ar bwyntiau a wnaethpwyd gan amryw o randdeiliaid. Gallwn ddangos yn glir fod hynny wedi digwydd. Ni fyddai'n deg i bobl ddod i'r casgliad ar sail y broses hon nad yw Llywodraeth Cynulliad Cymru wedi gwrandao neu wedi ymateb i'r pryderon a godwyd yn ystod hynt y Mesur arfaethedig.

**Nick Bourne:** Yr wyf yn ddiolchgar i'r Dirprwy Weinidog am ildio. Dymunaf ofyn cwestiwn syml iddo. Mae pryder sydd wedi'i fynegi gan Aelodau o bob plaid mewn Camau cynharach yn ymwneud â chost teithio a'r gost i ddisgyblion a'u rhieni o arfer eu dewisiadau. Rhaid ichi gydnabod bod hyn yn broblem sylweddol yng Nghymru wledig. Yr wyf wedi bod mewn colegau ac ysgolion lle y mae hyn yn fater difrifol. Pwy a ddylai dalu'r bil dros y myfyrwyr hynny a fydd yn gorfod teithio'n bell i arfer y dewis yr ydych am iddynt ei gael? Pwy a ddylai dalu'r bil hwnnw?

**John Griffiths:** Ar hyn o bryd, mae gennym set berffaith dda o enghreifftiau o'r modd y deliwyd yn effeithiol â'r costau cludiant hynny. Mae gennym ddull gweithredu lleol ac mae creadigrwydd gwirioneddol o fewn y rhwydweithiau lleol ynghylch materion cludiant. Nid ydynt yn faterion na ellir eu datrys. Fel y dywedais, mae dysgu cyfunol yn ddewis yn ogystal â theithio gan athrawon a darlithwyr, ond, hefyd, mae'r costau cludiant hynny wedi'u talu pan yw achos busnes da wedi'i gyflwyno. Y dull gweithredu y mae'r rhwydweithiau wedi'i ddilyn, yn briodol, yw dweud y dylid lleihau graddau'r teithio am rai o'r rhesymau yr wyf wedi'u crybwyll, fel y ffaith nad ydym yn dymuno i'n dysgwyr dreulio eu hamser yn teithio pan ddylent ei dreulio mewn ystafelloedd dosbarth yn derbyn yr addysg a'r hyfforddiant a fydd yn eu galluogi i fynd ymlaen i addysg uwch neu yrfaoedd buddiol. Mae rhesymau amgylcheddol hefyd dros leihau graddau'r teithio. Gan ystyried yr holl hanfodion polisi hynny, mae'r rhwydweithiau lleol wedi ceisio lleihau graddau'r teithio, ond lle y

been funded. We would expect that approach to continue once the proposed Measure is passed, with the statutory underpinning that it provides.

**Helen Mary Jones:** Can you confirm that, where strong representations are made with regard to the provision of Welsh-medium education, the Government would accept that that is a key component to a strong business case and that you would expect those cases to be funded, going forward?

**John Griffiths:** We have said earlier that Welsh-medium provision is very much part of this 14-19 development and that we have seen some positive developments, including in vocational training—

**Kirsty Williams:** Will you give way?

**John Griffiths:** I will, but I would like to answer the previous intervention first. We are dealing with the development of Welsh-medium education in the round in this proposed Measure. There have been improvements in Welsh-medium provision through the 14-19 learning pathways. There is dedicated ring-fenced funding to expand vocational provision through the medium of Welsh, there are sabbatical courses to ensure that more lecturers and teachers are able to deliver through the medium of Welsh, and the role of the networks, as the local basis for deciding how this is rolled out and taken forward, will apply to travel as it does to Welsh-medium education. Therefore, we would expect that to be addressed in the round.

6.20 p.m.

**Kirsty Williams:** Does the response that you have just given to Helen May's question mean that you will now overrule Powys County Council, and insist that it pays for transport for children whose parents want them to access education through the medium of Welsh across the curriculum in a way that they cannot do at the moment in the south of the county? Are you saying that, from now on, you and Jane Hutt will direct Powys County Council to pay for all transport to

cyflwynwyd achos busnes da, mae'r teithio hwnnw wedi'i ariannu. Byddem yn disgwyl i'r dull gweithredu hwnnw barhau wedi i'r Mesur arfaethedig gael ei dderbyn, gyda'r sylfaen statudol y mae'n ei rhoi.

**Helen Mary Jones:** A allwch gadarnhau, lle y cyflwynir sylwadau cryf mewn cysylltiad â darparu addysg cyfrwng Cymraeg, y byddai'r Llywodraeth yn derbyn bod hynny'n elfen allweddol mewn achos busnes da ac y byddech yn disgwyl i'r achosion hynny gael eu hariannu, wrth fynd ymlaen?

**John Griffiths:** Yr ydym wedi dweud yn gynharach fod darpariaeth cyfrwng Cymraeg yn rhan bwysig o'r datblygiad 14-19 hwn a'n bod wedi gweld rhai datblygiadau cadarnhaol, gan gynnwys hyfforddiant galwedigaethol—

**Kirsty Williams:** A wnewch ildio?

**John Griffiths:** Gwnaf, ond hoffwn ymateb i'r ymyriad blaenorol yn gyntaf. Yr ydym yn delio â datblygiad addysg cyfrwng Cymraeg yn ei chyfanrwydd yn y Mesur arfaethedig hwn. Bu gwelliannau yn y ddarpariaeth cyfrwng Cymraeg drwy'r llwybrau dysgu 14-19. Mae cyllid wedi'i neilltuo'n unswydd i ehangu darpariaeth alwedigaethol drwy gyfrwng y Gymraeg, mae cyrsiau sabothol i sicrhau bod mwy o ddarlithwyr ac athrawon yn gallu addysgu drwy gyfrwng y Gymraeg, a bydd rôl y rhwydweithiau, fel y sail leol i benderfynu sut y rhoddir hyn ar waith a'i ddwyn ymlaen, yn gymwys i deithio fel y mae i addysg cyfrwng Cymraeg. Felly, byddem yn disgwyl i hynny gael sylw yn ei gyfanrwydd.

**Kirsty Williams:** A yw'r ymateb yr ydych newydd ei roi i gwestiwn Helen May yn golygu y byddwch yn awr yn penderfynu yn erbyn Cyngor Sir Powys, ac yn mynnu y bydd yn talu am gludiant i blant y mae eu rhieni'n dymuno iddynt gael mynediad i addysg drwy gyfrwng y Gymraeg ym mhob rhan o'r cwricwlwm mewn modd nad ydynt yn gallu gwneud ar hyn o bryd yn ne'r sir? A ydych yn dweud y byddwch chi a Jane Hutt, o hyn ymlaen, yn cyfarwyddo Cyngor Sir

Ysgol Gyfun Ystalafera? That is what you have just said.

Powys i dalu am yr holl gludiant i Ysgol Gyfun Ystalafera? Dyna beth yr ydych newydd ei ddweud.

**John Griffiths:** Kirsty, I do not think that you were listening to what I just said. I described the way in which 14-19 learning pathways policy has developed in terms of Welsh-medium education and travel. I said that the approach is very much delivered through the local networks. They decide when a strong business case has been made and the Welsh Assembly Government approves the business case. I am afraid that you heard what you wanted to hear, Kirsty, and did not really listen to what I said.

**John Griffiths:** Kirsty, nid wyf yn credu eich bod yn gwrando ar yr hyn yr wyf newydd ei ddweud. Disgrifiais y modd y mae polisi llwybrau dysgu 14-19 wedi datblygu o ran addysg cyfrwng Cymraeg a theithio. Dywedais fod y dull gweithredu'n digwydd i raddau helaeth drwy rwydweithiau lleol. Penderfynant pan fydd achos busnes da wedi'i gyflwyno a bydd Llywodraeth Cynulliad Cymru yn cymeradwyo'r achos busnes. Mae arnaf ofn ichi glywed beth yr oeddech am ei glywed, Kirsty, ac na wnaethoch wrando'n iawn ar yr hyn a ddywedais.

**Eleanor Burnham:** Will you take an intervention?

**Eleanor Burnham:** A wnewch dderbyn ymyriad?

**John Griffiths:** I will take a further intervention from Eleanor.

**John Griffiths:** Derbyniaf ymyriad pellach gan Eleanor.

**The Presiding Officer:** Order. The number of interventions has become inordinately numerous. [*Interruption.*] Is it? I am not surprised that I am tautologous by this time.

**Y Llywydd:** Trefn. Mae nifer yr ymyriadau wedi mynd yn rhy niferus. [*Torri ar draws.*] A ydyw? Nid wyf yn synnu fy mod yn siarad yn ailadroddus erbyn hyn.

**Eleanor Burnham:** I worry that we are causing huge discomfort—as our leader Kirsty alluded to—in Powys. Surely, you will put a huge burden on that local authority. There will be huge problems in relation to people trying to set precedents. Can you clarify what exactly your Government means by this? It is all very well crowing and pretending that you are giving people choices, but, in reality, local authorities—which will have their budgets cut by about £0.5 billion soon—will not be able to provide these choices, and all of this will have been a farce.

**Eleanor Burnham:** Yr wyf yn poeni ein bod yn achosi annifyrrwch mawr—fel y nododd ein harweinydd Kirsty—ym Mhowys. Yn sicr, byddwch yn gosod baich mawr ar yr awdurdod lleol hwnnw. Bydd problemau aruthrol wrth i bobl geisio gosod cynseiliau. A allwch egluro beth yn union y mae'ch Llywodraeth yn ei olygu wrth hyn? Mae'n ddigon hawdd ymffrostio a chymryd arnoch eich bod yn rhoi dewisiadau i bobl, ond, mewn gwirionedd, ni fydd awdurdodau lleol—y bydd eu cyllidebau'n cael eu torri o tua £0.5 biliwn cyn hir—yn gallu cynnig y dewisiadau hyn, a bydd hyn oll wedi bod yn ffars.

**John Griffiths:** Eleanor, if you are concerned with the budgetary position of local education authorities and the burdens placed upon them through transport costs associated with 14-19 learning pathways provision, you ought to look closely at the amendment that is being proposed. It requires local education authorities to meet those

**John Griffiths:** Eleanor, os ydych yn pryderu am sefyllfa gyllidebol awdurdodau addysg lleol a'r beichiau a osodir arnynt drwy gostau cludiant sy'n gysylltiedig â darparu llwybrau dysgu 14-19, dylech edrych yn fanwl ar y gwelliant sy'n cael ei gynnig. Mae'n mynnu bod awdurdodau addysg lleol yn cwrdd â'r costau cludiant hynny. Byddai'n



transport costs. It would externalise the cost, because the providers could have all sorts of travel arrangements in place and it would be the local education authorities that would have to meet those costs. Therefore, you should look very carefully at what the opposition is proposing.

Llywydd, I take your point on interventions and I will conclude my remarks.

The whole thrust of policy has been to minimise travel for the reasons that I have stated, to allow creative local problem-solving through the networks on a case-by-case basis to deal with these transport issues. We believe that that has proven to be very effective in practice, with a great deal of experience, as we have rolled out 14-19 learning pathways. That is the approach that we would seek to continue.

**Paul Davies:** I am extremely disappointed that the Government and the Deputy Minister are unwilling to support my amendment. In failing to support this amendment, the Government is failing to support some of the poorest families in Wales. As I said earlier, the costs of travel are prohibitive for many families. It is the cost of travel that stops people from taking up so many options in life. By rejecting this amendment, the proposed Measure does not take into account the travel arrangements for those who may have to travel some distance and those who may have to make several trips during the school day to reach the locations where their chosen courses are taught. It also effectively ignores those learners who have complex travel arrangements.

This is an issue of cost. Preventing access to free travel will result in barriers to learning at students' establishment of choice. Simply put, it goes against the whole idea of expanding learning opportunities, because you will not have a framework that will allow people to travel between institutions. It is the cost of travel that stops people from taking up so many of these options in life, as I said earlier.

Finally, I am very disappointed that you reject this amendment. I urge you to

allanoli'r gost, gan y gallai'r darparwyr fod â phob math o drefniadau teithio ar waith a'r awdurdodau addysg lleol a fyddai'n gorfod cwrdd â'r costau hynny. Felly, dylech edrych yn fanwl iawn ar yr hyn y mae'r wrthblaid yn ei gynnig.

Lywydd, derbynïaf y pwynt a wnaethoch am myriadau a deuaf i ddiwedd fy sylwadau.

Holl bwyslais polisi fu lleihau graddau'r teithio am y rhesymau yr wyf wedi'u datgan, i ganiatáu dull lleol creadigol o ddatrys problemau drwy'r rhwydweithiau fesul achos er mwyn delio â'r anawsterau hyn o ran cludiant. Credwn fod hynny wedi profi'n effeithiol iawn yn ymarferol, gyda llawer iawn o brofiad, wrth inni roi llwybrau dysgu 14-19 ar waith. Dyna'r dull gweithredu y byddem yn ceisio parhau ag ef.

**Paul Davies:** Yr wyf yn siomedig dros ben bod y Llywodraeth a'r Dirprwy Weinidog yn amharod i gefnogi fy ngwelliant. Wrth fethu â chefnogi'r gwelliant hwn, mae'r Llywodraeth yn methu â chynorthwyo rhai o'r teuluoedd tlotaf yng Nghymru. Fel y dywedais yn gynharach, mae costau teithio yn rhy uchel i lawer o deuluoedd. Cost teithio sy'n atal pobl rhag cymryd cynifer o opsiynau mewn bywyd. Drwy wrthod y gwelliant hwn, nid yw'r Mesur arfaethedig yn ystyried y trefniadau teithio ar gyfer y rheini a allai orfod teithio'n eithaf pell a'r rheini a allai orfod mynd ar nifer o deithiau yn ystod y diwrnod ysgol er mwyn cyrraedd y mannau lle yr addysgir eu dewis gyrsiau. Mae hefyd yn anwybyddu'r dysgwyr hynny sydd â threfniadau teithio cymhleth, i bob pwrpas.

Mae hyn yn fater o gost. Bydd atal mynediad at deithio am ddim yn arwain at rwystrau rhag dysgu yn newis sefydliad myfyrwyr. A'i roi'n syml, mae'n mynd yn groes i'r holl syniad o ehangu cyfleoedd dysgu, gan na fydd gennych fframwaith a fydd yn caniatáu i bobl deithio rhwng sefydliadau. Cost teithio sy'n atal pobl rhag cymryd cynifer o'r opsiynau hyn mewn bywyd, fel y dywedais yn gynharach.

Yn olaf, yr wyf yn siomedig iawn eich bod yn gwrthod y gwelliant hwn. Fe'ch anogaf i

reconsider your position and support it.

ailystyried eich safbwynt a'i gefnogi.

**Y Llywydd:** Paul, a hoffech symud i bleidlais ar welliant 27?

**The Presiding Officer:** Paul, would you like to move to a vote on amendment 27?

**Paul Davies:** Hoffwn.

**Paul Davies:** Yes.

**Y Llywydd:** Y cwestiwn yw y dylid cytuno ar welliant 27. A oes gwrthwynebiad? Gwelfaf fod. Felly, symudwn i bleidlais.

**The Presiding Officer:** The question is that amendment 27 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 27: O blaid 17, Ymatal 0, Yn erbyn 34.  
Amendment 27: For 17, Abstain 0, Against 34.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Cairns, Alun  
Davies, Andrew R.T.  
Davies, Paul  
German, Michael  
Graham, William  
Isherwood, Mark  
Melding, David  
Millar, Darren  
Morgan, Jonathan  
Ramsay, Nick  
Randerson, Jenny  
Ryder, Janet  
Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Andrews, Leighton  
Asghar, Mohammad  
Barrett, Lorraine  
Chapman, Christine  
Cuthbert, Jeff  
Davidson, Jane  
Davies, Alun  
Davies, Andrew  
Davies, Jocelyn  
Evans, Nerys  
Franks, Chris  
Gibbons, Brian  
Gregory, Janice  
Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
James, Irene  
Jenkins, Bethan  
Jones, Alun Ffred  
Jones, Carwyn  
Jones, Elin  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Lewis, Huw  
Lloyd, David  
Lloyd, Val  
Mewies, Sandy  
Morgan, Rhodri  
Sargeant, Carl  
Thomas, Gwenda  
Thomas, Rhodri Glyn  
Watson, Joyce  
Wood, Leanne

*Gwrthodwyd gwelliant 27  
Amendment 27 not agreed.*

### **Gwahardd Exclusion**

**Y Llywydd:** Mae'r grŵp olaf o welliannau, grŵp 15, yn ymwneud â gwahardd.

**The Presiding Officer:** The last group of amendments, group 15, relates to exclusion.

I call on Jenny Randerson to move amendment 37, which is the only one in this group.

**Jenny Randerson:** I move amendment 37 in my name and with the name of Paul Davies in support.

This amendment is last, but definitely not least in terms of its importance. I am delighted to move this amendment in relation to exclusion. I will start by quoting from the Stage 1 committee report. On this topic, it says:

‘The Committee is concerned that different rules apply in schools and Further Education institutions in relation to excluded pupils and recommends that the Minister addresses this issue before commencement’.

I know that our friends on the Stage 1 committee appear to have lived in a parallel universe to those people who are now sitting opposite us—maybe their bodies and minds have been taken over by some external force or something—but they did express concern about this. In amendment 37, we are not seeking to be prescriptive; we are seeking to ensure that the Deputy Minister issues guidance. We are not telling him what that guidance should be. We want consistency. There are different rules on exclusion for FE institutions and schools. There are also, for legal reasons connected with the age of majority and so on, different rules for exclusion pre and post 16. Therefore, this is a very complex area.

I will give you a good, concrete example. A school pupil goes for the afternoon to do a vocational course in an FE college. During that afternoon, there is an incident that involves the pupil. The pupil is under a cloud of suspicion and there is a great deal of concern about the pupil’s behaviour. The FE institution wishes to exclude the pupil. Is it the FE institution’s rules on exclusion that apply or the school’s rules? Can the school force the FE institution to keep that pupil there whether it wants to have that pupil attending or not? Before people tell me that

Galwaf ar Jenny Randerson i gynnig gwelliant 37, sef yr unig welliant yn y grŵp hwn.

**Jenny Randerson:** Cynigiaf welliant 37 yn fy enw i a chydag enw Paul Davies yn ei gefnogi.

Mae’r gwelliant hwn yn olaf, ond yn sicr nid yn lleiaf o ran ei bwysigrwydd. Yr wyf yn falch iawn o gynnig y gwelliant hwn mewn cysylltiad â gwahardd. Dechreuaf drwy ddyfynnu o adroddiad y pwyllgor Cyfnod 1. Ar y pwnc hwn, dywed:

‘Mae’r Pwyllgor yn gofidio bod rheolau gwahanol yn gymwys mewn ysgolion a sefydliadau Addysg Bellach o ran gwahardd disgyblion ac mae’n argymhell y dylai’r Gweinidog roi sylw i’r mater hwn cyn i’r Mesur arfaethedig gychwyn’.

Gwn ei bod yn ymddangos bod ein ffrindiau ar y pwyllgor Cyfnod 1 wedi byw mewn byd gwahanol i’r bobl hynny sy’n eistedd gyferbyn â ni yn awr—efallai fod eu cyrff a’u meddyliau wedi’u meddiannu gan ryw rym allanol neu rywbeth o’r fath—ond gwnaethant fynegi pryder am hyn. Yng ngwelliant 37, nid ydym yn ceisio bod yn gyfarwyddol; yr ydym yn ceisio sicrhau bod y Dirprwy Weinidog yn cyhoeddi canllawiau. Nid ydym yn dweud wrtho beth y dylai’r canllawiau hynny fod. Yr ydym am gael cysondeb. Mae gwahanol reolau ar wahardd i sefydliadau addysg bellach ac i ysgolion. Yn ogystal â hynny, am resymau cyfreithiol sy’n ymwneud â llawn oed ac yn y blaen, mae rhesymau gwahanol ar gyfer gwahardd cyn ac ar ôl 16 oed. Felly, mae’r maes hwn yn un astrus iawn.

Rhoddaf enghraifft dda, bendant i chi. Aiff disgybl ysgol am brynhawn i ddilyn cwrs galwedigaethol mewn coleg addysg bellach. Yn ystod y prynhawn hwnnw, mae digwyddiad sy’n cynnwys y disgybl. Mae’r disgybl dan amheuaeth ac mae llawer o bryder ynghylch ymddygiad y disgybl. Mae’r sefydliad addysg bellach yn dymuno gwahardd y disgybl. Ai rheolau’r sefydliad addysg bellach ar wahardd sy’n gymwys ynteu rhai’r ysgol? A all yr ysgol orfodi’r sefydliad addysg bellach i gadw’r disgybl hwnnw yn y fan honno pa un a yw’n dymuno

this is just a practical detail, I can tell you of examples that I am aware of where this kind of situation has already cropped up, where it has been the case that an FE institution did not want to have a school pupil coming to courses any longer and where the school has been unwilling to acquiesce to the FE college's wishes in that regard. Schools do not like to have their pupils excluded. There are all kinds of incentives—shall we say?—to discourage schools from excluding pupils. It does not look good on their record, and it should not do, because we do not want pupils excluded, but there are often good reasons why you have to allow it to happen and why the rules were put in place.

From the Deputy Minister's answer in committee, it was not at all clear—I have looked at the Record of Proceedings—what the situation would be and whose rules would apply. It was even less clear from his answer this afternoon, when he said that probably, but not definitely, the home institution—the registered school in this case—would retain the legal responsibility and the duty of care. Does that mean that the school's rules on exclusion would apply even though the incident happened in the college?

6.30 p.m.

I give you this example to illustrate how complex it is and how urgently we need clarity on this. There must be guidance and, therefore, clarity by putting on the face of this legislation the requirement for the Minister to provide that guidance and not leave it to some haphazard system that might be developed locally and that could lead to all sorts of pitfalls when one attempts to put this into practice daily.

**Jeff Cuthbert:** As this is the last amendment in this debate, I thought it only right to give the opposition Members in particular the opportunity to offer me further praise for the impartial and thorough way in which I chaired the Stage 1 committee of this proposed Measure. We have been reminded of that many times.

cael presenoldeb y disgybl hwnnw ai peidio? Cyn i rywun ddweud wrthyf nad yw hyn ond yn fanylyn ymarferol, gallaf sôn wrthyf am enghreifftiau y gwn amdanynt lle y mae sefyllfa o'r math hwn wedi codi eisoes, lle nad oedd sefydliad addysg bellach am i ddisgybl ysgol barhau i ddilyn cyrsiau a lle y mae'r ysgol wedi bod yn amharod i ildio i ddymuniadau'r coleg addysg bellach yn hynny o beth. Nid yw ysgolion yn hoffi i'w disgyblion gael eu gwahardd. Mae pob math o gymhellion—os cawn ei roi felly—i annog ysgolion i beidio â gwahardd disgyblion. Nid yw'n rhoi argraff dda ohonynt, ac ni ddylai wneud, gan nad ydym am i ddisgyblion gael eu gwahardd, ond mae rhesymau da yn aml dros ganiatáu i hynny ddigwydd a thros osod y rheolau.

Ar sail ateb y Dirprwy Weinidog yn y pwyllgor, nid oedd yn glir o gwbl—yr wyf wedi edrych yng Nghofnod y Trafodion—beth fyddai'r sefyllfa a rheolau pwy a fyddai'n gymwys. Yr oedd yn llai clir byth ar sail ei ateb y prynhawn yma, pan ddywedodd ei bod yn debygol, ond nid yn bendant, y byddai'r sefydliad cartref—yr ysgol gofrestredig yn yr achos hwn—yn cadw'r cyfrifoldeb cyfreithiol a'r ddyletswydd gofal. A yw hynny'n golygu y byddai rheolau'r ysgol ar wahardd yn gymwys er bod y digwyddiad wedi bod yn y coleg?

Rhoddaf ichi'r enghraifft hon i ddarlunio mor gymhleth ydyw ac mor daer y mae angen egluro hyn inni. Mae'n rhaid bod canllawiau ac, felly, eglurder drwy roi ar flaen y ddeddfwriaeth hon y gofyniad i'r Gweinidog ddarparu'r cyfarwyddyd hwnnw a pheidio â'i adael i ryw system ddamweiniol a allai gael ei datblygu'n lleol ac a allai arwain at bob math o ddiffygion pan fydd rhywun yn ymdrechu i roi hyn ar waith bob dydd.

**Jeff Cuthbert:** Gan mai hwn yw'r gwelliant olaf yn y ddadl hon, tybiais na fyddai ond yn briodol rhoi'r cyfle i Aelodau'r wrthblaid yn arbennig gynnig clod pellach imi am y ffordd ddiuedd a thrwyadl y cadeiriais bwyllgor Cyfnod 1 y Mesur arfaethedig hwn. Fe'n hatgoffwyd am hynny droeon.

I always thought to articulate the views of the committee regardless of whether they were unanimously expressed by a majority, often putting aside my own views in light of my work as the chair. I hope that I have made that point. That Stage 1 committee was dissolved and then we moved on to a debate in which many discussions took place, undertakings were made and explanations were offered. Indeed, legal issues were raised that we may not have been aware of at the time of the Stage 1 committee debate. We then moved to Stage 2 of the proposed Measure, where further issues were raised and considerations given as well as a whole host of informal discussions with interested parties. There are good reasons why views may have changed since the Stage 1 committee debate, but you know that and you are more interested in grandstanding than in the detail of the issues.

**Alun Cairns:** Do you not think it strange that your views have changed an awful lot as the debate has developed while the Deputy Minister's views have not changed one iota given that he is still sticking to the original draft?

**Jeff Cuthbert:** It is not for me to comment on others' views. However, I will say why my views have changed. As a result of the open-minded discussions that I have had with many professionals, particularly about the issues since Stage 1, I have rethought things, but not in terms of fundamentals.

I now wish to talk about exclusion because I raised this matter when the proposed Measure came before us at the very beginning before the start of the Stage 1 process. I noticed that there was no reference to exclusions in that proposed Measure. While I hope that learners studying under the new 14-19 learning pathways will have less reason to feel excluded from the educational process and, therefore, be less likely to fall foul of the system and to be excluded, it would be naïve to assume that exclusion will be removed entirely. That is why I was insistent that the issue be addressed.

I now believe that the best way to address that issue is through the implementation

Ystyriais bob amser gyfleu safbwyntiau'r pwyllgor ni waeth a gawsant eu mynegi'n unfrydol gan fwyafrif, gan roi fy safbwyntiau fy hun i'r neilltu yn aml yn sgil fy ngwaith yn gadeirydd. Gobeithiaf fy mod wedi gwneud y pwynt hwnnw. Diddymwyd y pwyllgor Cyfnod 1 hwnnw ac wedyn symudasom at ddadl y cafwyd ynddi lawer o drafodaethau, y gwnaethpwyd ynddi addewidion ac y cynigiwyd ynddi esboniadau. Yn wir, codwyd materion cyfreithiol efallai nad oeddem yn ymwybodol ohonynt adeg dadl y pwyllgor Cyfnod 1. Symudasom wedyn at Gyfnod 2 y Mesur arfaethedig, lle codwyd materion pellach a lle rhoddwyd ystyriaethau yn ogystal â llond gwlad o drafodaethau anffurfiol â buddgyfranogwyr. Mae rhesymau da pam y mae safbwyntiau wedi newid efallai ers dadl y pwyllgor Cyfnod 1, ond gwyddoch hynny ac mae gennych fwy o ddiddordeb mewn gorchest na manylion y materion.

**Alun Cairns:** Oni chredwch ei bod yn rhyfedd fod eich safbwyntiau wedi newid cryn dipyn wrth i'r ddadl ddatblygu tra nad yw safbwyntiau'r Dirprwy Weinidog wedi newid tamaid ac ystyried ei fod yn dal i gadw at y drafft gwreiddiol?

**Jeff Cuthbert:** Nid fy lle i yw rhoi sylwadau am safbwyntiau eraill. Fodd bynnag, dywedaf pam mae fy safbwyntiau i wedi newid. O ganlyniad i'r trafodaethau ystyriol a gefais â llawer o weithwyr proffesiynol, yn arbennig am y materion ers Cyfnod 1, yr wyf wedi ailfeddwl pethau, ond nid y pethau sylfaenol.

Hoffwn siarad bellach am waharddiad oherwydd codais y mater hwn pan ddaeth y Mesur arfaethedig ger ein bron yn y cychwyn cyntaf cyn dechrau'r broses Cyfnod 1. Sylwais na chyfeiriwyd o gwbl at waharddiadau yn y Mesur arfaethedig hwnnw. Er fy mod yn gobeithio y bydd llai o reswm gan ddysgwyr sy'n astudio o dan y llwybrau dysgu 14-19 newydd dros deimlo eu bod wedi'u heithrio o'r broses addysgol ac, felly, y byddant yn llai tebygol o bechu yn erbyn y system a chael eu gwahardd, byddai'n ddiniwed tybio y bydd gwaharddiad yn cael ei waredu'n gyfan gwbl. Dyna pam y mynnais y dylid mynd i'r afael â'r mater.

Credaf bellach mai'r ffordd orau o fynd i'r afael â'r mater hwnnw yw drwy'r grŵp

group because there are important issues about how the school and college sectors and work-based learning will merge their procedures. That is best done through discussion and the implementation group, which has not yet been referred to today, rather than putting this on the face of the proposed Measure.

This proposal, which Jenny has put forward, will cause problems, if imposed on the FE sector because it says that the FE sector must have regard for the rules that apply in schools. The bulk of post-16 learners are in the FE sector and not in the schools, so it has more experience of dealing with the post-16 learners than schools. So, this is about people coming together and sharing ideas by collaborating and working out a policy to which they can all sign up. Trying to force through this particular amendment would be wrong; it is yet another example of the issues not being properly thought through.

**Eleanor Burnham:** I rise to support my colleague, Jenny Randerson. As she said, there are differences between schools and FE institutions in terms of the law relating to exclusions. Unless we have clear ministerial guidance, I can see that there could be some nasty disputes over individual students. What impact will this have if, for instance, an FE institution that provides part of the education refuses to have them on the premises, while their main school does not? There will obviously be an impact if a disruptive person is only at the school for an hour, while being at another institution for longer. I just wish that we could get some proper ministerial guidance, rather than having the laissez-faire attitude that Jeff talked about. It is a thorny issue that could become a real problem for many institutions. Therefore, I hope that we can have some support on this difficult matter that needs to be resolved now.

**Paul Davies:** I am pleased to support this final amendment, which has been tabled in the name of Jenny Randerson. As Jenny said, during Stage 1 of the process, the committee considering the proposed Measure was concerned that different rules apply in schools and FE institutions with regard to

gweithredu gan fod materion pwysig ynghylch sut y bydd y sectorau ysgol a choleg a dysgu seiliedig ar waith yn uno eu gweithdrefnau. Y ffordd orau o wneud hynny yw cael trafodaeth gyda'r grŵp gweithredu, na chyfeiriwyd ato heddiw eto, yn hytrach na rhoi hyn ar flaen y Mesur arfaethedig.

Bydd y cynnig hwn y mae Jenny wedi'i gyflwyno yn achosi problemau, os caiff ei orfodi ar y sector AB oherwydd dywed ei bod yn rhaid i'r sector AB ystyried y rheolau sy'n berthnasol mewn ysgolion. Mae mwyafrif y dysgwyr ôl-16 yn y sector AB ac nid yn yr ysgolion, felly mae ganddo fwy o brofiad o ymdrin â dysgwyr ôl-16 nag ysgolion. Mae hyn yn ymwneud felly â phobl yn dod ynghyd ac yn rhannu syniadau drwy gydweithio a llunio polisi y gallant oll ymrwymo iddo. Byddai'n anghywir ceisio gorfodi'r gwelliant penodol hwn drwyddo; dyma enghraifft arall eto o'r materion nad ydynt yn cael eu hystyried yn drwyadl.

**Eleanor Burnham:** Codaf i gefnogi fy nghyd-Aelod, Jenny Randerson. Fel y dywedodd, ceir gwahaniaethau rhwng ysgolion a sefydliadau AB o ran y gyfraith mewn perthynas â gwaharddiadau. Oni chawn gyfarwyddyd gweinidogaethol clir, gallaf weld y gellid cael rhai anghydfodau cas ynghylch myfyrwyr unigol. Pa effaith a gaiff hyn os bydd sefydliad AB sy'n darparu rhan o'r addysg yn gwrthod eu cael ar y safle, er enghraifft, tra nad yw eu prif ysgol? Yn amlwg, ceir effaith os nad yw rhywun aflonyddgar yn yr ysgol ond am awr, ond ei fod mewn sefydliad arall am gyfnod hwy. Y cyfan yr hoffwn yw pe gallem gael rhyw gyfarwyddyd gweinidogaethol priodol, yn lle'r agwedd laissez-faire y soniodd Jeff amdani. Mae'n fater pigog a allai ddod yn broblem go iawn i lawer o sefydliadau. Gobeithiaf felly y gallwn gael rhywfaint o gefnogaeth ar y mater anodd hwn y mae angen ei ddatrys yn awr.

**Paul Davies:** Yr wyf yn falch o gefnogi'r gwelliant olaf hwn, a gyflwynwyd yn enw Jenny Randerson. Fel y dywedodd Jenny, yn ystod Cyfnod 1 y broses, yr oedd y pwyllgor a oedd yn ystyried y Mesur arfaethedig yn poeni bod gwahanol reolau'n berthnasol mewn ysgolion a sefydliadau AB o ran

exclusions and excluded pupils. It recommended that the Deputy Minister for Skills address this issue before commencement of the Measure. However, it has not been addressed by the Deputy Minister, nor by the Assembly Government. If the amendment were agreed today, all that that would mean is that Welsh Ministers would issue guidance to ensure that the FE sector and the maintained school sector had regard to legislation relating to the exclusion of pupils from schools. The amendment is about making sure that we have consistency across the board.

We currently have legislation that relates to procedures for handling exclusions in schools, procedures regarding the role of governing bodies and the headteacher, and also procedures relating to the role of further education colleges with regard to students in post-16 education. This is about ensuring consistency and, as Jenny said, this amendment is not seeking to prescribe; it seeks to ensure that the Minister issues guidance to achieve that consistency. Ensuring that there is guidance to provide that consistency is a reasonable amendment, and I hope that Members will support that.

**John Griffiths:** Members may be surprised to know that I do not propose to support this amendment, because the Government does not consider it to be necessary. If we look at the experience gained from the 14-19 learning pathways over several years, and, indeed, long before that: further education institutions have a long history of dealing with the most challenging pupils from schools, and of dealing with the issues involved. I would reject the idea that there is any complexity or lack of clarity in what the proposed Measure will bring to this area of concern, because I think that it is quite clear that, again, the existing law is adequate. The law makes different provision for exclusions from schools and further education colleges, and for good reason. Exclusions from schools are highly regulated, because excluding a pupil from school means excluding that pupil from compulsory education. It is quite appropriate that the expulsion of students

gwaharddiadau a disgyblion wedi'u gwahardd. Argymhellodd fod y Dirprwy Weinidog dros Sgiliau yn mynd i'r afael â'r mater hwn cyn dechrau'r Mesur. Fodd bynnag, ni aeth y Dirprwy Weinidog, na Llywodraeth y Cynulliad, i'r afael ag ef. Pe cytunid ar y gwelliant heddiw, y cyfan y byddai hynny'n ei olygu yw y byddai Gweinidogion Cymru'n cyhoeddi cyfarwyddyd i sicrhau bod y sector AB a'r sector ysgolion a gynhelir yn ystyried deddfwriaeth yng nghyswllt gwahardd disgyblion o ysgolion. Mae'r gwelliant yn ceisio sicrhau bod gennym gysondeb yn gyffredinol.

Ar hyn o bryd, mae gennym ddeddfwriaeth sy'n gysylltiedig â gweithdrefnau i ymdrin â gwaharddiadau mewn ysgolion, gweithdrefnau ynghylch rôl cyrff llywodraethu a'r pennaeth, a hefyd gweithdrefnau mewn cysylltiad â rôl colegau addysg bellach o ran myfyrwyr mewn addysg ôl-16. Mae hyn yn ymwneud â sicrhau cysondeb ac, fel y dywedodd Jenny, nid yw'r gwelliant hwn yn ceisio rhagnodi; mae'n ceisio sicrhau bod y Gweinidog yn rhoi cyfarwyddyd i gyflawni'r cysondeb hwnnw. Mae sicrhau bod cyfarwyddyd i ddarparu'r cysondeb hwnnw yn welliant rhesymol, a gobeithiaf y bydd yr Aelodau'n cefnogi hwnnw.

**John Griffiths:** Efallai y bydd yr Aelodau'n synnu o wybod nad wyf yn cynnig cefnogi'r gwelliant hwn, oherwydd nid yw'r Llywodraeth yn ystyried bod ei angen. Os edrychwn ar y profiad a gafwyd o'r llwybrau dysgu 14-19 dros sawl blwyddyn, ac, yn wir, ymhell cyn hynny: mae gan sefydliadau addysg bellach hanes hir o ymdrin â'r disgyblion mwyaf heriol o ysgolion, ac o ymdrin â'r materion dan sylw. Gwrthodwn y syniad bod unrhyw gymhlethdod neu ddiffyg eglurder yn yr hyn y bydd y Mesur arfaethedig yn ei gyfrannu at yr hyn sy'n peri gofid, oherwydd credaf ei bod yn eithaf clir fod y gyfraith bresennol, eto, yn ddigon da. Mae'r gyfraith yn gwneud gwahanol ddarpariaeth ar gyfer gwaharddiadau o ysgolion a cholegau addysg bellach, ac am reswm da. Mae gwaharddiadau o ysgolion yn cael eu rheoleiddio i raddau helaeth, gan fod gwahardd disgybl o'r ysgol yn golygu gwahardd y disgybl hwnnw o addysg orfodol.

from further education institutions, where attendance is voluntary, should be dealt with in a different manner. That is why there are different systems in place.

**Jenny Randerson:** I have to challenge you on what you have just said. If you exclude a pupil from a school sixth form, you are not excluding them from compulsory education, and yet the rules on exclusion from a sixth form are different from rules on exclusion from FE colleges. They are different again from the pre-16 rules, for very good legal reasons. Will you correct what you have just said?

**John Griffiths:** No, I will not, because I was talking about compulsory school ages, and schools' exclusions policies are obviously developed in that light. There are pupils that are compulsorily there, because they are of a compulsory school age. It is different for further education institutions. The example that you gave earlier of the complexity and the room for misunderstanding, and the scope for confusion, was not at all well made. If a pupil goes from a school to a further education institution, and there is an incident at that further education institution, that incident will be dealt with at the further education college through its rules and procedures under its policy on exclusion.

6.40 p.m.

As the home institution, the school where the pupil concerned is registered will then deal with the incident under its exclusion policy. There is no problem; that is how these incidents are dealt with, and they are dealt with effectively without much difficulty at all. Therefore, we are quite happy that the legislation required to deal properly with exclusions and expulsions is already in place and that this amendment is not appropriate. I urge Assembly Members not to support this amendment.

**Jenny Randerson:** Forgive me, Deputy Minister, but I can tell that you have never taught in further education colleges.

Mae'n eithaf priodol y dylid ymdrin yn wahanol â gwahardd myfyrwyr o sefydliadau addysg bellach, lle mae mynychu'n wirfoddol. Dyna pam y mae gwahanol systemau ar waith.

**Jenny Randerson:** Mae'n rhaid imi wrthwynebu'r hyn yr ydych newydd ei ddweud. Os byddwch yn gwahardd disgybl o chweched dosbarth ysgol, nid ydych yn ei wahardd o addysg orfodol, ac eto mae'r rheolau ar wahardd o chweched dosbarth yn wahanol i reolau ar wahardd o golegau AB. Maent yn wahanol eto i'r rheolau cyn-16, am resymau cyfreithiol da iawn. A wnewch gywiro'r hyn yr ydych newydd ei ddweud?

**John Griffiths:** Na wnaaf, oherwydd yr oeddwn yn siarad am oeddrannau ysgol gorfodol, ac mae'n amlwg y caiff polisïau gwahardd ysgolion eu datblygu gan ystyried hynny. Mae disgyblion sydd yno'n orfodol, gan eu bod o oedran ysgol gorfodol. Mae'n wahanol i sefydliadau addysg bellach. Nid oedd yr enghraifft a roesoch yn gynharach o'r cymhlethdod a'r lle i gamddeall, a phosibilrwydd dryswch, wedi'i gwneud yn dda o gwbl. Os bydd disgybl yn mynd o ysgol i sefydliad addysg bellach, a bod digwyddiad yn y sefydliad addysg bellach hwnnw, ymdrinnir â'r digwyddiad hwnnw yn y coleg addysg bellach drwy ei reolau a'i weithdrefnau o dan ei bolisi ar wahardd.

Fel y sefydliad cartref, bydd yr ysgol lle cofrestrwyd y disgybl dan sylw wedyn yn ymdrin â'r digwyddiad o dan ei pholisi gwahardd. Nid oes problem; dyna sut yr ymdrinnir â'r digwyddiadau hyn, ac ymdrinnir â hwy'n effeithiol heb lawer o anhawster o gwbl. Felly, yr ydym yn eithaf bodlon fod y ddeddfwriaeth y mae ei hangen i ymdrin yn briodol â gwaharddiadau a diarddeliadau eisoes ar waith ac nad yw'r gwelliant hwn yn briodol. Yr wyf yn annog Aelodau Cynulliad i beidio â chefnogi'r gwelliant hwn.

**Jenny Randerson:** Maddeuwch imi, Ddirprwy Weinidog, ond mae'n amlwg imi nad ydych erioed wedi addysgu mewn colegau addysg bellach.



**John Griffiths:** I have.

**Jenny Randerson:** Have you? Well, you must have been in the most perfect institution in that case, because I can cite numerous examples of problems with regard to exclusion rules. In fact, of all the representations I have received on the proposed Measure from various organisations, I have received as many on this issue as I have on any other single issue, because people are concerned about how it will work in practice. That is because, when you say that the rules are different—because one is a compulsory part of education and the other is not—it is simply not true. The rules are different because the institutions are different. Of course they work perfectly all right as they are at the moment, and of course they are well used to excluding pupils, but they are not the same institution, they are not set up for the same purpose, and they vary from one to the next. Therefore, consistency on this is essential.

Turning to Jeff and his comments, I am fascinated that none of our amendments this afternoon has been properly thought through. Virtually all of them were based on the Stage 1 committee report, which, of course, was clearly so badly thought through. Clearly, Jeff has been thinking for a very long time, has come up with some wonderful and perfect thoughts as a result, and regrets the sins of his past as Chair of that committee. I am sure that—[*Interruption.*]

**Jeff Cuthbert:** Will you take an intervention?

**Jenny Randerson:** You have taken the words out of my mouth. For the record, I will say that I am sure that Carl Sargeant has been a very strong influence.

**Jeff Cuthbert:** I am grateful to you for giving way. Let me give you an example on this amendment: Welsh Ministers must issue guidance to the governing bodies and principals or other heads of institutions within the further education sector about what happens in schools. If you really want a comprehensive and universal system, why are you not then saying that guidance must be

**John Griffiths:** Ydw.

**Jenny Randerson:** A ydych chi wir? Wel, mae'n rhaid y buoch yn y sefydliad mwyaf perffaith os felly, oherwydd gallaf sôn am enghreifftiau niferus o broblemau ynghylch rheolau gwahardd. Mewn gwirionedd, o'r holl gyflwyniadau a gefais am y Mesur arfaethedig gan sefydliadau amrywiol, yr wyf wedi cael cynifer am y mater hwn ag a gefais am unrhyw un mater arall, oherwydd mae pobl yn poeni sut y bydd yn gweithio'n ymarferol. Y rheswm am hynny yw, pan ddywedwch fod y rheolau'n wahanol—gan fod y naill yn rhan orfodol o addysg ond nid y llall—mae'n anwiredd pur. Mae'r rheolau'n wahanol gan fod y sefydliadau'n wahanol. Wrth reswm maent yn gweithio'n berffaith iawn fel y maent ar hyn o bryd, ac wrth reswm maent wedi hen arfer â gwahardd disgyblion, ond nid yr un sefydliad mohonynt, nid ydynt wedi'u sefydlu at yr un diben, ac maent yn amrywio o'r naill i'r llall. Felly, mae cysondeb ar hyn yn hanfodol.

Gan droi at Jeff a'i sylwadau, mae'n ddi-ddorol iawn gennyf nad yw dim o'n gwelliannau'r prynhawn yma wedi cael eu hystyried yn drwyadl. Yr oedd bron pob un ohonynt yn seiliedig ar adroddiad y pwyllgor Cyfnod 1, a phrin y cafodd hwnnw ei ystyried, wrth reswm. Yn amlwg, mae Jeff wedi bod yn meddwl ers cryn dipyn, wedi cael rhai meddyliau bendigedig a pherffaith o ganlyniad, ac yn difaru ei bechodau gynt pan oedd yn Gadeirydd y pwyllgor hwnnw. Yr wyf yn siŵr bod—[*Ymyrraeth.*]

**Jeff Cuthbert:** A wnewch gymryd ymyriad?

**Jenny Randerson:** Dyna chi wedi dweud yr union eiriau a oedd gen i. Er mwyn i bawb gael gwybod, fe ddywedaf fy mod yn siŵr y bu Carl Sargeant yn ddylanwad cryf iawn.

**Jeff Cuthbert:** Yr wyf yn ddiolchgar ichi am ildio. Gadewch imi roi enghraifft i chi am y gwelliant hwn: mae'n rhaid i Weinidogion Cymru gyhoeddi cyfarwyddyd i gyrff llywodraethu a phrifathrawon neu bennaethiaid sefydliadau eraill yn y sector addysg bellach am yr hyn sy'n digwydd mewn ysgolion. Os oes arnoch wir eisiau system gynhwysfawr a chyffredinol, pam na

issued to schools, particularly those with sixth forms, about how things are done in colleges? It goes one way—that is what I mean when I say it has not been thought through and that it is not balanced or comprehensive.

**Jenny Randerson:** You have not read the amendment through to the end, so I will do it for your benefit. It reads:

‘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.’

That is because the legislation relates not to the FE institutions, but to the exclusion of pupils from schools, for exactly the reason given to us by the Deputy Minister this afternoon, which is that, if the pupil is under 16, it is compulsory education. None of us here this afternoon is in a position to amend the primary legislation on compulsory education. Therefore, the FE institutions must have regard for the existing legislation relating to pupils under the age of 16, rather than schools having regard for the FE institutions, thereby ditching the current legislative framework, which is not practical, as I am sure you would agree.

**Jeff Cuthbert:** This is about the 14-19 age group, and you are moving a new amendment to the proposed Measure. Presumably, it is meant to cover the full age group. Therefore, why are you not being equally detailed here, as you have been with your other amendments, ensuring that there is an exchange of views and awareness across the various sectors involved? Why are you just concentrating on one?

**Jenny Randerson:** The guidance is down to the Deputy Minister. As I said, we are not trying to be prescriptive. However, we accept that you have to take the legislative framework into account. That is the problem

ddywedwch felly ei bod yn rhaid cyhoeddi cyfarwyddyd i ysgolion, yn arbennig y rheini â dosbarthiadau chwech, am sut y gwneir pethau mewn colegau? Mae'n mynd un ffordd—dyna'r hyn a olygaf wrth ddweud nad yw wedi'i ystyried yn drwyadl ac nad yw'n gytbwys nac yn gynhwysfawr.

**Jenny Randerson:** Nid ydych wedi darllen y gwelliant i'r diwedd, felly gwnaf hynny er eich budd chi. Mae'n dweud:

‘Rhaid i Weinidogion Cymru ddyroddi canllawiau i gyrrff 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.’

Mae hynny gan nad yw'r ddeddfwriaeth yn berthnasol i'r sefydliadau AB, ond i wahardd disgyblion o ysgolion, am yr union resymau a roddwyd inni gan y Dirprwy Weinidog y prynhawn yma, sef, os yw'r disgybl o dan 16, mae'n addysg orfodol. Nid yw'r un ohonom yma'r prynhawn yma mewn sefyllfa i ddiwygio'r brif ddeddfwriaeth ar addysg orfodol. Mae'n rhaid felly i'r sefydliadau AB ystyried y ddeddfwriaeth bresennol yng nghyswllt disgyblion o dan 16 oed, yn hytrach nag ysgolion yn ystyried y sefydliadau AB, gan gael gwared felly ar y fframwaith deddfwriaethol cyfredol, nad yw'n ymarferol, fel yr wyf yn siŵr y cytunech.

**Jeff Cuthbert:** Mae hyn yn ymwneud â'r grŵp oed 14-19, ac yr ydych yn cynnig gwelliant newydd i'r Mesur arfaethedig. Mae'n debyg mai'r bwriad yw bod yn berthnasol i'r grŵp oed i gyd. Felly, pam nad ydych yn bod yr un mor fanwl yma, fel yr ydych wedi'i wneud â'ch gwelliannau eraill, gan sicrhau bod ymwybyddiaeth a safbwyntiau'n cael eu cyfnewid ar draws yr amryfal sectorau dan sylw? Pam ydych ond yn canolbwyntio ar un?

**Jenny Randerson:** Y Dirprwy Weinidog sy'n gyfrifol am y cyfarwyddyd. Fel y dywedais, nid ydym yn ceisio bod yn rhagnodol. Fodd bynnag, yr ydym yn derbyn ei bod yn rhaid ichi ystyried y fframwaith

that you really cannot overcome in an amendment to the proposed learning and skills Measure. I am not entirely sure—the more that I think about it, Jeff, the more sure I become—but it is probably something well beyond the competence of the Assembly. I do not think that we need to start on a legislative competence Order process for compulsory schooling at present.

Therefore, I strongly reject the views of the Government and the views of Jeff Cuthbert, and strongly urge Members to support this amendment as a sensible way of ensuring that institutions are able to work together without having recourse to very complex procedures to try to deal with the complaints and misunderstandings that are bound to occur. I remind you that pupils and students are excluded every day in Wales.

**The Presiding Officer:** I take it that you wish to move to a vote, Jenny.

Y cwestiwn yw y dylid cytuno ar welliant 37. A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

deddfwriaethol. Dyna'r broblem na allwch ei goresgyn mewn gwelliant i'r Mesur dysgu a sgiliau arfaethedig. Nid wyf yn gwbl siŵr—po fwyaf y byddaf yn meddwl amdano, Jeff, y mwyaf siŵr wyf fi—ond mae'n debyg ei fod yn rhywbeth sydd ymhell y tu hwnt i gymhwysedd y Cynulliad hwn. Nid wyf yn meddwl bod angen inni ddechrau ar broses Gorchymyn cymhwysedd deddfwriaethol ar gyfer addysg orfodol ar hyn o bryd.

Felly, yr wyf yn gwrthwynebu safbwyntiau'r Llywodraeth a safbwyntiau Jeff Cuthbert yn gryf, ac yr wyf yn pwysu'n gryf ar Aelodau i gefnogi'r gwelliant hwn fel ffordd synhwyrol o sicrhau bod sefydliadau'n gallu cydweithio heb orfod troi at weithdrefnau cymhleth iawn er mwyn ceisio delio â'r cwynion a'r camddealltwriaeth a fydd yn siŵr o ddigwydd. Yr wyf yn eich atgoffa bod disgyblion a myfyrwyr yn cael eu gwahardd bob dydd yng Nghymru.

**Y Llywydd:** Cymeraf eich bod yn dymuno symud i bleidlais, Jenny.

The question is that amendment 37 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 37: O blaid 17, Ymatal 0, Yn erbyn 36.  
Amendment 37: For 17, Abstain 0, Against 36.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Cairns, Alun  
Davies, Andrew R.T.  
Davies, Paul  
German, Michael  
Graham, William  
Isherwood, Mark  
Melding, David  
Millar, Darren  
Morgan, Jonathan  
Ramsay, Nick  
Randerson, Jenny  
Ryder, Janet  
Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Andrews, Leighton  
Asghar, Mohammad  
Barrett, Lorraine  
Chapman, Christine  
Cuthbert, Jeff  
Davidson, Jane  
Davies, Alun  
Davies, Andrew  
Davies, Jocelyn  
Evans, Nerys  
Franks, Chris  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
James, Irene  
Jenkins, Bethan  
Jones, Alun Ffred  
Jones, Ann  
Jones, Carwyn  
Jones, Elin

Jones, Gareth  
 Jones, Helen Mary  
 Jones, Ieuan Wyn  
 Lewis, Huw  
 Lloyd, David  
 Lloyd, Val  
 Mewies, Sandy  
 Morgan, Rhodri  
 Sargeant, Carl  
 Thomas, Gwenda  
 Thomas, Rhodri Glyn  
 Watson, Joyce  
 Wood, Leanne

*Gwrthodwyd y gwelliant.  
 Amendment not agreed.*

**Y Llywydd:** Yn unol â Rheolau Sefydlog Rhifau 23.55 a 23.56, yr wyf yn barnu bod yr holl adrannau ac atodlenni'r Mesur arfaethedig wedi'u cytuno. Dyna ddiwedd ar Gyfnod 3.

**The Presiding Officer:** In accordance with Standing Order Nos. 23.55 and 23.56, I declare that all sections and schedules of the proposed Measure are deemed agreed. That concludes the Stage 3 proceedings.

**Cynnig Cyfnod 4 (Rheol Sefydlog Rhif 23.58) i Gymeradwyo'r Mesur  
 Arfaethedig ynghylch Dysgu a Sgiliau (Cymru)  
 Stage 4 Standing Order No. 23.58 Motion to approve the Proposed Learning and  
 Skills (Wales) Measure**

**The Deputy Minister for Skills (John Griffiths):** I move that

*the National Assembly for Wales approves the Proposed Learning and Skills (Wales) Measure.*

I sincerely thank all of those who have contributed to the development of this important Measure at all stages of the process. Throughout its passage, the proposals have been subject to robust and professional scrutiny, including by the Finance Committee and by the Stage 1 Proposed Learning and Skills (Wales) Measure Committee, both of which secured significant evidence from a wide range of stakeholders, and by the Subordinate Legislation Committee, which carefully scrutinised the proposed use of regulations.

I greatly value the contributions of Members in the Chamber at the introduction of this proposed Measure last July, during Stage 1 debates on general principles, and today. We have seen a lively and passionate debate today, which emphasises the importance of this Measure to learners in Wales even though some of us take different views to

**Y Dirprwy Weinidog dros Sgiliau (John Griffiths):** Cynigiau fod

*Cynulliad Cenedlaethol Cymru yn cymeradwyo'r Mesur Arfaethedig ynghylch Dysgu a Sgiliau (Cymru).*

Yr wyf yn diolch o galon i bawb sydd wedi cyfrannu at ddatblygu'r Mesur pwysig hwn ar hyd bob cam o'r broses. Drwy gydol ei daith, craffwyd yn gadarn ac yn broffesiynol ar y cynigion, gan gynnwys gan y Pwyllgor Cyllid a gan Bwyllgor Cyfnod 1 y Mesur Dysgu a Sgiliau Arfaethedig (Cymru), yr oedd y naill a'r llall wedi cael llawer iawn o dystiolaeth gan amrywiaeth eang o randdeiliaid, a gan y Pwyllgor Is-ddeddfwriaeth, a oedd wedi craffu'n ofalus ar ddefnyddio'r rheoliadau arfaethedig.

Yr wyf yn gwerthfawrogi cyfraniadau Aelodau yn y Siambr wrth gyflwyno'r Mesur arfaethedig hwn fis Gorffennaf diwethaf, yn ystod dadleuon Cyfnod 1 ar egwyddorion cyffredinol, a heddiw. Yr ydym wedi gweld dadl fywiog a thanbaid heddiw, sy'n pwysleisio pwysigrwydd y Mesur hwn i ddysgwyr yng Nghymru, er bod gwahaniaeth

others.

It is clear that this scrutiny and collective commitment to improvement has resulted in a strengthened Measure. At each stage, we, as the Government, have listened, given full consideration to recommendations, and have brought forward amendments to improve the Measure. That is quite clear, despite views to the contrary expressed today. The Measure has been improved and important Government amendments have been put in place as part of that listening and responding exercise.

It has been a privilege for me to steer this important Measure, which is an early example of the new legislative powers of the National Assembly for Wales, and I look forward to the next stages and to bringing forward the regulations and statutory guidance that will ensure that we secure improvements in the interest of learners in Wales.

6.50 p.m.

This is, and always has been, about better choice and support, ensuring that our young people enter higher education, and good-quality careers with wider experience and improved skills. I ask the Assembly for support, and to pass this important Measure.

**Y Llywydd:** Y cynnig yw i gymeradwyo'r Mesur Arfaethedig ynghylch Dysgu a Sgiliau (Cymru). A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

barn rhwng rhai ohonom.

Mae'n glir bod y craffu hwn a'r ymrwymiad ar y cyd i wella wedi arwain at Fesur cryfach. Ar hyd bob cam, yr ydym, fel Llywodraeth, wedi gwranddo, wedi ystyried yr argymhellion yn llawn, ac wedi cyflwyno gwelliannau i wella'r Mesur. Mae hynny'n eithaf clir, er gwaethaf y safbwyntiau i'r gwrthwyneb a fynegwyd heddiw. Mae'r Mesur wedi cael ei wella ac mae gwelliannau pwysig gan y Llywodraeth wedi cael eu rhoi ar waith fel rhan o'r ymarfer hwnnw o wrando ac ymateb.

Bu yn ffraind imi lywio'r Mesur pwysig hwn, sydd yn enghraifft gynnar o bwerau deddfwriaethol newydd Cynulliad Cenedlaethol Cymru, ac edrychaf ymlaen at y camau nesaf a chyflwyno'r rheoliadau a'r canllawiau statudol a fydd yn sicrhau ein bod yn cyflawni gwelliannau er budd dysgwyr yng Nghymru.

Dewis a chefnogaeth well sydd wedi bod wrth galon hyn o'r cychwyn cyntaf, gan sicrhau bod ein pobl ifanc yn cael addysg uwch a gyrfaedd o ansawdd da gyda phrofiadau ehangach a gwell sgiliau. Yr wyf yn gofyn i'r Cynulliad am gefnogaeth ac i basio'r Mesur pwysig hwn.

**The Presiding Officer:** The proposal is that the Proposed Learning and Skills (Wales) Measure be approved. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Cynnig: O blaid 37, Ymatal 16, Yn erbyn 0.*

*Motion: For 37, Abstain 16, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Andrews, Leighton  
Asghar, Mohammad  
Barrett, Lorraine  
Chapman, Christine  
Cuthbert, Jeff  
Davidson, Jane  
Davies, Alun  
Davies, Andrew  
Davies, Jocelyn  
Evans, Nerys

Franks, Chris  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
James, Irene  
Jenkins, Bethan  
Jones, Alun Ffred  
Jones, Ann  
Jones, Carwyn  
Jones, Elin  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Lewis, Huw  
Lloyd, David  
Lloyd, Val  
Mewies, Sandy  
Morgan, Rhodri  
Ryder, Janet  
Sargeant, Carl  
Thomas, Gwenda  
Thomas, Rhodri Glyn  
Watson, Joyce  
Wood, Leanne

Ymataliodd yr Aelodau canlynol:  
The following Members abstained:

Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Cairns, Alun  
Davies, Andrew R.T.  
Davies, Paul  
German, Michael  
Graham, William  
Isherwood, Mark  
Melding, David  
Millar, Darren  
Morgan, Jonathan  
Ramsay, Nick  
Randerson, Jenny  
Williams, Kirsty

*Derbyniwyd y cynnig.  
Motion agreed.*

**Y Llywydd:** Yr wyf yn datgan bod y Mesur ynghlych Dysgu a Sgiliau (Cymru) wedi ei gymeradwyo yng Nghyfnod 4 gan y Cynulliad Cenedlaethol. Diolchaf yn arbennig i fy nghydweithwyr yma ar y ddesg sydd wedi dilyn y Mesur hwn drwy ei wahanol Gyfnodau.

**The Presiding Officer:** I declare that the Learning and Skills (Wales) Measure has been agreed at Stage 4 by the National Assembly. I thank my colleagues here at the desk who have followed this Measure through its various Stages.

Dyna ddiwedd ein trafodion am heddiw.

That concludes our proceedings for today.

*Daeth y cyfarfod i ben am 6.51 p.m.  
The meeting ended at 6.51 p.m.*

**Aelodau a'u Pleidiau**  
**Members and their Parties**

Andrews, Leighton (Llafur – Labour)  
 Asghar, Mohammad (Plaid Cymru – The Party of Wales)  
 Barrett, Lorraine (Llafur – Labour)  
 Bates, Mick (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)  
 Black, Peter (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)  
 Bourne, Nick (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Burnham, Eleanor (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)  
 Burns, Angela (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Butler, Rosemary (Llafur – Labour)  
 Cairns, Alun (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Chapman, Christine (Llafur – Labour)  
 Cuthbert, Jeff (Llafur – Labour)  
 Davidson, Jane (Llafur – Labour)  
 Davies, Alun (Llafur – Labour)  
 Davies, Andrew (Llafur – Labour)  
 Davies, Andrew R.T. (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Davies, Jocelyn (Plaid Cymru – The Party of Wales)  
 Davies, Paul (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Elis-Thomas, Dafydd (Plaid Cymru – The Party of Wales)  
 Evans, Nerys (Plaid Cymru – The Party of Wales)  
 Franks, Chris (Plaid Cymru – The Party of Wales)  
 German, Michael (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)  
 Graham, William (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Gregory, Janice (Llafur – Labour)  
 Griffiths, John (Llafur – Labour)  
 Griffiths, Lesley (Llafur – Labour)  
 Gibbons, Brian (Llafur – Labour)  
 Hart, Edwina (Llafur – Labour)  
 Hutt, Jane (Llafur – Labour)  
 Isherwood, Mark (Ceidwadwyr Cymreig – Welsh Conservatives)  
 James, Irene (Llafur – Labour)  
 Jenkins, Bethan (Plaid Cymru – The Party of Wales)  
 Jones, Alun Ffred (Plaid Cymru – The Party of Wales)  
 Jones, Ann (Llafur – Labour)  
 Jones, Carwyn (Llafur – Labour)  
 Jones, Elin (Plaid Cymru – The Party of Wales)  
 Jones, Gareth (Plaid Cymru – The Party of Wales)  
 Jones, Helen Mary (Plaid Cymru – The Party of Wales)  
 Jones, Ieuan Wyn (Plaid Cymru – The Party of Wales)  
 Law, Trish (Annibynnol – Independent)  
 Lewis, Huw (Llafur – Labour)  
 Lloyd, David (Plaid Cymru – The Party of Wales)  
 Lloyd, Val (Llafur – Labour)  
 Melding, David (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Mewies, Sandy (Llafur – Labour)  
 Millar, Darren (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Morgan, Jonathan (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Morgan, Rhodri (Llafur – Labour)  
 Neagle, Lynne (Llafur – Labour)  
 Ramsay, Nick (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Randerson, Jenny (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)  
 Ryder, Janet (Plaid Cymru – The Party of Wales)  
 Sargeant, Carl (Llafur – Labour)  
 Sinclair, Karen (Llafur – Labour)  
 Thomas, Gwenda (Llafur – Labour)  
 Thomas, Rhodri Glyn (Plaid Cymru – The Party of Wales)  
 Watson, Joyce (Llafur – Labour)  
 Williams, Brynle (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Williams, Kirsty (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)  
 Wood, Leanne (Plaid Cymru – The Party of Wales)