

## HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 22 Medi 2017  
Tabled on 22 September 2017

### Bil Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) Additional Learning Needs and Education Tribunal (Wales) Bill

**Darren Millar** 76

Section 4, page 4, after line 36, insert –

'() The code must include guidance as to the circumstances in which a governing body or local authority should seek the views of an educational psychologist.'

Adran 4, tudalen 4, ar ôl llinell 37, mewnosoder –

'() Rhaid i'r cod gynnwys canllawiau o ran yr amgylchiadau pan ddylai corff llywodraethu neu awdurdod lleol geisio barn seicolegydd addysg.'

**\*Darren Millar**

**Gyda chefnogaeth/ Supported by: Llyr Gruffydd** 77

Section 4, page 5, after line 2, insert –

'() The code must include guidance about arrangements for transport provision.'

Adran 4, tudalen 5, ar ôl llinell 2, mewnosoder –

'() Rhaid i'r cod gynnwys canllawiau ynghylch trefniadau ar gyfer darpariaeth cludiant.'

**Darren Millar** 78

Section 5, page 6, after line 1, insert –

'() the relevant committee of the National Assembly for Wales with remit for the education of children and young persons;'

Adran 5, tudalen 6, ar ôl llinell 1, mewnosoder –

'() y pwyllgor perthnasol yng Nghynulliad Cenedlaethol Cymru y mae ei gylch gorchwyl yn cynnwys addysg plant a phobl ifanc;'



**Darren Millar**

79

Section 5, page 6, after line 2, insert –

- ‘() The Welsh Ministers must –
- (a) allow those persons a period of at least 12 weeks to submit comments on the draft of the code,
  - (b) consider any comments submitted within that period, and
  - (c) publish a summary of those comments.’.

Adran 5, tudalen 6, ar ôl llinell 2, mewnosoder –

- ‘() Rhaid i Weinidogion Cymru –
- (a) rhoi cyfnod o 12 wythnos o leiaf i'r personau hynny i gyflwyno sylwadau ar y drafft o'r cod,
  - (b) ystyried unrhyw sylwadau a gyflwynir o fewn y cyfnod hwnnw, ac
  - (c) cyhoeddi crynodeb o'r sylwadau hynny.’.

**\*Darren Millar**

80

**Gyda chefnogaeth/ Supported by: Llyr Gruffydd**

Section 8, page 7, after line 30, insert –

- ‘() information about arrangements for transport provision which are necessary as a result of the additional learning provision which the person’s learning difficulty or disability calls for;’.

Adran 8, tudalen 7, ar ôl llinell 30, mewnosoder –

- ‘() gwybodaeth ynghylch trefniadau ar gyfer darpariaeth cludiant sy’n angenrheidiol o ganlyniad i'r ddarpariaeth ddysgu ychwanegol y mae anhawster dysgu neu anabledd y person yn galw amdani;’.

**Darren Millar**

81

Section 9, page 8, after line 26, insert –

- ‘(g) the length of time which the pupil or young person will be a registered pupil at the school or an enrolled student in the further education sector would not be sufficient for a decision to be made.’.

Adran 9, tudalen 8, ar ôl llinell 30, mewnosoder –

- ‘(g) bod y cyfnod y bydd y disgybl neu'r person ifanc yn ddisgybl cofrestredig yn yr ysgol neu'n fyfyrwr ymrestredig yn y sector addysg bellach yn annigonol i wneud penderfyniad.’.

**Darren Millar**

82

Section 13, page 12, line 29, leave out ‘not over compulsory school’ and insert ‘under 18 years of’.

Adran 13, tudalen 12, llinell 30, hepgorer ‘nad yw'n hŷn na'r oedran ysgol gorfodol’ a mewnosoder ‘yw o dan 18 oed’.



**Darren Millar**

**Gyda chefnogaeth / Supported by: Llyr Gruffydd**

83

Section 19, page 18, line 1, leave out subsection (8).

Adran 19, tudalen 18, llinell 1, hepgorer is-adran (8).

**Darren Millar**

84

Page 39, after line 18, insert a new section –

**[ ] Workforce planning**

- (1) Each local authority and local health board must undertake workforce planning (including planning recruitment, retention, education and training) in relation to the provision required for children and young people in their area who have additional learning needs.
- (2) Any workforce planning undertaken by a local authority or local health board pursuant to subsection (1) must consider the capacity of the workforce to deliver additional learning provision through the medium of Welsh.
- (3) Regulations may make provision about workforce planning undertaken pursuant to subsection (1) including –
  - (a) the action to be taken by local authorities and local health bodies in connection with preparing and reviewing any plans;
  - (b) whether any plans will form part of other workforce plans which local authorities and local health boards may be required to produce;
  - (c) the matters to be covered by such plans;
  - (d) the form and content of plans;
  - (e) the period to be covered by such plans;
  - (f) arrangements for joint working;
  - (g) arrangements for publication of the plans;
  - (h) arrangements for implementation of the plans.’.

Tudalen 39, ar ôl llinell 19, mewnosoder adran newydd –

**[ ] Cynllunio'r gweithlu**

- (1) Rhaid i bob awdurdod lleol a phob bwrdd iechyd lleol ymgymryd â gwaith cynllunio'r gweithlu (gan gynnwys cynllunio recriwtio, cadw, addysg a hyfforddiant) mewn perthynas â'r ddarpariaeth sydd ei hangen ar gyfer plant a phobl ifanc yn eu hardaloedd sydd ag anghenion dysgu ychwanegol.
- (2) Rhaid i unrhyw waith cynllunio'r gweithlu a ymgymerir gan awdurdod lleol neu fwrdd iechyd lleol yn unol ag is-adran (1) ystyried capasiti'r gweithlu i gynnal darpariaeth ddysgu ychwanegol drwy gyfrwng y Gymraeg.
- (3) Caiff rheoliadau wneud darpariaeth ynghylch gwaith cynllunio'r gweithlu a ymgymerir yn unol ag is-adran (1) gan gynnwys –



- (a) y camau sydd i'w cymryd gan awdurdodau lleol a byrddau iechyd lleol mewn cysylltiad â pharatoi ac adolygu unrhyw gynlluniau;
- (b) a fydd unrhyw gynlluniau yn rhan o gynlluniau gweithlu eraill y gallai fod angen i awdurdodau lleol neu fyrddau iechyd lleol eu cynhyrchu;
- (c) y materion y dylai unrhyw gynlluniau o'r fath fynd i'r afael â hwy;
- (d) ffurf a chynnwys cynlluniau;
- (e) y cyfnod y dylai cynlluniau o'r fath ymdrin ag ef;
- (f) trefniadau ar gyfer gweithio ar y cyd;
- (g) trefniadau ar gyfer cyhoeddi'r cynlluniau;
- (h) trefniadau ar gyfer gweithredu'r cynlluniau.'

**Darren Millar** 85

Section 57, page 39, line 21, leave out 'who is under compulsory school age and'.

Adran 57, tudalen 39, llinell 22, hepgorer 'sydd o dan yr oedran ysgol gorfodol ac'.

**Darren Millar** 86

Section 67, page 45, after line 32, insert—

- '() about other matters relating to an individual development plan against which appeals may be brought;'

Adran 67, tudalen 45, ar ôl llinell 34, mewnosoder—

- '() ynghylch materion eraill yn ymwneud â chynllun datblygu unigol y gellir dwyn apêl yn ei erbyn;'

**\*Llyr Gruffydd**

**Gyda chefnogaeth/ Supported by: Darren Millar** 87

Section 4, page 4, after line 36, insert—

- '() The code must include guidance on pathways for the assessment of and provision for low incidence high severity needs.'

Adran 4, tudalen 4, ar ôl llinell 37, mewnosoder—

- '() Rhaid i'r cod gynnwys canllawiau ar lwybrau ar gyfer asesu anghenion sy'n ddifrifol iawn ac yn llai cyffredin a darparu ar eu cyfer.'

**\*Llyr Gruffydd**

**Gyda chefnogaeth/ Supported by: Darren Millar** 88

Section 4, page 5, after line 16, insert—

- '() The code may require bodies to which financial resources are provided pursuant to section 34 (1) of the Learning and Skills Act 2000 in respect of the provision of work based learning to have regard to guidance contained in the Code.'



Adran 4, tudalen 5, ar ôl llinell 15, mewnosoder –

- '() Caiff y cod ei gwneud yn ofynnol i gyrff y darperir adnoddau ariannol iddynt yn unol ag adran 34(1) o Ddeddf Dysgu a Sgiliau 2000 mewn cysylltiad â darpariaeth dysgu seiliedig ar waith roi sylw i ganllawiau sydd wedi eu cynnwys yn y cod.'

**\*Llyr Gruffydd**

**Gyda chefnogaeth/ Supported by: Darren Millar** **89**

Section 10, page 9, line 39, leave out 'decide' and insert 'ask the child or young person, and in the case of a child, the child's parent'.

Adran 10, tudalen 9, llinell 40, hepgorer 'penderfynu' a mewnosoder 'gofyn i'r plentyn neu'r person ifanc, ac yn achos plentyn, i riant y plentyn'.

**\*Llyr Gruffydd**

**Gyda chefnogaeth/ Supported by: Darren Millar** **90**

Section 10, page 9, line 40, after 'in', insert 'English or in'.

Adran 10, tudalen 9, llinell 40, ar ôl 'Gymraeg', mewnosoder 'ynteu yn Saesneg'.

**\*Llyr Gruffydd**

**Gyda chefnogaeth/ Supported by: Darren Millar** **91**

Section 10, page 10, line 1, leave out 'it decides' and insert 'the child or young person, or in the case of a child, the child's parent requests'.

Adran 10, tudalen 10, llinell 1, hepgorer 'yw'n penderfynu' a mewnosoder 'yw'r plentyn neu'r person ifanc, neu yn achos plentyn, riant y plentyn yn gwneud cais'.

**\*Llyr Gruffydd**

**Gyda chefnogaeth/ Supported by: Darren Millar** **92**

Section 12, page 11, line 35, leave out 'decide' and insert 'ask the child or young person, and in the case of a child, the child's parent'.

Adran 12, tudalen 11, llinell 38, hepgorer 'penderfynu' a mewnosoder 'gofyn i'r plentyn neu'r person ifanc, ac yn achos plentyn, i riant y plentyn'.

**\*Llyr Gruffydd**

**Gyda chefnogaeth/ Supported by: Darren Millar** **93**

Section 12, page 11, line 36, after 'in', insert 'English or in'.

Adran 12, tudalen 11, llinell 38, ar ôl 'Gymraeg', mewnosoder 'ynteu yn Saesneg'.

**\*Llyr Gruffydd**

**Gyda chefnogaeth/ Supported by: Darren Millar** **94**

Section 12, page 12, line 1, leave out 'it decides' and insert 'the child or young person, or in the case of a child, the child's parent requests'.



Adran 12, tudalen 12, llinell 1, hepgorer 'yw'n penderfynu' a mewnosoder 'yw'r plentyn neu'r person ifanc, neu yn achos plentyn, rhiant y plentyn yn gwneud cais'.

**\*Llyr Gruffydd**

**Gyda chefnogaeth/ Supported by: Darren Millar** 95

Section 18, page 16, line 24, leave out 'decide' and insert 'ask the child or young person, and in the case of a child, the child's parent'.

Adran 18, tudalen 16, llinell 24, hepgorer 'penderfynu' a mewnosoder 'gofyn i'r plentyn neu'r person ifanc, ac yn achos plentyn, i riant y plentyn'.

**\*Llyr Gruffydd**

**Gyda chefnogaeth/ Supported by: Darren Millar** 96

Section 18, page 16, line 25, after 'in', insert 'English or in'.

Adran 18, tudalen 16, llinell 25, ar ôl 'Gymraeg', mewnosoder 'ynneu yn Saesneg'.

**\*Llyr Gruffydd**

**Gyda chefnogaeth/ Supported by: Darren Millar** 97

Section 18, page 16, line 26, leave out 'it decides' and insert 'the child or young person, or in the case of a child, the child's parent requests'.

Adran 18, tudalen 16, llinell 26, hepgorer 'yw'n penderfynu' a mewnosoder 'yw'r plentyn neu'r person ifanc, neu yn achos plentyn, rhiant y plentyn yn gwneud cais'.

**\*Llyr Gruffydd**

**Gyda chefnogaeth/ Supported by: Darren Millar** 98

Section 19, page 17, line 4, leave out 'it considers' and insert 'the child or young person, or in the case of a child, the child's parent has requested'.

Adran 19, tudalen 17, llinell 4, hepgorer 'yw'n ystyried' a mewnosoder 'yw'r plentyn neu'r person ifanc, neu yn achos plentyn, rhiant y plentyn wedi gwneud cais'.

**\*Llyr Gruffydd**

**Gyda chefnogaeth/ Supported by: Darren Millar** 99

Section 56, page 39, line 16, leave out 'desirability' and insert 'importance'.

Adran 56, tudalen 39, llinell 16, hepgorer 'ddymunoldeb' a mewnosoder 'bwysigrwydd'.

**\*Llyr Gruffydd**

**Gyda chefnogaeth/ Supported by: Darren Millar** 100

Section 56, page 39, line 17, after 'Welsh,', insert 'wherever possible,'.

Adran 56, tudalen 39, llinell 17, ar ôl 'Gymraeg,', mewnosoder 'pryd bynnag y bo modd,'.



**\*Llyr Gruffydd**

**Gyda chefnogaeth / Supported by: Darren Millar**

**101**

Page 39, after line 18, insert a new section –

**[ ] Assessment of Welsh Language provision**

- (1) Each local authority and local health board must in accordance with regulations, assess –
  - (a) the extent to which there are children and young persons in their area who would be likely to request additional learning provision through the medium of Welsh;
  - (b) whether they have capacity to provide additional learning provision through the medium of Welsh for those children and young persons identified in accordance with paragraph (a);
  - (c) the actions required to provide the range and level of services identified in accordance with paragraph (a) through the medium of Welsh.
- (2) Regulations under subsection (1) may, for example, provide for –
  - (a) the timing and review of assessments;
  - (b) arrangements for joint working.
- (3) Each local authority and local health board must ensure that it has the capacity, by a date agreed between it and the Welsh Ministers, to deliver additional learning provision through the medium of Welsh in each case in which it is requested.’.

Tudalen 39, ar ôl llinell 19, mewnosoder adran newydd –

**[ ] Asesu darpariaeth Gymraeg**

- (1) Rhaid i bob awdurdod lleol a bwrdd iechyd lleol yn unol â rheoliadau, asesu –
  - (a) y graddau y mae plant a phobl ifanc yn ei ardal a fyddai’n debygol o wneud cais am ddarpariaeth ddysgu ychwanegol drwy gyfrwng y Gymraeg;
  - (b) a oes ganddo’r capasiti i ddarparu darpariaeth ddysgu ychwanegol drwy gyfrwng y Gymraeg ar gyfer y plant a’r bobl ifanc hynny a nodir yn unol â pharagraff (a);
  - (c) y camau y mae’n ofynnol eu cymryd i ddarparu ystod a lefel y gwasanaethau a nodwyd yn unol â pharagraff (a) drwy gyfrwng y Gymraeg.
- (2) Caiff rheoliadau o dan is-adran (1), er enghraifft, ddarparu ar gyfer –
  - (a) amseru ac adolygu asesiadau;
  - (b) trefniadau ar gyfer cydweithio.
- (3) Rhaid i bob awdurdod lleol a bwrdd iechyd lleol sicrhau bod ganddo’r capasiti, erbyn dyddiad a gytunir rhyngddo a Gweinidogion Cymru, i gyflawni darpariaeth ddysgu ychwanegol drwy gyfrwng y Gymraeg ym mhob achos y gwneir cais am hynny.’.



**\*Llyr Gruffydd**

**Gyda chefnogaeth / Supported by: Darren Millar** **102**

Section 62, page 42, after line 36, insert –

- '() Where any services provided under arrangements made under this section are requested to be provided in Welsh, a local authority must take all reasonable steps to secure that the services are provided in Welsh.'

Adran 62, tudalen 42, ar ôl llinell 37, mewnosoder –

- '() Pan wneir cais i unrhyw wasanaethau a ddarperir o dan drefniadau a wneir o dan yr adran hon gael eu darparu yn Gymraeg, rhaid i awdurdod lleol gymryd pob cam rhesymol i sicrhau bod y gwasanaethau'n cael eu darparu yn Gymraeg.'

**\*Llyr Gruffydd**

**Gyda chefnogaeth / Supported by: Darren Millar** **103**

Section 62, page 43, at the beginning of line 1, insert 'Subject to subsection (5)'.

Adran 62, tudalen 43, ar ddechrau llinell 1, mewnosoder 'Yn ddarostyngedig i is-adran (5)'.

**\*Llyr Gruffydd**

**Gyda chefnogaeth / Supported by: Darren Millar** **104**

Section 62, page 43, after line 3, insert –

- '(5) No charge may be made to any person provided with independent advocacy services in accordance with arrangements made under this section.'

Adran 62, tudalen 43, ar ôl llinell 3, mewnosoder –

- '(5) Ni chaniateir codi tâl ar unrhyw berson y darperir gwasanaethau eirioli annibynnol iddo yn unol â threfniadau a wneir o dan yr adran hon.'

