

**Cynulliad Cenedlaethol Cymru
Y Pwyllgor Addysg a Dysgu Gydol Oes**

**The National Assembly for Wales
Education and Lifelong Learning Committee**

**Mesur Addysg
Education Bill**

**Cwestiynau 1-60
Questions 1-60**

**Dydd Mercher, 19 Ionawr 2005
Wednesday, 19 January 2005**

Aelodau o'r Cynulliad yn bresennol: Leighton Andrews, Peter Black (Cadeirydd), Jeff Cuthbert, Jane Davidson (y Gweinidog dros Addysg a Dysgu Gydol Oes), David Davies, Mark Isherwood, Irene James, Denise Idris Jones, Janet Ryder, Owen John Thomas.

Swyddogion yn bresennol: Richard Davies, Cyfarwyddwr Grwp, yr Adran Hyfforddiant ac Addysg, Cynulliad Cenedlaethol Cymru; Joanest Jackson, Cyngorydd Cyfreithiol y Pwyllgor, Gwasanaeth y Pwyllgorau, Cynulliad Cenedlaethol Cymru.

Tyst: Don Touhig (Is-Ysgrifennydd Seneddol, Swyddfa Cymru).

Assembly Members present: Leighton Andrews, Peter Black (Chair), Jeff Cuthbert, Jane Davidson (the Minister for Education and Lifelong Learning), David Davies, Mark Isherwood, Irene James, Denise Idris Jones, Janet Ryder, Owen John Thomas.

Officials present: Richard Davies, Group Director, Department for Training and Education, National Assembly for Wales; Joanest Jackson, Committee's Legal Adviser, Committee Service, National Assembly for Wales.

Witness: Don Touhig (Parliamentary Under-Secretary of State, Wales Office).

*Dechreuodd y sesiwn cymryd tystiolaeth am 11.24 a.m.
The evidence-taking session began at 11.24 a.m.*

[1] **Peter Black:** We will restart. I apologise for the delay. The vagaries of the railway network have delayed the Minister in getting here, but we are pleased that he is here now. Welcome, Don.

The final item is to consider the implications of the Education Bill, and I formally welcome Don Touhig MP, the Under-Secretary of State for Wales, and invite him to give a brief introduction on the provisions of the Bill.

Don Touhig: Thank you, Peter. I apologise to colleagues for our late arrival. Those of us who are subject to the vagaries of what should be called 'Late Western' have been on the train for three hours getting to Cardiff, but I am very pleased that we eventually managed to get here. Peter, this is my second appearance this week before an Assembly committee. On Monday, together with Sue Essex, I gave evidence on the Public Services Ombudsman (Wales) Bill to the Welsh Affairs Committee and to the Assembly's Local Government and Public Services Committee. I thank you for the invitation to be here this morning, with Jane, because this is a good practice that we have established, and it ensures that we continue the dialogue between parliamentarians at Westminster and Members here in Cardiff, as we progress legislation through the Houses of Parliament. I greatly welcome the Bill, and I welcome the opportunity this morning to speak to this committee and to outline some of the Bill's provisions.

[1] **Peter Black:** Dechreuwn. Ymddiheuraf am yr oedi. Mae mympwyon y rhwydwaith rheilffyrdd wedi dal y Gweinidog yn ôl, ond yr ydym yn falch ei fod yma erbyn hyn. Croeso, Don.

Yr eitem gyntaf yw ystyried goblygiadau'r Mesur Addysg, ac estynnaf groeso ffurfiol i Don Touhig AS, Is-Ysgrifennydd Gwladol Cymru, a'i wahodd i roi cyflwyniad byr ar ddarpariaethau'r Mesur.

Don Touhig: Diolch, Peter. Ymddiheuraf i gyd-aelodau am inni gyrraedd yn hwyr. Mae'r rheini ohonom sydd yn gaeth i fympwyon yr hyn a ddylai gael ei alw'n 'Late Western' wedi bod ar y trê'n am dair awr yn cyrraedd Caerdydd, ond yr wyf yn falch dros ben ein bod wedi llwyddo i gyrraedd yma o'r diwedd. Peter, dyma fy ail ymddangosiad yr wythnos hon gerbron un o bwyllgorau'r Cynulliad. Ddydd Llun, gyda Sue Essex, rhoddais dystiolaeth ar Fesur yr Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) i'r Pwyllgor Materion Cymreig ac i Bwyllgor Llywodraeth Leol a Gwasanaethau Cyhoeddus y Cynulliad. Diolch am y gwahoddiad i fod yma'r bore yma, gyda Jane, oherwydd mae hwn yn arferiad da sydd wedi ei sefydlu gennym, ac mae'n sicrhau ein bod yn parhau'r ddeialog rhwng seneddwyr yn San Steffan ac Aelodau yma yng Nghaerdydd, wrth inni symud deddfwriaeth drwy'r Senedd. Croesawaf y Mesur yn fawr, a chroesawaf y cyfle y bore yma i siarad â'r Pwyllgor hwn ac i amlinellu rhai o ddarpariaethau'r Mesur.

The objective of the Bill is to raise standards in schools, and I know that this is one of your top priorities as an Assembly. The Bill is in five parts—it has 124 clauses and 19 schedules, and 40 of the clauses apply to Wales only. It is an important piece of legislation, with over three-quarters of the measures in the Bill relevant to Wales, and it includes a number of specific measures that reflect the distinctive Welsh policies that the Assembly has developed over the past years. The Bill is currently in the middle of committee stage in the House of Lords. The Welsh provisions have been subjected to detailed scrutiny and debate, and my colleague, Baroness Kay Andrews, has been taking through the Welsh provisions and ensuring that they are properly debated and so on. The important aspect of the Bill in a Wales context is that it gives the Assembly discretion to see how aspects of the Bill will be applied in Wales, and other than the England-only provisions, for example, to introduce a school profile, the majority of the provisions relating to Wales have been framed to make them enabling in character. This recognises the devolution settlement and the Assembly's responsibility for making secondary legislation.

As I said in the briefing which was sent to members of the committee earlier, the Bill will provide the Assembly with discretionary powers to the extent that it wants to apply aspects of the Bill in Wales. To this end, the Bill will, for example, enable the Assembly to develop arrangements for inspection, as considered appropriate, as the common inspection framework, which you introduced in September last year, beds in, and for the Assembly to decide any changes to the timetable of its own choosing. It will also mean that the Bill clarifies the roles and responsibilities relating to the appointment of the chief inspector, along with the terms and conditions of Her Majesty's Inspectorate. It

Amcan y Mesur yw codi safonau mewn ysgolion, a gwn fod hyn yn un o'ch prif flaenoriaethau fel Cynulliad. Mae pum rhan i'r Mesur—mae iddo 124 o gymalau a 19 o atodlenni, a 40 o'r cymalau'n ymwneud â Chymru yn unig. Mae'n ddarn pwysig o ddeddfwriaeth; mae dros dri chwarter y mesurau ynddo'n berthnasol i Gymru, ac mae'n cynnwys nifer o fesurau penodol sydd yn adlewyrchu'r polisiau Cymreig arbennig a ddatblygwyd gan y Cynulliad yn y blynyddoedd diwethaf. Mae'r Mesur ar hyn o bryd gerbron y pwyllgor yn Nhy'r Arglwyddi. Mae'r darpariaethau Cymreig wedi bod yn destun craffu a dadlau manwl, a bu fy nghyd-aelod, y Farwnes Kay Andrews, yn mynd â'r darpariaethau Cymreig drwodd gan sicrhau eu bod yn cael eu dadlau'n iawn, ac ati. Agwedd bwysig ar y Mesur yn y cyd-destun Cymreig yw ei fod yn rhoi rhyddid i'r Cynulliad weld sut y caiff agweddau ar y Mesur eu gweithredu yng Nghymru. Ac ar wahân i'r darpariaethau sydd ar gyfer Lloegr yn unig, er enghraifft, cyflwyno proffil ysgol, lluniwyd y rhan fwyaf o'r darpariaethau sydd yn ymwneud â Chymru i roi naws galluogi iddynt. Mae hyn yn cydnabod y cytundeb datganoli a chyfrifoldeb y Cynulliad dros wneud is-ddeddfwriaeth.

Fel y dywedais yn y wybodaeth a anfonwyd at aelodau'r pwyllgor yn gynharach, bydd y Mesur yn rhoi pwerau diamod i'r Cynulliad i'r graddau y bydd yn dymuno rhoi agweddau ar y Mesur ar waith yng Nghymru. I'r perwyl hwn, bydd y Mesur, er enghraifft, yn galluogi'r Cynulliad i ddatblygu trefniadau ar gyfer arolygu, fel yr ystyrir yn briodol, wrth i'r fframwaith arolygu cyffredin a gyflwynwyd gennych ym Medi y llynedd fwrw gwreiddiau. A bydd yn galluogi'r Cynulliad i benderfynu ar unrhyw newidiadau y mae'n dewis eu gwneud yn yr amserlen. Bydd hyn yn golygu hefyd fod y Mesur yn egluro'r rolau a'r cyfrifoldebau yn ymwneud â phenodi y prif arolygydd, ynghyd â thelerau ac amodau

covers inspection of the careers service, which will be put on a par with other areas of the chief inspector's remit, and the Assembly will be given power to establish a panel to advise on matters relating to Estyn. Through the Bill, schools will be able to provide higher education modules for the most able pupils, and we hope that this will open new learning pathways, contributing to the delivery of wider access and increased participation in higher education. While the Bill retains the existing system for school funding, it will provide the power to change it in accordance with the system envisaged for England. I know that Jane has been pressing for three-year indicative budgets for some time, and her efforts have certainly proved successful. As a result, the Assembly, if it wishes, will be able to achieve this without hypothecation of local government funding, and it is important that you have that ability and discretion.

The Bill provides for the introduction of data collection and sharing arrangements in respect of adults working in the school sector, to help inform your future policies. It will permit the introduction of data sharing to ensure that all those eligible for free meals can easily take up their entitlement, which supports your own Assembly social inclusion policy. The Bill's provision on the extension of legislation on attendance to secure children's attendance at alternative education provisions also supports the Assembly's policy to deal with poor pupil behaviour, to tackle disaffection and to reduce absenteeism. I get those problems in my surgeries, and I am sure that Assembly Members do also. The Bill generally gives more support to the wider school workforce.

Arolygwyr Ei Mawrhydi. Mae'n cynnwys arolygu'r gwasanaeth gyrfaoedd, a gaiff ei roi ar yr un gwastad â rhannau eraill o gylch gwaith y prif arolygydd. A rhoddir hawl i'r Cynulliad sefydlu panel i gynghori ar faterion yn ymwneud ag Estyn. Drwy'r Mesur, bydd ysgolion yn gallu darparu modiwlau addysg uwch i'r disgyblion mwyaf galluog, a gobeithiwn y bydd hyn yn agor llwybrau dysgu newydd, gan gyfrannu at sicrhau mwy o fynediad a mwy o gyfranogiad mewn addysg uwch. Er bod y Mesur yn cadw'r system bresennol ar gyfer ariannu ysgolion, bydd yn darparu'r grym i'w newid yn unol â'r system a ragwelir i Loegr. Gwn fod Jane wedi bod yn pwysu ers tro am gyllidebau dangosol tair blynedd, ac mae ei hymdrechion yn sicr wedi llwyddo. O ganlyniad, bydd y Cynulliad, os yw'n dymuno, yn gallu cyflawni hyn heb bridianu arian llywodraeth leol, ac mae'n bwysig ichi gael y gallu a'r rhyddid hwnnw.

Mae'r Mesur yn darparu ar gyfer cyflwyno trefniadau casglu a rhannu data am oedolion sydd yn gweithio yn y sector ysgolion, i helpu ychwanegu at eich polisiau yn y dyfodol. Bydd yn caniatáu cyflwyno rhannu data i sicrhau y gall pawb sy'n gymwys i gael cinio am ddim arfer yr hawl honno'n rhwydd, sydd yn ategu eich polisi cynhwysiant cymdeithasol chi eich hunain fel Cynulliad. Mae darpariaeth y Mesur ar ehangu'r ddeddfwriaeth ar bresenoldeb i sicrhau presenoldeb plant mewn darpariaethau addysg amgen hefyd yn ategu polisi'r Cynulliad i ddelio ag ymddygiad gwael gan ddisgyblion, i fynd i'r afael ag anniddigrwydd ac i leihau absenoliaeth. Caf y problemau hynny yn fy nghymorthfeydd, ac yr wyf yn siwr fod Aelodau'r Cynulliad yn eu cael hefyd. Mae'r Mesur yn gyffredinol yn rhoi mwy o gefnogaeth i weithlu ehangach yr ysgolion.

I look forward to reading the deliberations of this committee, and I believe that you will possibly discuss it in Plenary. There may be an event some time this year, Peter, that may disrupt the whole parliamentary process—I cannot be certain of that—but, clearly, we will be keen, in any event, to secure this piece of legislation for the statute book, and where it is proper and legitimate, for all parties to make comments and table amendments, which happens in the way we take business through the House of Commons and the House of Lords. At the end of the day, if we feel that it is a good measure, and if there is an event that disrupts the parliamentary process, we would look for the co-operation of colleagues from all parties to try to secure this piece of legislation on the statute book.

[2] **Peter Black:** Thank you, Don. David?

[3] **David Davies:** I think that this question will be in order; I am sure that you will stop me if it is not. On the issue of truancy or unauthorised absence, I have some Library statistics—which I am sure that you will have seen—which suggest that, since 1997, the overall picture has got a lot worse in virtually all local authorities across Wales, particularly during the last year. Generally speaking, the figures across the 22 local authorities went up, then they started to fall again around 2000, but now they have started to creep upwards again.

Edrychaf ymlaen at ddarllen trafodaethau'r pwyllgor hwn, a chredaf efallai y byddwch yn trafod hyn mewn Cyfarfod Llawn. Efallai y bydd digwyddiad rywbryd eleni, Peter, a all darfu ar yr holl drefn seneddol—ni allaf fod yn sicr o hynny—ond, yn amlwg, byddem yn awyddus, beth bynnag a ddigwydd, i sicrhau'r darn deddfwriaeth hwn ar gyfer y llyfr statud. A lle mae'n briodol ac yn deg, i bob plaid roi sylwadau a chyflwyno gwelliannau, rhywbeth sydd yn digwydd wrth inni fynd â busnes trwy Dy'r Cyffredin a Thy'r Arglwyddi. Yn y pen draw, os teimlwn ei fod yn fesur da, ac os bydd digwyddiad sydd yn tarfu ar y drefn seneddol, byddem yn edrych am gydweithrediad aelodau o bob plaid i geisio sicrhau'r darn deddfwriaeth hwn ar y llyfr statud.

[2] **Peter Black:** Diolch, Don. David?

[3] **David Davies:** Yr wyf yn credu y bydd y cwestiwn hwn mewn trefn; yr wyf yn siwr y rhowch daw arnaf os nad ydyw. Ar fater triwantiaeth neu absenoldeb heb ganiatâd, mae gennyf ystadegau Llyfrgell—byddwch chi wedi'u gweld, mae'n siwr—sydd yn awgrymu bod y darlun cyffredinol, ers 1977, wedi gwaethygu'n fawr mewn pob awdurdod lleol bron ledled Cymru, yn enwedig yn ystod y flwyddyn ddiwethaf. A siarad yn gyffredinol, aeth y ffigyrau ar draws y 22 awdurdod lleol i fyny, wedyn dechreusant ddisgyn eto o gwmpas 2000, ond yn awr maent wedi dechrau codi'n raddol eto.

Overall, if you take the Wales average in any given year, unauthorised absences are much higher now than they were either last year or in 1997, although there are one or two local authorities that buck the trend. Why do you think that is, and how will this Bill help, especially as we have already spent quite a lot of time, money and effort on all kinds of different measures to try to reduce truancy?

Don Touhig: We have had a serious problem across the country with young people who have been disaffected by the education system and by society in general. Years ago, I was in Belgium, where they also have a serious problem with disaffected young people. They have a scheme whereby, in order to encourage young people into attendance at school, there is a work-related aspect, whereby young people go to school for two days a week, and then do job training, which they get paid for, three days a week. They cannot do the second unless they do the first. I will be interested to see how that develops, because we can all learn from each other, and look at innovative ways in which we can overcome this problem.

I was first made a school governor at the age of 18. I do not think that it was legal, because the voting age was 21 in those days. Anyway, I have been involved with schools for some time, and, over the years, there has been a growing problem in schools whereby young people have become disaffected and wanted to drop out of the system. There are social consequences in Blackwood, where I live, in terms of kids who have been wandering the streets because they are not attending school and so on.

Yn gyffredinol, os cymerwch gyfartaledd Cymru mewn unrhyw flwyddyn benodol, mae absenoldebau heb ganiatâd lawer yn fwy yn awr nag oeddent y llynedd nac yn 1997, er bod un neu ddau awdurdod lleol sydd yn mynd yn groes i'r duedd honno. Pam y mae hynny, yn eich tyb chi, a sut fydd y Mesur hwn helpu, yn enwedig a ninnau eisoes wedi gwario cryn dipyn o amser, arian ac ymdrech ar bob math o wahanol fesurau i geisio lleihau triwantiaeth?

Don Touhig: Yr ydym wedi cael problem ddifrifol ledled y wlad gyda phobl ifanc sydd wedi'u dadrithio â'r system addysg ac â chymdeithas yn gyffredinol. Flynyddoedd yn ôl, bûm yng Ngwlad Belg, lle mae ganddynt hwythau hefyd broblem ddifrifol gyda phobl ifanc sydd wedi eu dadrithio. Yno mae cynllun sy'n cynnig agwedd berthnasol at waith er mwyn annog pobl ifanc i fynychu'r ysgol. Byddant yn mynd i'r ysgol am ddeuddydd yr wythnos, ac wedyn yn cael hyfforddi mewn swydd, gan ennill cyflog, am dridiau'r wythnos. Ni allant wneud yr ail heb wneud y cyntaf. Bydd yn ddiddorol gweld sut fydd hyn yn datblygu, oherwydd gallwn i gyd ddysgu gan ein gilydd, ac edrych ar ffyrdd arloesol i oresgyn y broblem hon.

Cefais fy mhenodi'n llywodraethwr ysgol am y tro cyntaf yn 18 oed. Nid wyf yn credu bod hynny'n gyfreithlon, gan mai 21 oedd yr oed pleidleisio bryd hynny. Beth bynnag, yr wyf wedi ymwneud ag ysgolion ers cryn amser, a thros y blynyddoedd mae problem gynyddol wedi bod mewn ysgolion lle mae pobl ifanc wedi mynd yn anniddig ac am wrthgilio o'r system. Gwelir canlyniadau cymdeithasol yn y Coed Duon, lle'r wyf fi'n byw, o ran plant sy'n crwydro'r strydoedd am nad ydynt yn yr ysgol, ac ati.

We must look at new and innovative ways to try to engage them more effectively. If a child is disruptive in school, we have the mechanism of exclusion. Unfortunately, from a personal point of view, I am not sure that that is enough, because that young person—and I am sure you have the same experience, David—is then out causing grief in the wider community. I think that perhaps we have to look at that anew.

We must continue to invest in education. For the people from my community, in a mining valley, education was a pathway out of poverty. We all recognise that continued investment in education is a continued investment in the improvement of the quality of our society. I do not have the perfect answer. I have met school officers in my area who have talked about the problems that they have had with truancy. They do not feel that they are given sufficient support from the courts if people are taken to court for failing to get their children to school and so on.

It is a wider issue, and I believe that the Assembly has been looking at some initiatives, which I am sure that Jane would want to elaborate on. We can all learn from each other and try to pick up best practice. This is a problem that we have in society, and it is only through collaboration with the schools and other kinds of support agencies that we will overcome it. There is no short-term solution to the problem—which is a growing problem, in my view—of disaffection among young people.

Rhaid inni edrych ar ffyrdd newydd a dyfeisgar i geisio'u cynnwys hwy yn fwy effeithiol. Os yw plentyn yn drafferthus yn yr ysgol, mae modd ei wahardd. Yn anffodus, o safbwynt personol, nid wyf yn siwr fod hynny'n ddigon, gan y bydd y person ifanc hwnnw—ac mae'n siwr i chi gael gael yr un profiad, David—allan wedyn yn creu helynt yn y gymuned ehangach. Credaf efallai fod angen inni edrych ar hynny o'r newydd.

Rhaid inni barhau i fuddsoddi mewn addysg. I'r bobl yn fy nghymuned i, mewn cwm glofaol, yr oedd addysg yn ffordd allan o dlodi. Yr ydym i gyd yn sylweddoli bod buddsoddi'n barhaus mewn addysg yn golygu buddsoddi'n barhaus i wella ansawdd ein cymdeithas. Nid oes gennyf ateb perffaith. Yr wyf wedi cyfarfod â swyddogion ysgolion yn fy ardal a oedd yn sôn am y problemau y maent wedi eu cael gyda thriwantiaeth. Nid ydynt yn teimlo iddynt gael cefnogaeth ddigonol gan y llysoedd os eir â phobl i'r llys am fethu sicrhau bod eu plant yn mynd i'r ysgol, ac ati.

Mae'n fater ehangach, a chredaf fod y Cynulliad wedi bod yn edrych ar rai cynlluniau, a bydd Jane am ymhelaethu arnynt, mae'n siwr. Gallwn i gyd ddysgu gan ein gilydd a cheisio mabwysiadu arfer gorau. Mae hon yn broblem mewn cymdeithas, a dim ond drwy gydweithio â'r ysgolion a mathau eraill o asiantaethau cefnogi y gallwn ei goresgyn. Nid oes ateb tymor byr i'r broblem—sydd ar gynnydd, yn fy nhyb i—o ddadrithio ymhlith pobl ifanc.

[4] **Jane Davidson:** I would also like to respond, because the facts do not bear out your initial statement. The percentage of sessions missed through absenteeism from schools in Wales has steadily fallen from 11 per cent in 1996, to 9.4 per cent in 2004. If you remember, the particular issue is that we have historically collected figures of both authorised and unauthorised absences. The attendance task and finish group said that that did not work, because not all authorities were using the same information in authorised and unauthorised absences. Therefore, we were far better off just collecting figures on absences, which gave us an absolute figure, in terms of what was happening in schools in Wales.

The figures for 2003-04 represent the third successive improvement in attendance figures in Wales, and the highest attendance levels, for this sector since records began. I brought that information to committee some three or four committee meetings ago. However, we also have a very wide range of initiatives that I have previously reported to committee, in terms of how we are looking at electronic registration and major truancy initiatives with the police. We have also written to all schools to make it absolutely clear that there is no expectation that children take holidays in school time, and members of staff are engaged in this on a regular basis. We are determined to crack this issue. The Bill enhances opportunities for prosecution if LEAs choose to go down that route. We have not introduced fixed penalty notices in Wales, and we have no intention of doing so. However, it is important that LEAs have the opportunity to take the prosecution route, as appropriate. That has been used in terms of persistent offences.

[4] **Jane Davidson:** Hoffwn innau ymateb, oherwydd nid yw'r ffeithiau'n cyfiawnhau eich gosodiad cyntaf. Mae canran y sesiynau sy'n cael eu colli drwy absenoldeb mewn ysgolion yng Nghymru wedi disgyn yn raddol o 11 y cant yn 1996 i 9.4 y cant yn 2004. Os cofiwch, y mater penodol yw ein bod yn hanesyddol wedi casglu ffigurau am absenoldebau gyda chaniatâd a rhai heb ganiatâd. Dywedodd y grwp gorchwyl a gorfffen ar bresenoldeb nad oedd hynny'n gweithio, am nad oedd pob awdurdod lleol yn defnyddio'r un wybodaeth wrth ddynodi absenoldebau wedi eu hawdurdodi a rhai heb eu hawdurdodi. Felly, yr oedd yn well o lawer inni gasglu ffigurau ar absenoldebau, a oedd yn rhoi ffigur absoliwt inni, o ran yr hyn a oedd yn digwydd mewn ysgolion yng Nghymru.

Mae ffigurau 2003-04 yn dangos gwelliant am y trydydd tro yn olynol mewn ffigurau presenoldeb yng Nghymru, a'r lefelau presenoldeb uchaf yn y sector hwn ers dechrau cadw cofnodion. Rhoddais y wybodaeth honno i'r pwyllgor ryw dri neu bedwar cyfarfod yn ôl. Fodd bynnag, mae gennym hefyd amrywiaeth helaeth iawn o gynlluniau yr wyf wedi adrodd arnynt o'r blaen yn y pwyllgor, i edrych ar gofrestru electronig a chynlluniau mawr gyda'r heddlu i atal triwantiaeth. Yr ydym wedi ysgrifennu hefyd at bob ysgol i wneud yn gwbl glir na ddisgwylir i blant gymryd gwyliau yn ystod amser ysgol, ac mae aelodau staff yn gweithio ar hyn yn rheolaidd. Yr ydym yn benderfynol o ddelio â'r mater hwn. Mae'r Mesur yn rhoi mwy o gyfleoedd i erlyn os bydd AALlau yn dewis dilyn y llwybr hwnnw. Nid ydym wedi cyflwyno rhybuddion cosb sefydlog yng Nghymru, ac ni fwriadwn wneud hynny. Serch hynny, mae'n bwysig i'r AALlau gael y cyfle i ddewis erlyn, fel sy'n briodol. Mae hynny wedi'i ddefnyddio mewn cysylltiad â throseddau cyson.

[5] **Peter Black:** I am anxious to concentrate on the Bill, so I do not want to enter into a debate on the reliability of statistics.

[6] **David Davies:** Even though she gave a gracious answer, the Minister is wrong. I got the statistics from the Library two days ago, knowing that this was going to come up. I will go and get the statistics—they may be wrong, but if so that is something that you will need to take up, because they are the ones given to me by the Assembly. I will go and get them now.

[7] **Jane Davidson:** When you go and get the statistics, you will see the unauthorised absences and the authorised absences.

[8] **David Davies:** You said that my statement was wrong, but you will see an increase in—

[9] **Peter Black:** I do not want to discuss statistics. I believe that, from memory, there was a distinction between the authorised and the unauthorised absences.

[10] **Janet Ryder:** This Bill touches on several different areas, and I would like to take it section by section. One area that will cause the greatest discussion is that on the possible changes to school funding and the way in which schools are funded. Can you clarify whether—and I appreciate that there will be an exception as to whether this applies in England or in Wales—if this Bill goes through as it stands, this reopens, or opens even further, the door for grant-maintained schools and for funding going directly to schools? Or is it still the Government's intention in England to fund via the LEA—strongly ring-fenced, but still via the LEA? Under the allowances that will be brought in for Wales, we have discussed in Wales on several occasions the great advantage that would

[5] **Peter Black:** Yr wyf yn awyddus i ganolbwyntio ar y Mesur, felly, nid wyf am gael dadl ar ddibynolrwydd ystadegau.

[6] **David Davies:** Er iddi roi ateb caredig, mae'r Gweinidog yn anghywir. Cefais yr ystadegau o'r Llyfrgell ddeuddydd yn ôl, gan wybod y byddai hyn yn codi. Af i nôl yr ystadegau—efallai eu bod yn anghywir, ond os felly, mae'n rhywbeth y bydd angen ichi ei godi, oherwydd dyna'r rhai a roddwyd imi gan y Cynulliad. Af i'w nôl yn awr.

[7] **Jane Davidson:** Pan ewch chi i nôl yr ystadegau, fe welwch yr absenoldebau heb eu hawdurdodi a'r rhai wedi eu hawdurdodi.

[8] **David Davies:** Yr ydych wedi dweud bod fy ngosodiad yn anghywir, ond fe welwch gynnydd mewn—

[9] **Peter Black:** Nid wyf am gael trafod ystadegau. Yn ôl a gofiarf, credaf fod gwahaniaeth wedi ei wneud rhwng yr absenoldebau wedi eu hawdurdodi a'r rhai heb eu hawdurdodi.

[10] **Janet Ryder:** Mae'r Mesur hwn yn cyffwrdd â nifer o feysydd gwahanol, a hoffwn ei gymryd fesul adran. Un maes a fydd yn destun mwyaf o drafod yw hwnnw ar y newidiadau posibl yn y modd y caiff ysgolion eu hariannu. Allwch chi egluro—a sylweddolaf y bydd eithriad o ran a yw hyn yn gymwy yng Nghymru ynteu yn Lloegr—os aiff y Mesur hwn trwodd fel y mae, a fydd hyn yn ailagor y drws, neu'n agor y drws ymhellach fyth, i ysgolion a gynhelir gan grant ac i ariannu ysgolion yn uniongyrchol? Ynteu ai bwriad y Llywodraeth yn Lloegr o hyd yw ariannu drwy'r AALl—wedi'i glustnodi'n glir, ond drwy'r AALl o hyd? Dan y lwfansau a gyflwynir ar gyfer Cymru, yr ydym wedi trafod yng Nghymru droeon y fantais fawr a roddid i ysgolion pe bai ganddynt system ariannu dair

be given to schools if they had a three-year funding system, allowing them greater flexibility and greater foresight in terms of how they can arrange that funding. A move to three-year funding is the right way forward. If further changes are brought in—and, certainly, further changes are envisaged for England—would the Minister decide to pursue those further changes in Wales, in particular, the move from a financial year to an academic year? Again, I understand from reading this paper that the Minister has the flexibility that, if she so chooses, we can move to academic-year funding in Wales in future. Would you like to expand a little further, Mr Touhig, on how you see this developing in England so that we can have an insight into what the reasoning for this is in England?

Don Touhig: As you know, over the last few years, there has been a move for funding directly from the Department for Education and Skills to schools. This is popular with a number of people, but it has difficulties. I know that, in my area, when the Assembly provided extra money, the previous Plaid Cymru administration of Caerphilly County Borough Council did not spend the whole amount on schools. The Assembly has now ensured that there is greater transparency about the amount of money provided to councils for schools, so it can be better judged whether the money is being passported directly to the schools or not. In England, there is a view—and it is a popular view—that the money should go directly to schools, and I think that that will be pursued. The provisions in the Bill do not provide for any extension of what was called grant-maintained schools, but there is the ability to develop more schools as foundation schools. Again, because the Bill is broadly enabling, this is a matter for your discretion here in the Assembly. As far as school funding is concerned, Jane has made it quite clear that the Assembly is committed to the

blynedd, gan ganiatáu mwy o hyblygrwydd iddynt a mwy o ragwelediad o ran y ffordd y gallant drefnu'r ariannu hwnnw. Symud tuag at ariannu tair blynedd yw'r ffordd iawn ymlaen. Os cyflwynir newidiadau pellach—ac yn sicr, mae newidiadau pellach ar y gorwel i Loegr—a fyddai'r Gweinidog yn penderfynu dilyn y newidiadau pellach hynny yng Nghymru, yn enwedig y symudiad o flwyddyn ariannol i flwyddyn academaidd? Eto, deallaf o ddarllen y papur hwn fod gan y Gweinidog yr hyblygrwydd fel y gallem, pe bai hi'n dewis, symud i ariannu ar sail blwyddyn academaidd yng Nghymru yn y dyfodol. Hoffech chi ymhelaethu ychydig ymhellach, Mr Touhig, ar y ffordd y gwelwch hyn yn datblygu yn Lloegr, fel y gallwn ni gael syniad o'r rhesymeg dros hyn yn Lloegr?

Don Touhig: Fel y gwyddoch, dros yr ychydig flynyddoedd diwethaf, bu symudiad i ariannu'n uniongyrchol o'r Adran Addysg a Sgiliau i ysgolion. Mae hyn yn boblogaidd gyda nifer o bobl, ond mae iddo ei anawsterau. Gwn, yn fy ardal i, pan ddarparodd y Cynulliad arian ychwanegol, na wariodd gweinyddiaeth flaenorol Plaid Cymru ar Gyngor Bwrdeistref Sirol Caerffili y swm cyfan ar ysgolion. Mae'r Cynulliad bellach wedi sicrhau bod mwy o eglurder o ran faint o arian a ddarperir i gynghorau ar gyfer ysgolion, fel y gellir barnu'n well a yw'r arian yn cael ei drosglwyddo'n uniongyrchol i'r ysgolion neu beidio. Yn Lloegr, mae yna farn—ac mae'n farn boblogaidd—y dylai'r arian fynd yn uniongyrchol i ysgolion, ac yr wyf yn meddwl yr eir ar ôl hynny. Nid yw'r darpariaethau yn y Mesur yn darparu ar gyfer unrhyw ehangu yn yr hyn a elwid yn ysgolion a gynhelir gan grant, ond mae yna'r gallu i ddatblygu mwy o ysgolion fel ysgolion sefydledig. Eto, am mai Mesur galluogi yw hwn ar y cyfan, mater i chi yma yn y Cynulliad yw hwn. O ran ariannu ysgolion, mae Jane wedi dweud yn gwbl glir fod y Cynulliad wedi

existing system of funding schools through local authorities. When I am challenged with these kinds of things in the House of Commons, my answer is often, 'Well, that's devolution, guv'. The Assembly has that power to do as it feels is right and best within the circumstances in Wales. That is appropriate, and it should do that. I think that we will see the school funding system being developed differently.

We have also sought, in this Bill, to give the Assembly the power to reflect and change, if it wishes at any time in the future. If it feels that anything that has happened with regard to this aspect in England that produces some benefit that had not been anticipated or foreseen, then Jane and her colleagues, and you as the Assembly, will have the ability to make whatever changes are appropriate. That is what is important about the way in which we have tried to develop legislation in the last few years—and Jane will confirm this because she and I have worked closely together on several Bills. It is broadly to make as much of it as we can enabling legislation. There is a grey area. For instance, if we are taking legislation through the House of Commons and are giving more powers to a Minister to make regulations and so on, the committee in the Commons demands to know what the Minister will do with those powers and how they will be used. In our circumstances, we give similar powers to the Assembly, and it would not be right for us to be prescriptive and say how the Assembly should use such powers. That is what devolution is about, and why you have the power to make secondary legislation, so it operates somewhat differently. However, I think that what is to be welcomed about this, so far as the issue of funding is concerned, is that you have that ability to reflect and change, but, if you do not think that there is any benefit in the change, you can continue with how you fund

ymrwymo i'r system bresennol o ariannu ysgolion drwy awdurdodau lleol. Pan gaf fy herio ar y mathau hyn o bethau yn Nhy'r Cyffredin, yr ateb a roddaf yn aml yw 'Well, that's devolution, guv'. Mae gan y Cynulliad y grym i wneud yr hyn y mae'n teimlo sydd orau ac yn iawn yn yr amgylchiadau yng Nghymru. Mae hynny'n briodol, a dylai wneud hynny. Credaf y gwelwn y system ariannu ysgolion yn cael ei datblygu'n wahanol.

Yn y Mesur Hwn, yr ydym hefyd wedi ceisio rhoi'r grym i'r Cynulliad ailfeddwl a newid, os bydd yn dymuno unrhyw bryd yn y dyfodol. Os gwêl fod unrhyw beth sydd wedi digwydd ynglyn â hyn yn Lloegr yn rhoi rhyw fantais nad oedd wedi'i disgwyl na'i rhagweld, yna bydd Jane a'i chyd-Weinidogion, a chithau fel Cynulliad, yn gallu gwneud pa bynnag newidiadau sy'n briodol. Dyna sydd yn bwysig ynglyn â'r ffordd yr ydym wedi ceisio datblygu deddfwriaeth yn yr ychydig flynyddoedd diwethaf—a gall Jane gadarnhau hyn gan ei bod hi a mi wedi cydweithio'n agos ar lawer Mesur. Yn fras, yr ydym am wneud cymaint ohono ag sydd yn bosibl yn ddeddfwriaeth alluogi. Y mae yna dir llwyd. Er enghraifft, os ydym yn mynd â deddfwriaeth drwy Dy'r Cyffredin ac yn rhoi mwy o bwerau i Weinidog wneud rheoliadau, ac ati, bydd y pwyllgor yn Nhy'r Cyffredin yn mynnu gwybod beth wnaiff y Gweinidog â'r pwerau hynny a sut y cânt eu defnyddio. Yn ein hamgylchiadau ni, rhoddwn bwerau tebyg i'r Cynulliad, ac ni fyddai'n iawn i ni fod yn gyfarwyddol a dweud sut y dylai'r Cynulliad ddefnyddio pwerau felly. Dyna yw ystyr datganoli, a dyna pam y mae gennyh chi'r hawl i wneud is-ddeddfwriaeth. Felly, mae'n gweithio ychydig yn wahanol. Fodd bynnag, yr hyn y dylid ei groesawu ynglyn â hyn, yn fy nhyb i, o safbwynt ariannu, yw y gallwch ailfeddwl a newid. Ond os na theimlwch fod unrhyw fudd yn y newid, gallwch barhau i ariannu addysg fel y

education now. That is what you are charged with doing and what Jane carries out.

[11] **Jane Davidson:** The key thing that has arisen time and again over the last few years in the funding debate in Wales is the issue of transparency. Schools and local authority members have wanted to know what the Assembly has put in its assessment of education needs and to see that in advance of the settlement from local authorities to schools at the local level. We have responded to that issue of transparency and published, therefore, the individual assessments as far as every local authority is concerned before Christmas, with the local government settlement. Since local authorities will set their overarching education budgets at the end of this month, and their schools budgets in March, and will take account of the school budget forum arrangements, this means that everybody knows what the indicative assessment has been from the Assembly Government. I would say very clearly that it is not a target, but an indicative assessment from the Assembly Government. However, local authorities and the public have that information.

The second point has been about security of funding. Over the last few years, I have responded on several occasions and actively sought to look at ways in which we could give schools the security of three-year funding. In fact, the Prime Minister's announcement about the security of three-year funding took place in May this year at the National Association of Head Teachers' conference in Cardiff, and has led to this aspect being included in this Bill. Prior to that, even if we have wanted to give anything other than indicative three-year funding, there was no legislative mechanism. The School Standards and Framework Act 1998 operates on a one-year mechanism, and, of course, we have

gwnewch yn awr. Dyna'r ddyletswydd a osodwyd arnoch, a dyna y mae Jane yn ei gyflawni.

[11] **Jane Davidson:** Y peth allweddol sydd wedi codi dro ar ôl tro yn yr ychydig flynyddoedd diwethaf yn y ddadl ar ariannu yng Nghymru yw cwestiwn eglurder. Mae ysgolion ac aelodau o awdurdodau lleol wedi bod eisiau gwybod beth mae'r Cynulliad wedi'i roi yn ei asesiad o anghenion addysg, ac eisiau gweld hynny cyn y setliad gan yr awdurdodau lleol i ysgolion ar y lefel leol. Yr ydym wedi ymateb i'r cais hwnnw am eglurder, ac felly wedi cyhoeddi'r asesiadau unigol i bob awdurdod lleol cyn y Nadolig, gyda'r setliad llywodraeth leol. Gan y bydd awdurdodau lleol yn pennu eu cyllidebau addysg cyffredin ddiwedd y mis hwn, a'u cyllidebau ysgolion ym mis Mawrth, ac yn ystyried trefniadau'r fforwm cyllideb ysgolion, golyga hyn fod pawb yn gwybod beth oedd yr asesiad dangosol gan Lywodraeth y Cynulliad. Hoffwn ddweud yn glir nad targed ydyw, ond asesiad dangosol gan Lywodraeth y Cynulliad. Serch hynny, mae'r wybodaeth honno gan awdurdodau lleol a'r cyhoedd.

Sicrwydd ariannu oedd yr ail bwynt. Yn ystod yr ychydig flynyddoedd diwethaf, yr wyf wedi ymateb lawer gwaith ac wedi mynd ati i geisio edrych ar ffyrdd y gallem roi sicrwydd ariannu tair blynedd i ysgolion. Yn wir, gwnaeth Prif Weinidog y DU ei gyhoeddiad am sicrwydd ariannu tair blynedd ym mis Mai eleni yng nghynhadledd Cymdeithas Genedlaethol y Prifathrawon yng Nghaerdydd, ac arweiniodd hynny at gynnwys yr agwedd hon yn y Mesur. Cyn hynny, hyd yn oed os oeddem yn dymuno rhoi unrhyw beth heblaw ariannu tair blynedd dangosol, nid oedd mecanwaith deddfwriaethol ar gael. Mae Deddf Safonau a Fframwaith Ysgolion 1998 yn gweithio ar fecanwaith un

responded to Members on that basis on several occasions. However, what you will see, as contained in the briefing from the Welsh Local Government Association, is that the arrangements have served Wales well. Welsh local authorities have traditionally always put more in than the Assembly Government—or, previously, the Welsh Office—has set in terms of the standard spending assessment for education. In this financial year, the sum is about £20 million. However, we would all like to see security of funding for schools, and I am absolutely delighted that this Bill enables us to establish three-year budgets. We would be able, should we so wish, to set those school budgets on the basis of funding periods, and not financial years, but we would need to look at the benefits of that: we have not tested those issues. We could provide school fora with an enhanced role. We could choose to apply all those aspects of the Bill in Wales and they could all be beneficial. However, we would want to have an appropriate consultation on those benefits. As you will also see from the Welsh Local Government Association briefing, Welsh local government is, in principle, supportive of three-year agendas. However, we could not divorce the three-year agenda for education from the three-year agenda for local government. Therefore, there are wider issues that will be taken up by both the Partnership Council and the local government committee in terms of how the three-year agenda moves forward.

[12] **Peter Black:** Would you like to respond, Janet?

flwyddyn, ac wrth gwrs, yr ydym wedi ymateb i Aelodau droeon ar y sail honno. Fodd bynnag, yr hyn a welwch, fel y nodir yn y wybodaeth gan Gymdeithas Llywodraeth Leol Cymru, yw bod y trefniadau wedi gwasanaethu Cymru yn dda. Yn draddodiadol mae awdurdodau lleol Cymru bob amser wedi rhoi mwy i mewn nag y mae Llywodraeth y Cynulliad—neu, cyn hynny, y Swyddfa Gymreig—wedi'i bennu fel yr asesiad gwariant safonol ar gyfer addysg. Yn y flwyddyn ariannol hon, oddeutu £20 miliwn yw'r swm. Serch hynny, byddai pob un ohonom yn hoffi gweld sicrwydd ariannu i ysgolion, ac yr wyf wrth fy modd fod y Mesur hwn yn ein galluogi i sefydlu cyllidebau tair blynedd. Pe baem yn dymuno hynny, gallem osod y cyllidebau ysgolion hynny ar sail cyfnodau ariannu, nid blynyddoedd ariannol. Ond byddai angen inni edrych ar fanteision hynny: nid ydym wedi rhoi prawf ar y materion hynny. Gallem roi mwy o rôl i fforymau ysgolion. Gallem ddewis defnyddio'r holl agweddau hynny ar y Mesur yng Nghymru, a gallent i gyd fod yn fuddiol. Fodd bynnag, byddem am gael ymgynghori priodol am y buddiannau hynny. Fel y gwelwch hefyd o wybodaeth gan Gymdeithas Llywodraeth Leol Cymru, mae llywodraeth leol yng Nghymru yn gefnogol i egwyddor agendâu tair blynedd. Fodd bynnag, ni lwyddwyd i wahanu'r agenda tair blynedd i addysg oddi wrth yr agenda tair blynedd i lywodraeth leol. Felly, y mae materion ehangach a godir gan y Cyngor Partneriaeth a'r pwyllgor llywodraeth leol o ran y ffordd y mae'r agenda tair blynedd yn symud ymlaen.

[12] **Peter Black:** Hoffech chi ymateb, Janet?

[13] **Janet Ryder:** Just to pick up the point that what parents are concerned about is, as you say, seeing the clarity, and that what people say goes in at one end is perceived as coming out at the other and as being delivered in their school. Schools need the security of three-year funding so that they can plan. To be fair to schools we must give serious consideration to that.

We also need to look at other initiatives coming through in England, as to how schools account for their money and how that is shown openly. There have been some moves with the local government settlement to show more clearly what is going in from the National Assembly. There is an argument from many counties of every political colour—I could name a number of Labour counties that have been accused by their schools and parents of not passing on all the money. Therefore, to be fair to parents everywhere, they need to see exactly what local education authorities are passing on to their schools. We must arrive at an accounting system for schools, perhaps, which will allow that to be shown clearly, particularly for those schools along the border between Wales and England where there is—inevitably—comparison of school spends. Headteachers in England, in conversation with their counterparts in Wales, will say what they get for their school and so on. There is an eternal argument about how the money is accounted for and whether or not it is used for different initiatives and so on. We need to take this opportunity and make this clear to people so that parents can make their own decisions. However, we also must take the initiative and make it crystal clear to schools and local education authorities that they must make clear what exactly is going into that education spend.

[13] **Janet Ryder:** Dim ond i godi'r pwynt mai'r hyn sy'n bwysig i rieni, fel y dywedwch, yw gweld yr eglurder, a gweld bod yr hyn a ddywedir sy'n cael ei roi i mewn yn y naill ben yn dod allan yn y pen arall ac yn amlwg yn eu hysgol. Mae ar ysgolion angen sicrwydd ariannu tair blynedd er mwyn gallu cynllunio. I fod yn deg i ysgolion, rhaid inni ystyried hynny o ddifrif.

Mae angen hefyd inni edrych ar gynlluniau eraill sydd yn dod drwodd yn Lloegr, yn y modd y mae ysgolion yn rhoi cyfrif am eu harian a sut y dangosir hynny yn agored. Cafwyd rhai symudiadau gyda'r setliad llywodraeth leol i ddangos yn gliriach beth sy'n cael ei roi i mewn gan y Cynulliad Cenedlaethol. Ceir dadl gan nifer o siroedd o bob lliw gwleidyddol—gallwn enwi nifer o siroedd Llafur a gyhuddwyd gan eu hysgolion a rhieni o beidio â throsglwyddo'r arian i gyd. Felly, i fod yn deg â rhieni ymhob man, mae angen iddynt gael gweld yn union beth y mae awdurdodau addysg lleol yn ei drosglwyddo i'w hysgolion. Rhaid inni gyrraedd system gyfrifo i ysgolion, efallai, a fydd yn caniatáu dangos hynny'n eglur, yn enwedig i'r ysgolion hynny ar hyd y ffin rhwng Cymru a Lloegr lle bydd gwariannau ysgolion—yn anochel—yn cael eu cymharu. Bydd prifathrawon yn Lloegr, mewn sgwrs â'u cymheiriaid yng Nghymru, yn dweud faint a gânt ar gyfer eu hysgol, ac ati. Mae yna ddadl barhaus am y modd y rhoddir cyfrif am yr arian, ac a yw'n cael ei ddefnyddio ar gyfer cynlluniau gwahanol, ac ati. Mae angen inni gymryd y cyfle hwn a gwneud hyn yn glir i bobl fel y gall rhieni wneud eu penderfyniadau eu hunain. Fodd bynnag, rhaid i ni hefyd gymryd y cam cyntaf a'i gwneud yn gwbl glir i ysgolion ac awdurdodau addysg lleol fod yn rhaid iddynt ddangos yn eglur beth yn union sydd yn mynd i mewn i'r gwariant addysg hwnnw.

[14] **Jane Davidson:** In terms of making clear the assessment prior to local authorities setting the budget, all that information is available. Local authorities know what the indicative assessment is from the Assembly. The local authority will look at the budget it sets itself, and will announce its overarching education budget in each area, taking account of local needs and budget forum representations, by the end of January. We will then have the individual school spend by the end of March. We report these issues to committee, so that it will be clear to anyone who wishes to have information about where the money has gone in, and the investments that have been made at the local authority and school level. We offer further comparisons in terms of budget spend through section 52, which is the outturn figures on pupil spend in England and Wales, which we also bring to the committee.

So all that information is available, now that we have transparency about the input prior to local authorities setting their budgets.

[15] **Peter Black:** How will you then translate that into a three-year budget without hypothecating the money?

[16] **Jane Davidson:** That is why the context for three-year budgets in education has to be about three-year funding for local authority services. The work being undertaken through the local government committee, the Partnership Council and the finance group, between Welsh local government and the Assembly Government, will influence the agenda. When we have a context properly in place, we can then put in place the arrangements in education. We will do some more work on this and report back to you on it in March, I would suggest, when we are looking at school budget issues in any case.

[14] **Jane Davidson:** O ran gwneud yr asesiad yn glir cyn i awdurdodau lleol bennu'r gyllideb, mae'r holl wybodaeth honno ar gael. Gwyr awdurdodau lleol beth yw'r asesiad dangosol gan y Cynulliad. Bydd yr awdurdod lleol yn edrych ar y gyllideb y mae'n ei phennu iddo'i hun, ac yn cyhoeddi ei gyllideb addysg gyffredinol ym mhob maes, gan ystyried anghenion lleol a sylwadau'r fforwm cyllideb, erbyn diwedd Ionawr. Wedyn byddwn yn cael gwariant yr ysgolion unigol erbyn diwedd mis Mawrth. Byddwn yn adrodd y materion hyn i'r pwyllgor, fel y bydd yn glir i bawb sydd yn dymuno cael gwybodaeth ynghylch ble yr aeth yr arian i mewn, a'r buddsoddiadau a wnaethpwyd ar lefel yr awdurdod lleol a'r ysgol. Cynigiwn gymariaethau pellach mewn gwariant cyllideb drwy adran 52, sef y ffigurau diwedd blwyddyn ar wario ar ddisgyblion yng Nghymru a Lloegr, sydd hefyd yn cael eu cyflwyno i'r pwyllgor.

Felly, mae'r holl wybodaeth honno ar gael, gan fod gennym dryloywder erbyn hyn ynghylch y mewnbwn cyn i awdurdodau lleol bennu eu cyllidebau.

[15] **Peter Black:** Sut fyddwch chi wedyn yn troi hynny'n gyllideb tair blynedd heb bridianu'r arian?

[16] **Jane Davidson:** Dyna pam mae'n rhaid gosod cyllidebau tair blynedd mewn addysg o fewn cyd-destun ariannu tair blynedd ar gyfer gwasanaethau awdurdodau lleol. Bydd y gwaith sydd yn cael ei wneud drwy'r pwyllgor llywodraeth leol, y Cyngor Partneriaeth a'r grwp cyllid, rhwng llywodraeth leol Cymru a Llywodraeth y Cynulliad, yn dylanwadu ar yr agenda. Pan fydd gennym gyd-destun wedi'i sefydlu'n iawn, gallwn wedyn sefydlu'r trefniadau ar gyfer addysg. Fe wnawn ragor o waith ar hyn ac adrodd yn ôl ichi amdano ym Mawrth, hoffwn awgrymu, pryd y byddwn yn

edrych ar faterion cyllidebau ysgolion beth bynnag.

[17] **Denise Idris Jones:** Moving onto another subject, under earlier educational provision, schools have to safeguard and promote the welfare of children. There is an increasing climate around the welfare of children. We are working together on new measures to tackle domestic violence through Government legislation, and our children's commissioner is looking to review the problem of bullying in Wales. Although we are increasingly enabling the list, I would like to know what thought has been put into placing the duty on schools, rather than on LEAs, to ensure that they work with other organisations, such as the National Society for the Prevention of Cruelty to Children, which is willing to go into schools to help children and staff with the problem of bullying? Also, how will they participate more fully in the wider children's agenda?

[18] **Jane Davidson:** Bullying is a policy issue for the Assembly Government, and, because I am absolutely determined that schools will have proper policies in place to tackle bullying, we recently wrote to all schools to remind them of their obligation under the legislation to have a bullying policy in place, and asked them to send a copy of that policy to the Assembly Government. Interestingly enough, when I attended a meeting of a school council at Ysgol Rhiwabon in Wrexham recently, they indicated how supportive they were of our introducing this kind of initiative. I very much welcome the fact that the children's commissioner is also considering bullying issues. I am sure that the work that he does, and the work that we are doing in analysing what is being used out there in Wales, and determining that all schools have the appropriate policies in place, will lead us to further policy imperatives in this area in the

[17] **Denise Idris Jones:** I symud ymlaen at bwnc arall, dan ddarpariaeth addysgol gynharach, rhaid i ysgolion ddiogelu a hyrwyddo lles plant. Mae hinsawdd gynyddol ynghylch lles plant. Yr ydym yn gweithio gyda'n gilydd ar fesurau newydd i fynd i'r afael â thrais yn y cartref drwy ddeddfwriaeth y Llywodraeth, ac mae ein comisiynydd plant yn bwriadu adolygu problem bwlio yng Nghymru. Er ein bod yn gynyddol yn grymuso'r rhestr, hoffwn wybod pa ystyriaeth sydd wedi'i rhoi i osod y ddyletswydd ar ysgolion, yn hytrach nag ar AALlau, i sicrhau eu bod yn gweithio gyda chyrff eraill, fel y Gymdeithas Genedlaethol er Atal Creulondeb i Blant, sydd yn fodlon mynd i mewn i ysgolion i helpu plant a staff gyda phroblem bwlio? A hefyd, sut fyddant yn cyfranogi'n llawnach yn yr agenda ehangach ar gyfer plant?

[18] **Jane Davidson:** Mae bwlio'n fater polisi i Lywodraeth y Cynulliad, ac oherwydd fy mod yn hollol benderfynol y bydd gan ysgolion bolisiau iawn ar waith i fynd i'r afael â bwlio, yr ydym yn ddiweddar wedi ysgrifennu at bob ysgol i'w hatgoffa o'u dyletswydd dan y ddeddfwriaeth i sefydlu polisi bwlio, gan ofyn iddynt anfon copi o'r polisi hwnnw at Lywodraeth y Cynulliad. Yn ddiddorol iawn, pan fûm mewn cyfarfod o gyngor ysgol yn Ysgol Rhiwabon ger Wrecsam yn ddiweddar, soniwyd mor gefnogol yr oeddent i'r ffaith ein bod yn cyflwyno'r math hwn o gam. Croesawaf yn fawr y ffaith fod y comisiynydd plant hefyd yn ystyried materion bwlio. Yr wyf yn siwr y bydd y gwaith y mae ef yn ei wneud, a'r gwaith yr ydym ninnau'n ei wneud yn dadansoddi'r hyn sydd yn cael ei ddefnyddio allan yn y wlad, ac yn sicrhau bod pob ysgol wedi sefydlu'r bolisiau priodol, yn ein harwain at anghenion polisi pellach yn y maes hwn yn y

future. We need to consider all those bullying policies as they come in, and we have recruited an extra member of staff to help us to deal with these issues. I will report to committee on this as appropriate.

[19] **Irene James:** The Bill lists inspectors' reporting duties, and the list is quite comprehensive. However, it does not include how a school involves its pupils in decision making, such as on school councils. Given the Assembly's commitment to every school having a school council, this is surely an opportunity to make real the participation of pupils in schools by ensuring that it is included in inspection reports. Would this not also be a way of gathering best-practice evidence about participation?

[20] **Jane Davidson:** We already have the powers in terms of establishing statutory school councils. We will be looking at the regulations around the development of school councils later in the year. Once they are established in all schools in Wales, we will also be looking at how that will tie in to inspection arrangements. We do not need legislation in this context to be able to do that.

Don Touhig: The initiatives on school councils have been successful. The best schools are those where you have a partnership between parents and the school. That is often hard to achieve; we all know that from the various things that we have done. I have visited a number of school councils recently, in primary schools in particular, where the youngsters, in forming the councils and in the work of those councils, also engage the parents. That has made the parents more actively involved in supporting the school than would otherwise have been the case. This is a good initiative and one to be supported.

dyfodol. Mae angen inni ystyried y polisiau bwlio hynny i gyd wrth iddynt ddod i mewn, ac yr ydym wedi recriwtio aelod staff ychwanegol i'n helpu i ddelio â'r materion hyn. Byddaf yn adrodd i'r pwyllgor am hyn fel sy'n briodol.

[19] **Irene James:** Mae'r Mesur yn rhestru dyletswyddau adrodd arolygwyr, ac mae'r rhestr yn eithaf cynhwysfawr. Fodd bynnag, nid yw'n cynnwys y modd y bydd ysgol yn cynnwys ei disgyblion yn y broses o wneud penderfyniadau, fel ar gynghorau ysgol. O gofio ymrwymiad y Cynulliad i sicrhau bod gan bob ysgol gyngor ysgol, mae hwn yn gyfle, does bosibl, i wneud cyfranogiad disgyblion mewn ysgolion yn beth real drwy sicrhau bod hyn yn cael ei gynnwys mewn adroddiadau arolygwyr. Oni fyddai hyn hefyd yn ffordd i gasglu tystiolaeth am arfer gorau wrth sicrhau cyfranogiad?

[20] **Jane Davidson:** Mae'r pwerau gennym eisoes i sefydlu cynghorau ysgol statudol. Byddwn yn edrych ar y rheoliadau ynghylch datblygu cynghorau ysgol yn ddiweddarach yn y flwyddyn. Pan fyddant wedi'u sefydlu ym mhob ysgol yng Nghymru, byddwn yn edrych hefyd ar y ffordd y bydd hynny'n berthnasol i drefniadau arolygu. Nid oes angen deddfwriaeth yn y cyd-destun hwn i allu gwneud hynny.

Don Touhig: Mae'r camau a gymerwyd ar gynghorau ysgol wedi bod yn llwyddiannus. Yr ysgolion gorau yw'r rhai lle mae partneriaeth rhwng rhieni a'r ysgol. Mae hynny'n aml yn anodd i'w sicrhau; gwyddom hynny i gyd o'r amrywiol bethau yr ydym wedi eu gwneud. Yr wyf wedi ymweld â nifer o gynghorau ysgol yn ddiweddar, mewn ysgolion cynradd yn arbennig, lle mae'r plant, wrth ffurfio'r cynghorau ac yng ngwaith y cynghorau hynny, yn tynnu'r rhieni i mewn hefyd. Mae hynny wedi gwneud i'r rhieni gymryd rhan fwy gweithredol wrth gefnogi'r ysgol nag a fyddai wedi digwydd fel arall. Mae hwn yn gam da a dylid ei gefnogi.

[21] **Jane Davidson:** I would like to add two other points, if I may. Under the Children's Act 1989, inspections already include an assessment of a child's wellbeing. We have a new common inspection framework in Wales, which is why we are not looking at the frameworks being considered in England: we have already done the work and the consultation and have introduced the new framework in Wales. That ensures that pupils are consulted as part of all school inspections. The new common inspection framework started in September 2004.

[22] **Jeff Cuthbert:** My first point relates to the issue of truancy, which was mentioned earlier. We must not forget, as Don mentioned, that there are bigger issues involved here. We will remember from the first phase of our review of special educational needs that we identified that, often, disengagement with schools was down to the nature of the curriculum and young people not feeling involved. That is why I welcome schemes such as the 14-19 learning pathways mixing academic and vocational achievement. Work-related education and the Welsh baccalaureate are all ways and means of making the school curriculum more interesting for young people who might otherwise be switched off, and are, therefore, far more likely to turn them into productive citizens at the end of the experience. We must not forget that, while this Bill is predominantly about schools, it is not only about schools. I welcome the fact that Estyn's remit will be extended to cover the services of Careers Wales, for example, and will include guidance that is offered to adults on their future development needs and employment prospects. Could we spend a few minutes considering how that might work, and any possible implications for Wales?

[21] **Jane Davidson:** Hoffwn ychwanegu dau bwynt arall, os caf. Dan y Ddeddf Plant 1989, mae arolygon eisoes yn cynnwys asesu lles plentyn. Mae gennym fframwaith arolygu cyffredin newydd yng Nghymru, a dyna pam nad ydym yn edrych ar y fframweithiau sy'n cael eu hystyried yn Lloegr: yr ydym eisoes wedi gwneud y gwaith a'r ymgynghori ac wedi cyflwyno'r fframwaith newydd yng Nghymru. Mae hynny'n sicrhau ymgynghorir â disgyblion fel rhan o bob arolwg ysgol. Dechreuodd y fframwaith arolygu cyffredin newydd ym Medi 2004.

[22] **Jeff Cuthbert:** Mae a wnelo fy mhwynt cyntaf â mater triwantiaeth, a grybwyllwyd yn gynharach. Rhaid inni beidio ag anghofio, fel y soniodd Don, fod materion pwysicach dan sylw yma. Cofiw'n inni ganfod yn ystod cam cyntaf ein hadolygiad o anghenion addysgol arbennig fod a wnelo ymddieithrio oddi wrth ysgolion yn aml â natur y cwricwlwm a theimlad pobl ifanc nad oeddent yn cael eu cynnwys. Dyna pam y croesawaf gynlluniau fel y llwybrau dysgu 14-19 sydd yn cymysgu'r academiaidd a'r galwedigaethol. Mae addysg waithberthynol a'r fagloriaeth Gymreig i gyd yn ddulliau o wneud y cwricwlwm ysgol yn fwy diddorol i bobl ifanc a allai fel arall golli diddordeb, ac felly maent yn llawer mwy tebygol o'u troi'n ddinasyddion cynhyrchiol ar ddiwedd y profiad. Rhaid inni beidio ag anghofio, er mai ynglyn ag ysgolion y mae'r Mesur hwn yn bennaf, nad yw ynghylch ysgolion yn unig. Croesawaf y ffaith yr estynnir cylch gwaith Estyn i gynnwys gwasanaethau Gyrfa Cymru, er enghraifft, ac y bydd yn cynnwys cyngor a gynigir i oedolion ynghylch eu hanghenion datblygu yn y dyfodol a'u rhagolygon cyflogaeth. A allem dreulio ychydig o funudau'n ystyried sut y gallai hynny weithio, ac unrhyw oblygiadau posibl i Gymru?

[23] **Jane Davidson:** The inspection of Careers Wales, at the moment, is out of kilter with other areas of inspection in Wales, in that inspections of careers services can only be carried out at the Assembly's request. We wanted to ensure that they were dealt with in the same way as all other services in Wales. In particular, the chief inspector does not have the power to determine the programme of inspection, to produce an independent report on inspection findings, or to undertake an inspection, without the agreement of the Assembly. However, the proposed legislation will ensure that the same standards and rigour are applied to Careers Wales as are applied to other areas of inspection. In particular, it will provide the chief inspector with powers to provide advice on any aspect of careers provision, to inspect any service provider, and to prepare and publish reports. It is, obviously, important that the inspectorate has wide-ranging powers to inspect and report. I am delighted that Careers Wales will come into the big family in that sense, so that all aspects of the education and training agenda are inspected by Estyn.

Don Touhig: There is a whole section on this, of course—clauses 54 to 56 of the Bill cover the areas that you refer to. There may well be some good debate on this when it comes to the House of Commons, because I think that it is good that we are doing this in the way that you suggested.

[24] **Peter Black:** Do you want to come back in, Jeff?

[25] **Jeff Cuthbert:** No.

[23] **Jane Davidson:** Mae proses arolygu Gyrfa Cymru, ar hyn o bryd, yn wahanol i feysydd arolygu eraill yng Nghymru, gan mai dim ond ar gais y Cynulliad y gellir arolygu gwasanaethau gyrfaedd. Yr oedd arnom eisiau sicrhau y caent eu trin yr un fath â phob gwasanaeth arall yng Nghymru. Yn arbennig, nid oes gan y prif arolygydd yr hawl i bennu'r rhaglen arolygu, i lunio adroddiad annibynnol ar ganfyddiadau'r arolwg, nac i gynnal arolwg, heb gytundeb y Cynulliad. Fodd bynnag, bydd y ddeddfwriaeth arfaethedig yn sicrhau yr arddelir yr un safonau a manylder gyda Gyrfa Cymru ag a arddelir gyda meysydd arolygu eraill. Yn arbennig, bydd yn rhoi hawliau i'r prif arolygydd i gynnig cyngor ar unrhyw agwedd ar y ddarpariaeth yrfaol, i arolygu unrhyw ddarparwr gwasanaeth, ac i baratoi a chyhoeddi adroddiadau. Wrth reswm, mae'n bwysig bod gan yr arolygiaeth hawliau eang i arolygu a gwneud adroddiadau. Yr wyf wrth fy modd y bydd Gyrfa Cymru'n ymuno â'r teulu mawr yn yr ystyr hwnnw, fel y bydd holl agweddau'r agenda addysg a hyfforddiant yn cael eu harolygu gan Estyn.

Don Touhig: Mae adran gyfan ar hyn, wrth gwrs—mae cymalau 54 i 56 y Mesur yn ymdrin â'r meysydd y cyfeiriwch atynt. Efallai'n wir y bydd dadl dda ar hyn pan ddaw gerbron Ty'r Cyffredin, oherwydd credaf mai da o beth yw ein bod yn gwneud hyn yn y modd a awgrymwyd gennyh.

[24] **Peter Black:** A oes arnoch eisiau dod yn ôl i mewn, Jeff?

[25] **Jeff Cuthbert:** Nac oes.

[26] **Mark Isherwood:** I will make four points. You just mentioned that the inspection regime will now cover the wellbeing of pupils, and, clearly, we all support that, but could you expand on what you mean by the ‘wellbeing of pupils’ in the context of how you instruct the inspectors or how the inspectors are instructed?

Secondly, on giving the Assembly powers to remove the requirement for school governing bodies to produce annual reports and hold annual parents’ meetings—as a former school governor I know how frustrating it can be to sit there and face an almost empty hall, but it is an important guarantee of accountability—what would the alternative provision be for us to move forward on that?

On the funding issue in schools, I welcome the move to a three-year framework and the acceptance that we could move to some form of hypothecation, although the Minister does not favour that, as we know from previous conversations. There is clearly greater transparency, but an understanding of how funding works between the Assembly and LEAs does not always lead to confidence or satisfaction. We still have a worrying £900-per-pupil funding gap in Wales, despite the fact that some of the areas with the lowest funding per pupil put a higher proportion of their total budget into education, and a higher proportion of their total education budget into schools. The fact that fixed costs cover up to 90 per cent of total school budgets is forcing headteachers to cut services in many parts of Wales. It is simply not good enough to say, ‘Ah, yes, but they get good results, so what does it matter?’, because if they keep cutting back as they tell me that they are doing—and as they must also be telling the Minister—they will not be able to sustain those good results. We must not penalise good

[26] **Mark Isherwood:** Mi wnaf bedwar pwynt. Yr ydych newydd sôn y bydd y drefn arolygu bellach yn ymdrin â lles plant, ac wrth reswm, mae pawb ohonom o blaid hynny, ond a allech ymhelaethu ar yr hyn a olygwch wrth sôn am ‘les disgyblion’ yng nghyd-destun sut y byddwch yn hyfforddi’r arolygwyr neu sut y caiff yr arolygwyr eu hyfforddi?

Yn ail, o ran rhoi hawliau i’r Cynulliad ddiddymu’r gofyniad i gyrff llywodraethu ysgolion gynhyrchu adroddiadau blynyddol a chynnal cyfarfodydd rhieni blynyddol—fel cyn lywodraethwr ysgol gwn pa mor rhwystredig y gall eistedd gan wynebu neuadd wag fod, ond mae’n warant bwysig o atebolrwydd—beth fyddai’r ddarpariaeth yn lle hynny inni gamu ymlaen ar hynny?

Ynglyn â mater ariannu ysgolion, croesawaf y symudiad tuag at fframwaith tair blynedd a derbyn y gallem symud at ryw ffurf ar glustnodi, er nad yw’r Gweinidog yn ffafrio hynny, fel y gwyddom o sgysiau blaenorol. Yn amlwg mae mwy o dryloywder, ond nid yw deall sut y mae ariannu’n gweithio rhwng y Cynulliad ac AALlau bob amser yn arwain at hyder na boddhad. Mae gennym fwch ariannu o £900 y disgybl o hyd yng Nghymru, sy’n destun pryder, a hynny er gwaethaf y ffaith bod rhai o’r ardaloedd sydd yn darparu’r symiau lleiaf o arian fesul disgybl yn rhoi cyfran uwch o’u cyllideb gyfan i addysg, a chyfran uwch o’u cyllideb addysg gyfan i ysgolion. Mae’r ffaith bod costau sefydlog yn cymryd hyd at 90 y cant o gyfanswm cyllidebau ysgolion yn gorfodi prifathrawon i gwtogi gwasanaethau mewn sawl rhan o Gymru. Nid yw’n ddigon da dweud, ‘A, ie, ond maent yn cael canlyniadau da, felly beth yw’r ots?’, oherwydd os daliant ati i gwtogi fel y dywedant wrthyf eu bod yn gwneud—a rhaid eu bod yn dweud wrth y Gweinidog hefyd—ni fyddant yn gallu cynnal y canlyniadau da hynny. Rhaid inni

practice. We must look at meeting the fixed costs of schools so that they can continue to deliver. We must then target funding at poor performers conditionally, rather than unconditionally, to get them up to the levels of performance that are seen in other parts of Wales, in both deprived and non-deprived areas.

Finally, on basic skills, how will this Bill address the reports from employers and colleges about the worrying increase in problems with functional numeracy and literacy?

Don Touhig: On that last point, in terms of numeracy and literacy, it is not really covered in this aspect, but I will just touch on it. We still have a problem in this country, a growing problem. I sit on a body called HOVAC, which is the Heads of the Valleys and Caerphilly group that deals with the New Deal, and as we have seen a huge drop in the number of young people out of work, the reservoir of young people left looking for a job are often kids who do not have any literacy or numeracy skills. They are kids who have dropped out of the system. This relates to the point that David made earlier. With the best will in the world, Peter, you will not get these kids back into a classroom situation to acquire the basic skills. You do not perhaps think of the southern states of the United States as innovative, but the state of Kentucky produced an interesting scheme that uses computer games to improve adult literacy and numeracy. My colleague, Ted Rowlands, now Lord Rowlands, referred to this scheme in his work. It was an interesting and innovative scheme, and we must look at ways in which we can engage people to acquire these basic skills. With the best will in the world, trying to get a job without the basic skills will be very difficult. Although this is not covered by the Bill, we, as a country, must do much more to try to engage with these young

beidio â chosbi arferion da. Rhaid inni ystyried talu costau sefydlog ysgolion fel y gallant ddal i gyflawni. Yna rhaid inni dargedu arian ar berfformwyr gwael yn amodol, yn hytrach nag yn ddiamod, i'w codi at y lefelau perfformiad a welir mewn rhannau eraill o Gymru, mewn ardaloedd difreintiedig a breintiedig fel ei gilydd.

Yn olaf, o ran sgiliau sylfaenol, sut y gwnaiff y Mesur hwn ddelio â'r adroddiadau gan gyflogwyr a cholegau am y problemau cynyddol gyda rhifedd a llythrennedd ymarferol, sy'n destun pryder?

Don Touhig: Ynglyn â'r pwynt diwethaf hwnnw, o ran rhifedd a llythrennedd, nid yw mewn gwirionedd wedi'i gynnwys yn yr agwedd hon, ond soniaf ychydig amdano. Mae gennym broblem o hyd yn y wlad hon, problem sydd ar gynydd. Eisteddaf ar gorff o'r enw HOVAC, sef grwp Blaenau'r Cymoedd a Chaerffili sydd yn delio â'r Fargen Newydd, ac wrth inni weld gostyngiad aruthrol yn nifer y bobl ifanc sydd yn ddi-waith, mae'r gronfa o bobl ifanc sydd yn chwilio am waith o hyd yn aml yn blant sydd heb ddim sgiliau o ran llythrennedd na rhifedd. Maent yn blant sydd wedi gwrthgilio o'r system. Mae hyn yn berthnasol i'r pwynt a wnaeth David yn gynharach. Gyda phob ewyllys da yn y byd, Peter, ni chewch y plant hyn yn ôl i'r dosbarth i feithrin y sgiliau sylfaenol. Efallai nad ydych yn meddwl am daleithiau deheuol yr Unol Daleithiau fel lle blaengar, ond yn nhalaith Kentucky lluniwyd cynllun diddorol sydd yn defnyddio gemau cyfrifiadurol i wella llythrennedd a rhifedd oedolion. Cyfeiriodd fy nghyfaill Ted Rowlands, yr Arglwydd Rowlands bellach, at y cynllun hwn yn ei waith. Yr oedd yn gynllun diddorol ac arloesol, a rhaid inni edrych ar ffyrdd y gallwn ddenu pobl i ennill y sgiliau sylfaenol hyn. Gyda phob ewyllys da yn y byd, bydd ceisio cael gwaith heb y sgiliau sylfaenol yn anodd iawn. Er nad yw hyn wedi'i gynnwys

people and find ways in which we can give them the basic skills.

I turn briefly to annual report meetings, which I am sure that we have all sat through. At one of my meetings as a governor, only one parent attended, and that was because I had persuaded my wife to come along. It was difficult to get parents to attend, but it is an important way of communicating with them. Unfortunately, I fear that there is not sufficient support and engagement, and I regret that very much.

[27] **Jane Davidson:** The definition of wellbeing in the Children Act 2004 relates to

‘physical and mental health and emotional well-being...protection from harm and neglect...education, training and recreation...the contribution made by them to society...social and economic well-being’.

In terms of governors’ meetings, the reason why we have retained these meetings in Wales is that, as committee will know, we have had several wide-ranging consultation documents relating to governors over the last few years. As a result, we made proposals that governing bodies should not be exempt from holding an annual parents’ meeting for two years in a row. We wanted to give them the opportunity not to hold a meeting one year, but not for two years in a row, so that the accountability is retained. If a governing body received a request to hold an annual parents’ meeting signed by the parents of 5 per cent or more of registered pupils, it would do so. We received positive responses to this. So, although the power is there for us to decide in future to go down the same route as that in England and not have governing body meetings, our respondents in Wales have broadly told us that there should be governing body meetings and that parents should have the power to call the

yn y Mesur, rhaid i ni, fel gwlad, wneud llawer mwy i geisio ymgysylltu â’r bobl ifanc hyn a chanfod dulliau o roi’r sgiliau sylfaenol iddynt.

Trof yn fyr at gyfarfodydd rhieni blynyddol, yr ydym i gyd wedi eistedd drwyddynt, mae’n siwr. Yn un o’r cyfarfodydd fel llywodraethwr, dim ond un rhiant a ddaeth, a hynny oherwydd i mi berswadio fy ngwraig i ddod. Yr oedd yn anodd cael gan rieni fynychu, ond mae’n ffordd bwysig o gyfathrebu â hwy. Yn anffodus, ofnaf nad oes digon o gefnogaeth ac ymgysylltu, a gresynaf at hynny’n fawr iawn.

[27] **Jane Davidson:** Mae diffiniad lles yn Neddf Plant 2004 yn sôn am

‘iechyd corfforol a meddyliol a lles emosiynol... gwarchodaeth rhag niwed ac esgeulustod... addysg, hyfforddiant ac adloniant...y cyfraniad a wnânt i gymdeithas ...lles cymdeithasol ac economaidd’.

O ran cyfarfodydd llywodraethwyr, y rheswm pam yr ydym wedi cadw’r cyfarfodydd hyn yng Nghymru yw ein bod, fel y gwyr y pwyllgor, wedi cael sawl dogfen ymgynghori eang ynglyn â llywodraethwyr yn ystod y blynyddoedd diwethaf. O ganlyniad, gwnaethom gynigion na ddylai cyrff llywodraethu gael eu heithrio rhag cynnal cyfarfod rhieni blynyddol am ddwy flynedd yn olynol. Yr oedd arnom eisiau rhoi’r cyfle iddynt beidio â chynnal cyfarfod un flwyddyn, ond nid am ddwy flynedd yn olynol, er mwyn cadw’r atebolrwydd. Pe bai corff llywodraethu yn cael cais am gynnal cyfarfod rhieni blynyddol wedi’i lofnodi gan rieni 5 y cant neu ragor o’r disgyblion ar y gofrestr, byddai’n gwneud hynny. Cawsom ymatebion cadarnhaol i hyn. Felly, er bod yr hawl yn bodoli inni ddilyn yr un llwybr ag a wneir yn Lloegr a pheidio â chael cyfarfodydd cyrff llywodraethu, mae ein hymatebwyr yng Nghymru wedi dweud wrthym yn fras y dylid cael cyfarfodydd cyrff

meetings. We would want to test new proposals before introducing legislation to abolish governing body meetings in Wales.

Mark, you also talked about schools' fixed costs. By putting above-inflation increases into education year on year since the beginning of the Assembly Government's term of office, and by also making additional investment for capital spend, we have demonstrated that we have a very active agenda on school funding. When talking about schools' fixed costs, the majority of the formula used at local authority level in relation to school funding is related to the individual pupil. We have aimed to help local authorities by removing or reducing some of the percentage allocated to individual pupil funding. We are now operating at 70 per cent, whereas it was a great deal higher when I became Minister. There is a major issue for local authorities, for example, where they have large numbers of surplus places. Fixed costs of schools cannot continually mean that we fund empty air. We must fund pupil places in schools, delivering to an appropriate pupil population, and we continue to do that.

[28] **Peter Black:** Do you want to respond to that, Mark?

llywodraethu ac y dylai rhieni fod â'r hawl i alw'r cyfarfodydd. Byddem am gael rhoi cynigion newydd ar brawf cyn cyflwyno deddfwriaeth i ddiddymu cyfarfodydd cyrff llywodraethu yng Nghymru.

Mark, soniasoch hefyd am gostau sefydlog ysgolion. Drwy roi codiadau uwch na chwyddiant i addysg flwyddyn ar ôl blwyddyn ers dechrau cyfnod Llywodraeth y Cynulliad mewn grym, a hefyd drwy fuddsoddi mwy ar gyfer gwariant cyfalaf, yr ydym wedi dangos bod gennym agenda bendant iawn ar ariannu ysgolion. Wrth siarad am gostau sefydlog ysgolion, mae'r rhan fwyaf o'r fformiwla a ddefnyddir ar lefel awdurdod lleol yng nghyswllt ariannu ysgolion yn ymwneud â'r disgybl unigol. Yr ydym wedi ceisio helpu awdurdodau lleol drwy ddileu neu ostwng rhywfaint o'r ganran a roddir i ariannu disgyblion unigol. Bellach yr ydym yn gweithredu ar 70 y cant, ond yr oedd yn llawer iawn uwch pan ddeuthum yn Weinidog. Mae problem fawr i awdurdodau lleol, er enghraifft, lle y bo ganddynt niferoedd mawr o leoedd gwag. Ni all costau sefydlog ysgolion olygu'n barhaus ein bod yn talu am awyr iach. Rhaid inni ariannu lleoedd disgyblion mewn ysgolion, gan ddarparu ar gyfer poblogaeth briodol o ddisgyblion, ac yr ydym yn parhau i wneud hynny.

[28] **Peter Black:** A ydych am ymateb i hynny, Mark?

[29] **Mark Isherwood:** It is a postcode lottery, and it is disgraceful. Recent and past meetings that I have held have shown that the concern expressed by headteachers and governors has been completely ignored. This is extremely distressing. If we do not address this problem, it will get worse, and the good results that you constantly report will start to suffer. You cannot keep expecting schools to cut and pretend that it is not happening.

[30] **Jane Davidson:** I absolutely disagree with your analysis. I point out the provision in the Education Act 2002 for setting a minimum budget for a local authority. We have never had to use it because we have never had a local authority in Wales that has funded education at an unreasonable level. That is where you would intervene from the Government perspective. Our local authorities have always funded at reasonable levels. There is variation, and that is why, when I look at the opportunities available to us for three-year funding—I will bring some information to the committee in March—I always look for opportunities to ensure that local authorities, through the information that they gather at local level, are able to set the appropriate budgets for the pupils in their area. Your analysis in terms of, for example, decreasing results, does not bear out in terms of statistics—

[31] **Mark Isherwood:** What about in the future?

[29] **Mark Isherwood:** Mae'n loteri cod post, ac mae'n warthus. Mae'r cyfarfodydd a gynhaliats yn ddiweddar ac yn y gorffennol wedi dangos bod y pryder a fynegwyd gan brifathrawon a llywodraethwyr wedi'i anwybyddu'n llwyr. Mae hyn yn peri cryn loes. Os na wnawn rywbeth am y broblem hon, aiff yn waeth, a bydd y canlyniadau da a ddyfynnir gennych o hyd yn dechrau dioddef. Ni allwch ddal i ddisgwyl i ysgolion gwtogi a chymryd arnoch nad yw hyn yn digwydd.

[30] **Jane Davidson:** Anghytunaf yn llwyr â'ch dadansoddiad. Yr wyf yn tynnu sylw at y ddarpariaeth yn Neddf Addysg 2002 ar gyfer pennu isafswm cyllideb i awdurdod lleol. Ni fu raid inni ei defnyddio erioed am na chawsom erioed awdurdod lleol yng Nghymru sydd wedi ariannu addysg ar lefel afresymol. Dyna lle y byddid yn ymyrryd o safbwynt y Llywodraeth. Mae ein hawdurdodau lleol wedi ariannu ar lefelau rhesymol bob amser. Mae amrywiaeth, a dyna pam, pan edrychaf ar y cyfleoedd sydd ar gael i ariannu dros dair blynedd—deuaf â gwybodaeth i'r pwyllgor ym mis Mawrth—y byddaf bob amser yn edrych am gyfleoedd i sicrhau y gall awdurdodau lleol, drwy'r wybodaeth a gasglant ar lefel leol, osod y cyllidebau priodol i'r disgyblion yn eu hardal. Nid yw eich dadansoddiad yn nhermau, er enghraifft, canlyniadau gwaeth, yn dal dwr yn nhermau'r ystadegau—

[31] **Mark Isherwood:** Beth am y dyfodol?

[32] **Jane Davidson:** I see: we are planning for the future, despite the fact that since this Assembly has been in place, we have seen an increase in results and outcomes in Wales. To some extent, that is related to funding, but it is also related to the fact that we have the best and most highly trained teachers that we have ever had in our schools in Wales, and they are highly committed. That is delivering very good outcomes for us. It is not all about money; it is about quality of provision.

[33] **Leighton Andrews:** I do not know how Mark thinks that schools will be better off if his colleague Oliver Letwin has his way, with the cuts that he is planning to make.

[34] **Mark Isherwood:** They will not be made in schools.

[35] **Leighton Andrews:** They will not be made in schools. Right, there we are.

[36] **Irene James:** They will be made everywhere else.

[37] **Leighton Andrews:** They will be made everywhere else then. There is a clear timescale for the three-year budgets in England, so has the Minister given any thought to timescales in relation to Wales? Having heard what you said earlier about this being delivered through local authorities, I think that it is important that, if we are talking about three-year budgeting, the information is there for parents, teachers, headteachers and pupils themselves to be aware of the possibilities that it can bring. Some investment in publicising that to them is important. Can the Minister also assure me that the whole issue of three-year budgeting will not be used as an excuse for local authorities or others to fail to deal with the issue of surplus places by simply deferring problems and running

[32] **Jane Davidson:** Felly: yr ydym yn cynllunio ar gyfer y dyfodol, er gwaethaf y ffaith ein bod wedi gweld cynnydd, ers sefydlu'r Cynulliad hwn, mewn canlyniadau yng Nghymru. I ryw raddau, mae a wnelo hynny ag arian, ond mae a wnelo hynny hefyd â'r ffaith bod gennym yr athrawon gorau a mwyaf hyfforddedig a fu gennym erioed yn ein hysgolion yng Nghymru, ac maent yn ymroddedig dros ben. Mae hynny'n rhoi canlyniadau da iawn inni. Nid arian yw popeth; ansawdd y ddarpariaeth yw'r peth.

[33] **Leighton Andrews:** Ni wn sut y mae Mark yn tybio y bydd ysgolion yn well eu byd os caiff ei gyfaill Oliver Letwin ei ffordd, gyda'r toriadau a fwriedir gan hwnnw.

[34] **Mark Isherwood:** Nid mewn ysgolion y digwyddant.

[35] **Leighton Andrews:** Nid mewn ysgolion y digwyddant. Iawn, dyna ni.

[36] **Irene James:** Cânt eu gwneud ym mhob man arall.

[37] **Leighton Andrews:** Felly cânt eu gwneud ym mhob man arall. Mae amserlen glir ar gyfer y cyllidebau tair blynedd yn Lloegr, felly a ydyw'r Gweinidog wedi meddwl o gwbl am amserlenni ar gyfer Cymru? Wedi clywed yr hyn a ddywedasoeh yn gynharach ynghylch cyflwyno hyn drwy awdurdodau lleol, credaf ei bod yn bwysig, os ydym yn sôn am gyllidebu tair blynedd, fod y wybodaeth ar gael i rieni, athrawon, prifathrawon a'r disgyblion eu hunain i fod yn ymwybodol o'r posibiladau a all godi yn ei sgîl. Mae'n bwysig buddsoddi rhywfaint mewn rhoi rhoi gwybod iddynt am hynny. A all y Gweinidog roi sicrwydd imi hefyd na ddefnyddir holl gwestiwn cyllidebu tair blynedd fel esgus i awdurdodau lleol neu eraill dros fethu delio â phroblem lleoedd gwag drwy ohirio'r problemau

up deficits in the short term, which are unsustainable, in order to forgo dealing with problems that will have to be addressed at some stage?

[38] **Jane Davidson:** Certainly, in terms of looking at three-year funding in the full context of the local government funding agenda in Wales, we would be looking, in our partnership with local authorities, to introduce three-year funding from 2007-08. We will come back with more details in the March meeting on how we can take this forward, taking account of information from my colleague, Sue Essex.

On surplus places, it is important that local authorities exercise their statutory responsibility to keep an ongoing review of their provision of education to ensure that they are spending wisely and well. The Audit Commission has previously identified, under Best Value, that a local authority should have no more than 15 per cent surplus school places. At the moment, the vast majority of our local authorities have substantially more. Clearly, we would want to ensure that we give the best possible education to every child in the whole of Wales, and local authorities have a responsibility to play their part in that.

[39] **Peter Black:** Do you want to come back, Leighton?

[40] **Leighton Andrews:** No.

a mynd i ddyled yn y tymor byr, na fydd modd ei gynnal, er mwyn osgoi delio â phroblemau y bydd yn rhaid rhoi sylw iddynt ryw bryd?

[38] **Jane Davidson:** Yn sicr, o ran edrych ar ariannu tair blynedd yng nghyd-destun llawn yr agenda ar gyfer ariannu llywodraeth leol yng Nghymru, byddem yn anelu, yn ein partneriaeth gydag awdurdodau lleol, at gyflwyno ariannu tair blynedd o 2007-08. Deuwn yn ôl gyda rhagor o fanylion yng nghyfarfod mis Mawrth ar sut y gallwn fynd â hyn yn ei flaen, gan roi ystyriaeth i wybodaeth gan fy nghyd-Aelod Sue Essex.

Ynghylch lleoedd gwag, mae'n bwysig bod yr awdurdodau lleol yn arfer eu cyfrifoldeb statudol i adolygu eu darpariaeth addysg yn barhaus er mwyn sicrhau eu bod yn gwario'n ddoeth ac yn dda. Mae'r Comisiwn Archwilio wedi nodi o'r blaen, dan Gwerth Gorau, na ddylai awdurdod lleol fod â mwy na 15 y cant o leoedd gwag mewn ysgolion. Ar hyn o bryd, mae gan y mwyafrif llethol o'n hawdurdodau lleol gryn dipyn mwy. Yn amlwg, byddem am sicrhau ein bod yn rhoi'r addysg orau posibl i bob plentyn yng Nghymru gyfan, ac mae gan awdurdodau lleol gyfrifoldeb i chwarae eu rhan yn hynny.

[39] **Peter Black:** A oes arnoch eisiau dod yn ôl, Leighton?

[40] **Leighton Andrews:** Nac oes.

[41] **David Davies:** On that point, of course, it all depends on how you calculate surplus places. Going back to what Jeff was saying about the importance of getting disengaged youngsters who are playing truant back into the system, which is one thing at least that we all agree upon, will this Bill allow us to incorporate the innovative schemes that you have been talking about, which sound very interesting, or will we have to wait for further legislation to do that? Can we all at least agree that this is important because of the rise? The figures that I have in my hand clearly show that there is truancy across Wales. Here are the statistics, and I appreciate the fact that you, Minister, unlike your colleague, the Assembly Minister, do not appear to be complacent about this. You see truancy as a real problem and appreciate the importance of reducing it to the level that it was years ago.

[42] **Leighton Andrews:** David keeps flourishing these figures. I notice that he gave them to opposition members, but he did not want to share them with Labour members. If they are robust, I am sure that we would like to see them.

[43] **Peter Black:** You can have the figures if you want. The reason that I have not circulated them is that this is about the Bill, and I do not want to enter into a debate on the accuracy, or otherwise, of people's interpretation of a set of figures. The figures here are for unauthorised absences. If you want to pass them around, I am happy for you to do that, but I am trying to concentrate this debate on the Bill itself, and not on the accuracy of figures.

[41] **David Davies:** O ran y pwynt hwnnw, wrth gwrs, mae'r cyfan yn dibynnu ar sut yr ydych yn cyfrifo lleoedd gwag. A dychwelyd at yr hyn a ddywedodd Jeff am bwysigrwydd tynnu pobl ifanc sydd wedi ymddieithrio sy'n chwarae triwant yn ôl i mewn i'r system, un peth o leiaf yr ydym i gyd yn cytuno arno, a fydd y Mesur hwn yn caniatáu inni ymgorffori'r cynlluniau arloesol y buoch yn siarad amdanynt, sydd yn swnio'n ddiddorol iawn, ynteu a fydd raid inni aros am ddeddfwriaeth bellach i wneud hynny? A allwn ni i gyd o leiaf gytuno bod hyn yn bwysig oherwydd y cynnydd? Mae'r ffigurau sydd gennyf yn fy llaw yn dangos yn glir fod triwantiaeth ar hyd a lled Cymru. Dyma'r ystadegau, ac yr wyf yn sylweddoli nad yw'n ymddangos eich bod chi, Weinidog, yn wahanol i'ch cyfaill, y Gweinidog yn y Cynulliad, yn hunanfodlon ynghylch hyn. Yr ydych yn gweld bod triwantiaeth yn broblem wirioneddol ac yn sylweddoli pwysigrwydd ei leihau i'r lefel lle yr oedd flynyddoedd yn ôl.

[42] **Leighton Andrews:** Mae David yn lluchio'r ffigurau hyn atom o hyd. Sylwaf iddo eu rhoi i aelodau'r gwrthbleidiau, ond nad oedd arno eisiau eu rhannu gydag aelodau Llafur. Os ydynt yn gadarn, yr wyf yn siwr yr hoffem eu gweld.

[43] **Peter Black:** Fe gewch y ffigurau os mynnwch. Y rheswm nad wyf wedi eu cylchredeg yw mai dadl am y Mesur yw hon, ac nid oes arnaf eisiau cael dadl ynglyn â chywirdeb, neu ddiffyg cywirdeb, dehongliad pobl o set o ffigurau. Ffigurau am absenoldebau heb ganiatâd yw'r ffigurau yma. Os ydych am eu pasio o gwmpas, yr wyf yn fodlon ichi wneud, ond yr wyf yn ceisio canolbwyntio yn y ddadl hon ar y Mesur ei hun, ac nid ar gywirdeb y ffigurau.

Don Touhig: One description that I have never attributed to my colleague is ‘complacent’. In the dealings that I, and my Whitehall colleagues, have had with Jane, there is always a vigorous and lively dialogue on any matters relating to education insofar as it benefits Wales. I would certainly never say that Jane Davidson is complacent about anything. Some of the things that we have achieved, Peter, in legislative terms over recent years, as far as Wales is concerned, have been down to her determination, and occasional twisting of my arm—and the arms of other people—to ensure that the legislation that we are constructing in Westminster achieves some of the targets that the Assembly seeks to realise.

To repeat the wider points that I made earlier, there is a serious problem of disengagement, and we must look at innovative ways of tackling that. I believe that the Assembly already has the ability, the powers and some initiatives to try to tackle these difficulties across Wales. It is important that we learn from each other. As I said, I hope to learn more in addition to my experience in Belgium and, clearly, if there are things happening in England that can benefit us, then we will want to look at those and vice versa. It is important, therefore, that we continue to monitor the problem and look at ways in which we can engage and overcome the difficulties, but I have no doubt that Jane or the Assembly would not be complacent about this problem, because it affects the whole of Wales and the UK, and from my experience in Belgium, Europe too. It is important that we find ways in which we can overcome the difficulties with young people’s disengagement with the education system. A number of colleagues here have suggested reasons why they are disengaged, and it is a problem that we must all face up to.

Don Touhig: Un disgrifiad nad wyf erioed wedi’i briodoli i’ m cyfaill yw ‘hunanfodlon’. Yn y trafodaethau yr wyf fi, a’ m cyd-aelodau yn Whitehall, wedi eu cael gyda Jane, mae deialog egniol a bywiog bob amser ar unrhyw faterion yn ymwneud ag addysg o safbwynt budd Cymru. Yn sicr ni fyddwn byth yn dweud bod Jane Davidson yn hunanfodlon ynghylch dim. Ei dyfalbarhad hi sydd yn gyfrifol am rai o’r pethau a gyflawnwyd gennym ar ran Cymru, Peter, yn nhermau deddfwriaeth yn y blynyddoedd diweddar, a’r modd y bu iddi weithiau droi fy mraich—a breichiau pobl eraill—i sicrhau bod y ddeddfwriaeth yr ydym yn ei llunio yn San Steffan yn cyflawni rhai o’r targedau y mae’r Cynulliad yn ceisio eu cyrraedd.

Ac ailadrodd y pwyntiau mwy cyffredinol a wneuthum yn gynharach, mae problem ddifrifol o ran ymddieithriad, a rhaid inni edrych ar ddulliau arloesol o fynd i’r afael â hynny. Credaf fod gan y Cynulliad eisoes y gallu, yr hawliau a rhai mentrau i geisio delio â’r anawsterau hyn ledled Cymru. Mae’n bwysig inni ddysgu oddi wrth ein gilydd. Fel y dywedais, gobeithiaf ddysgu mwy yn ychwanegol at fy mhrofiad yng Ngwlad Belg, ac yn amlwg, os oes pethau’n digwydd yn Lloegr a all fod o fudd i ni, yna bydd arnom eisiau edrych ar y rheini, ac i’r gwrthwyneb. Mae’n bwysig, felly, inni barhau i fonitro’r broblem ac edrych ar ffyrdd y gallwn fynd i’r afael â’r anawsterau a’u goresgyn, ond yr wyf yn sicr na fyddai Jane na’r Cynulliad yn hunanfodlon ynghylch y broblem hon, gan ei bod yn effeithio ar Gymru gyfan a’r DU, ac yn ôl fy mhrofiad yng Ngwlad Belg, ar Ewrop hefyd. Mae’n bwysig inni ganfod ffyrdd o oresgyn yr anawsterau gydag ymddieithriad pobl ifanc oddi wrth y system addysg. Mae nifer o gyd-aelodau yma wedi awgrymu rhesymau pam y maent wedi ymddieithrio, ac mae’n broblem y mae’n rhaid i ni i gyd ei hwynebu.

[44] **Peter Black:** To follow up on that, one of the issues that comes up whenever there is a school inspection is that Estyn and the inspectors always focus on the unauthorised absences and always provide recommendations. How will this Bill impact on Estyn's remit with regard to inspections, in terms of absences?

[45] **Jane Davidson:** I am very glad that we have a verbatim record of this committee, and I look forward to David going back to what I originally said in response to his question, which demonstrated that the overall absences, which is what the attendance task and finish group said that we should look at, have dropped from 11 per cent in 1996 to 9.4 per cent in 2004. The number of unauthorised absences is very small—it is at 1.7 per cent—but the task and finish group demonstrated unequivocally that we could not rely on the statistical basis of those figures because we could not know whether every local authority was applying the figures in exactly the same way. That is why, as I said at the beginning in my response to you, the task and finish group recommended that we consider overall absences, and the trend on overall absences is down. We are not complacent; we are quite the opposite. One of the reasons that I want to work with overall absences is because the figures are a great deal higher and we want to see those figures come down substantially.

[44] **Peter Black:** A dilyn y pwynt hwnnw, un o'r materion sydd yn codi pryd bynnag y ceir arolwg ysgol yw bod Estyn a'r arolygwyr bob amser yn canolbwyntio ar yr absenoldebau heb ganiatâd a bob amser yn rhoi argymhellion. Sut y gwnaiff y Mesur hwn effeithio ar gylch gwaith Estyn o ran arolygon, yn nhermau absenoldebau?

[45] **Jane Davidson:** Yr wyf yn falch iawn bod gennym gofnod gair-am-air o'r pwyllgor hwn, ac edrychaf ymlaen at weld David yn mynd yn ôl at yr hyn a ddywedais yn wreiddiol mewn ymateb i'w gwestiwn, a ddangosodd fod yr absenoldebau yn gyffredinol, sef yr hyn y dywedodd y grwp gorchwyl a gorffen ar bresenoldeb y dylem edrych arno, wedi gostwng o 11 y cant yn 1996 i 9.4 y cant yn 2004. Mae nifer yr absenoldebau heb ganiatâd yn fach iawn—1.7 y cant—ond dangosodd y grwp gorchwyl a gorffen yn ddigamsyniol na allem ddibynnu ar sail ystadegol y ffigurau hynny oherwydd na allem wybod a oedd pob awdurdod lleol yn defnyddio'r ffigurau yn yr un modd yn union. Dyna pam, fel y dywedais yn y dechrau yn fy ymateb i chi, yr argymhellodd y grwp gorchwyl a gorffen y dylem ystyried absenoldebau yn gyffredinol, ac mae'r duedd o ran absenoldebau yn gyffredinol ar i lawr. Nid ydym yn hunanfodlon; i'r gwrthwyneb yn llwyr. Un o'r rhesymau y mae arnaf eisiau gweithio gydag absenoldebau yn gyffredinol yw am fod y ffigurau'n llawer iawn uwch ac mae arnom eisiau gweld gostyngiad sylweddol yn y ffigurau hynny.

In terms of young people who are disaffected by the school system, we have debated long and hard in this committee the way in which we change the curriculum and opportunities for young people aged 14 to 19. We introduced work-related education as a statutory component within our education system for young people. We have introduced the Welsh baccalaureate, with its vocational work-related elements and community experience elements, so we are looking very hard indeed at ways in which we can offer better opportunities for young people. This Bill is about legislation, not about policy, other than where we need legislation to drive policy forward. That is why this Bill contains certain aspects; there are other aspects which we are already delivering through policy. We will continue to ask Estyn to look at absences. We are now collecting statistics in primary school absences, which we have not hitherto done, because the issue around attendance is absolutely crucial. I have said on many occasions that if children are not in school, they will not be able to be effectively taught.

Discipline and attendance will continue to be covered and reported upon in all school inspections. We are requiring schools to set out what they will do in terms of working with the local education authority to address the issues identified by Estyn in the school action plan, and issues around attendance can be part of that.

O ran pobl ifanc sydd wedi'u dadrithio gan y system ysgol, yr ydym wedi dadlau'n hir a dygn yn y pwyllgor am y modd y newidiwn y cwricwlwm a'r cyfleoedd i bobl ifanc 14 i 19 oed. Bu inni gyflwyno addysg waithberthynol fel elfen statudol o fewn ein system addysg i bobl ifanc. Cyflwynwyd y fagloriaeth Gymreig, gyda'i helfennau gwaithberthynol galwedigaethol a'i helfennau o brofiad cymunedol, felly yr ydym yn edrych yn ddwys iawn iawn ar ffyrdd y gallwn gynnig cyfleoedd gwell i bobl ifanc. Mae a wnelo'r Mesur hwn â deddfwriaeth, nid polisi, ac eithrio lle y mae angen deddfwriaeth arnom i wthio'r polisi yn ei flaen. Dyna pam mae'r Mesur hwn yn cynnwys rhai agweddau; mae agweddau eraill yr ydym eisoes yn eu darparu drwy ein polisi. Byddwn yn parhau i ofyn i Estyn edrych ar absenoldebau. Yr ydym wrthi'n awr yn casglu ystadegau absenoldeb ysgolion cynradd, rhywbeth na wnaethom hyd yma, am fod y broblem gyda phresenoldeb yn gwbl allweddol. Yr wyf wedi dweud ar sawl achlysur os nad yw plant yn yr ysgol, na chânt eu dysgu'n effeithiol.

Bydd pob arolwg ysgol yn dal i roi sylw i ddisgyblaeth a phresenoldeb ac yn rhoi adroddiad arnynt. Yr ydym yn gofyn i ysgolion amlinellu beth y maent am ei wneud o ran gweithio gyda'r awdurdod addysg lleol i fynd i'r afael â'r materion a nodwyd gan Estyn yng nghynllun gweithredu'r ysgol, a gall cwestiynau ynghylch presenoldeb fod yn rhan o hynny.

[46] **Janet Ryder:** I will take you back to some of the points that Denise raised on bullying, and how that might impact on school governors' reports. While it is true that every school must have a policy in place, it is the implementation of that policy which can sometimes be problematic. The First Minister said last week that responses to the Government's consultation on bullying were worryingly patchy across Wales. What consideration has been given to the involvement of school governing bodies in this? How involved can school governing bodies become in ensuring that policies are not just on the shelf, but are working? In cases where schools are responding well, incidents can still occur.

Bullying is a very complex and difficult situation to get to grips with, and it is very distressing for those who are the subject of it. So, it is right that everyone who has an impact on the school is involved in this issue. I would like to know, from a Wales aspect, how governors can become more involved. I would be interested to hear what logic lies behind this. How will governing bodies remain accountable in England, if the annual report and annual meeting are abolished? How will that mechanism be developed in England? That information might help to inform the situation in Wales.

Looking at the three-year funding issues that Leighton raised, how will differences in pupil numbers impact on that funding? How can changes according to pupil numbers be brought in? I appreciate that the Minister has said that she will present a paper to a later committee meeting, and I am quite happy to wait for that paper, as long as that aspect is addressed. Finally, I would like us to look at the role of the Teacher Training Agency. That is detailed in this Bill. It is envisaged that the agency's role will change, and it seems that it will take on a much greater role in

[46] **Janet Ryder:** Af â chi'n ôl at rai o'r pwyntiau a gododd Denise ar fwlio, a sut y gallai hynny effeithio ar adroddiadau llywodraethwyr ysgolion. Er ei bod yn wir bod yn rhaid i bob ysgol fod â pholisi, gweithredu'r polisi hwnnw yw'r peth a all beri problemau weithiau. Dywedodd Prif Weinidog Cymru yr wythnos diwethaf fod yr ymatebion i ymgynghoriad y Llywodraeth ar fwlio'n dameidiog ar draws Cymru, a bod hynny'n destun pryder. Pa ystyriaeth sydd wedi'i rhoi i gynnwys cyrff llywodraethu ysgolion yn hyn? Faint o ran y gall cyrff llywodraethu ysgolion ei chwarae i sicrhau bod polisïau'n gweithio, yn hytrach nag aros ar y silff? Mewn achosion lle y mae ysgolion yn ymateb yn dda, gellir cael digwyddiadau o hyd.

Mae bwlio'n sefyllfa gymhleth ac anodd iawn mynd i'r afael â hi, ac mae'n peri gofid mawr i'r rhai sydd yn ei ddioddef. Felly, mae'n iawn bod pawb a gaiff effaith ar yr ysgol yn ymwneud â'r mater hwn. Hoffwn wybod, o safbwynt Cymru, sut y gall llywodraethwyr wneud mwy. Byddai gennyf ddiddordeb mewn clywed pa resymeg sydd y tu ôl i hyn. Sut y bydd cyrff llywodraethu yn dal i fod yn atebol yn Lloegr, os diddymir yr adroddiad blynyddol a'r cyfarfod blynyddol? Sut y caiff y mecanwaith hwnnw ei ddatblygu yn Lloegr? Gallai'r wybodaeth honno helpu i oleuo'r sefyllfa yng Nghymru.

O edrych ar y cwestiynau ynglyn ag ariannu tair blynedd a gododd Leighton, sut y gwnaiff gwahaniaethau yn niferoedd y disgyblion effeithio ar yr arian hwnnw? Sut y gellir cyflwyno newidiadau yn ôl niferoedd y disgyblion? Sylweddolaf fod y Gweinidog wedi dweud y bydd yn cyflwyno papur i gyfarfod pwyllgor diweddarach, ac yr wyf yn berffaith fodlon aros am y papur hwnnw, cyn belled ag y rhoddir sylw i'r agwedd honno. Yn olaf, hoffwn inni edrych ar rôl yr Asiantaeth Hyfforddi Athrawon. Mae manylion ynghylch hynny yn y

the training of classroom assistants. In light of what the Minister said earlier about money being made available for the training of classroom assistants, how will those two things work together?

Don Touhig: As far as England is concerned, there will be a new provision requiring school governing bodies to produce school profiles. The Secretary of State can specify what should be contained in the profiles—format, content and so on. There will be an obligation upon schools to publish the profiles, and that goes some way to answer the point you made about replacing the meetings and reports.

[47] **Jane Davidson:** The best answer is to suggest once again that you read the policy, ‘Respecting Others’, which the Assembly Government put forward two years ago on bullying. It clearly lays out that there is an expectation on school governing bodies to be involved in the development of the policy at local level. All staff, pupils, parents and the governing body need to be engaged in the strategy at school level, so that it is clearly understood. It is laid out very clearly in ‘Respecting Others’.

In terms of the issues around the Teacher Training Agency, the proposal in the Bill is that the agency is renamed, so that it covers the whole of the school workforce. That is entirely appropriate, because it is not just teachers who contribute towards children’s development in a school setting.

Mesur hwn. Rhagwelir y bydd rôl yr asiantaeth yn newid, ac mae’n debyg y bydd yn ymgymryd â rôl lawer mwy o ran hyfforddi cynorthwywyr ystafell ddosbarth. Yng ngoleuni’r hyn a ddywedodd y Gweinidog yn gynharach ynghylch sicrhau bod arian ar gael ar gyfer hyfforddi cynorthwywyr ystafell ddosbarth, sut y gwnaiff y ddau beth hynny weithio gyda’i gilydd?

Don Touhig: O ran Lloegr, bydd darpariaeth newydd a fydd yn peri bod gofyn i gyrff llywodraethu ysgolion lunio proffiliau ysgol. Gall yr Ysgrifennydd Gwladol bennu beth y dylid ei gynnwys yn y proffiliau—y fformat, y cynnwys ac yn y blaen. Bydd rhaid i’r ysgolion gyhoeddi’r proffiliau, ac mae hynny i ryw raddau’n ateb y pwynt a wnaethoch am ddisodli’r cyfarfodydd a’r adroddiadau.

[47] **Jane Davidson:** Yr ateb gorau yw awgrymu unwaith eto eich bod yn darllen y polisi ‘Parchu Eraill’, a gyflwynwyd gan Lywodraeth y Cynulliad ddwy flynedd yn ôl ynglyn â bwlio. Mae hwnnw’n nodi’n glir bod disgwyl i gyrff llywodraethu ysgolion ymwneud â datblygu’r polisi ar lefel leol. Mae angen annog y staff, y disgyblion, y rhieni a’r corff llywodraethu i gyd i ymwneud â’r strategaeth ar lefel yr ysgol, fel bod pawb yn ei deall yn iawn. Mae hyn wedi’i nodi’n glir yn ‘Parchu Eraill’.

O ran y cwestiynau ynghylch yr Asiantaeth Hyfforddi Athrawon, y cynnig yn y Mesur yw y dylid ailenwi’r asiantaeth, fel ei bod yn cynnwys holl weithlu’r ysgol. Mae hynny’n gwbl briodol, oherwydd nid athrawon yn unig sydd yn cyfrannu at ddatblygiad plant o fewn yr ysgol.

[48] **Owen John Thomas:** Cyfeiriasoch, Weinidog, at gyllidebau ysgolion, a chyn hynny at awdurdodau yn arbennig. Dywedasoch fod rhai yn tanwario o ran yr arian a glustnodwyd ar gyfer addysg drwy roi llai i'r ysgolion nag yr oeddech yn ei ddisgwyl.

[49] **Jane Davidson:** Naddo.

[50] **Owen John Thomas:** Wel, dywedasoch fod rhai yn ei wneud yn rhesymol. Dywedasoch hynny. Dywedasoch nad ydynt yn gwario cymaint ag y gallent fod wedi ei wario—yng Nghaerffili, er enghraifft. Cyfeiriodd Jeff neu rywun at hynny.

[51] **Peter Black:** It was Don.

[52] **Owen John Thomas:** Don ydoedd, mae'n ddrwg gennyf. Nid yw'n bwysig pwy ddywedodd hynny—un o'ch ochr chi ydoedd. Fodd bynnag, dywedasoch wedyn, Weinidog, eich bod yn edrych ar bob awdurdod ar wahân, ac yn penderfynu a oedd y tanwariant yn rhesymol neu'n afresymol. Pa ganran o'r arian a glustnodwyd ar gyfer awdurdod i'w wario ar addysg sy'n afresymol? Mae'n bwysig i ni fel aelodau wybod beth yr ydych yn ei ystyried yn rhesymol a beth sy'n afresymol fel y gallwn ddod atoch, efallai, â chwyn bod rhyw awdurdod yn tanwario.

[48] **Owen John Thomas:** You referred, Minister, to school budgets, and, before that, to authorities in particular. You said that some were underspending the funding allocated for education by giving less to schools than you would have expected.

[49] **Jane Davidson:** No.

[50] **Owen John Thomas:** Well, you said that some did this reasonably. You said that. You said that they were not spending as much as they could have done—in Caerphilly, for example. Jeff or someone referred to that.

[51] **Peter Black:** Don wnaeth.

[52] **Owen John Thomas:** It was Don, I am sorry. It does not really matter who made the reference—it was someone from your side. However, you then said, Minister, that you were looking at each authority separately, and deciding whether the underspend was reasonable or unreasonable. What percentage of the funding allocated for an authority to spend on education is unreasonable? It is important for us as members to know what you consider to be reasonable and what you consider to be unreasonable, so that we can approach you, perhaps with a complaint that an authority is underspending.

[53] **Jane Davidson:** I will make absolutely clear what I said. I said that it is up to local authorities to allocate funding to education. In increasing the transparency, we have demonstrated how the Assembly Government, using the same formula allocation across Wales, which takes account of pupil numbers, free school meals, and so on, has allocated funding to each local authority. The local authority is then accountable, at the local level, for funding the education service, as it is for funding any other service. Local authorities, as you will see in the WLGA briefing, welcome both the freedom and the responsibility. We would look at this if local authorities were patently not delivering sufficient funding to education to ensure that the education service could properly be delivered. Now, there was some difficulty in England at the beginning of 2003, where the UK Government had to intervene in terms of some local government spend. However, we have not had any local authorities spending at a level that has worried the Assembly Government in terms of the overarching responsibility that they have to deliver services in their local area, to be locally accountable and to ensure that they deliver their statutory responsibilities.

[54] **Owen John Thomas:** Ond defnyddiasoch y geiriau 'rhesymol' ac 'afresymol'. Beth yn eich barn chi fyddai'n ganran afresymol o'r adnoddau a awdurdodwyd ar gyfer addysg na fyddai'n cael ei drosglwyddo wedyn, neu ganran a drosglwyddwyd sy'n is na rhyw isafswm? A fyddech wedyn yn dweud, 'Iawn, yr ydym am ymyrryd.'?

[53] **Jane Davidson:** Egluraf yn gwbl glir beth a ddywedais. Dywedais mai mater i'r awdurdodau lleol yw dyrannu cyllid i addysg. Wrth gynyddu'r tryloywder, yr ydym wedi dangos sut y mae Llywodraeth y Cynulliad, gan ddefnyddio'r un dyraniad fformiwla ledled Cymru, sy'n ystyried niferoedd disgyblion, prydau ysgol am ddim, ac yn y blaen, wedi dyrannu arian i bob awdurdod lleol. Mae'r awdurdod lleol wedyn yn atebol, ar y lefel leol, am ariannu'r gwasanaeth addysg, fel y mae am ariannu unrhyw wasanaeth arall. Mae'r awdurdodau lleol, fel y gwelwch yn y wybodaeth gan Gymdeithas Llywodraeth Leol Cymru, yn croesawu'r rhyddid a'r cyfrifoldeb fel ei gilydd. Byddem yn edrych ar hyn pe bai'n amlwg nad yw awdurdodau lleol yn darparu digon o arian i addysg I sicrhau y gellid cyflwyno'r gwasanaeth addysg yn iawn. Yn awr, cafwyd peth anhawster yn Lloegr ar ddechrau 2003, pan fu raid i Lywodraeth y DU ymyrryd o ran peth o'r gwariant gan lywodraeth leol. Fodd bynnag, nid ydym wedi cael unrhyw awdurdodau lleol yn gwario ar lefel sydd wedi poeni Llywodraeth y Cynulliad o ran y cyfrifoldeb cyffredinol sydd ganddynt i gyflwyno gwasanaethau yn eu hardal leol, i fod yn atebol yn lleol ac i sicrhau eu bod yn cyflawni eu dyletswyddau statudol.

[54] **Owen John Thomas:** But you used the words 'reasonable' and 'unreasonable'. What percentage do you consider to be an unreasonable use of funding that has been authorised for education that has not then been transferred, or a percentage that has been transferred which is below some minimum level? Would you then say, 'Okay, we will intervene.'?

[55] **Jane Davidson:** The assessment of intervention would be made in accordance with the legislation. However, no local authority has gone anywhere near that in Wales. It is not a question of a particular percentage of the education element—as the WLGA paper clearly shows, local authorities have put over £20 million more into the education service in Wales, over and above the standard spending assessment allocation. So Wales has generally well supported the education agenda. We would use—

[56] **Owen John Thomas:** Nid wyf yn sôn am y rhai hynny; yr wyf yn sôn am y rhai sydd y tu allan i hynny. Pryd y maent yn cyrraedd y pwynt hwnnw?

[57] **Jane Davidson:** Local authorities have the freedom and the responsibility to spend all their budgets on the services that they are required to deliver.

[58] **Owen John Thomas:** Nid ydych yn gwybod, felly?

[59] **Peter Black:** Unless there are any more questions, I think that we will draw this item to a close. I thank Don very much for braving the vagaries of the railway network to come down here, and to present the Bill and answer questions on it. The clerk will prepare a report for the committee's consideration on today's discussions, and that will be laid before the Assembly and copied to the chairs of the Welsh Affairs Committee and the Education and Skills Select Committee in the House of Commons so that they have a record of our discussions. Thank you very much indeed.

[55] **Jane Davidson:** Byddid yn asesu a oes angen ymyrryd yn unol â'r ddeddfwriaeth. Fodd bynnag, nid oes yr un awdurdod lleol wedi hanner cyrraedd y sefyllfa honno yng Nghymru. Nid cwestiwn o ganran benodol o'r elfen addysg ydyw—fel y dengys papur CLILC yn glir, mae'r awdurdodau lleol wedi rhoi dros £20 miliwn yn fwy i'r gwasanaeth addysg yng Nghymru, yn ychwanegol at ddyraniad yr asesiad o wariant safonol. Felly mae Cymru'n gyffredinol wedi cefnogi'r agenda addysg yn dda. Byddem yn defnyddio—

[56] **Owen John Thomas:** I am not talking about those; I am talking about the ones that are outside that. When do they reach that point?

[57] **Jane Davidson:** Mae gan awdurdodau lleol y rhyddid a'r cyfrifoldeb i wario'u cyllidebau i gyd ar y gwasanaethau y mae'n ofynnol iddynt eu darparu.

[58] **Owen John Thomas:** So, you do not know?

[59] **Peter Black:** Os nad oes rhagor o gwestiynau, yr wyf yn credu y caewn ben y mwdwl ar yr eitem hon. Diolch yn fawr iawn i Don am wynebu anwadlwch y rhwydwaith rheilffyrdd i ddod i lawr yma a chyflwyno'r Mesur ac ateb cwestiynau arno. Bydd y clerc yn paratoi adroddiad ar y trafodaethau heddiw i'w ystyried gan y pwyllgor, a gosodir hwnnw gerbron y Cynulliad a'i gopïo i gadeiryddion y Pwyllgor Materion Cymreig a'r Pwyllgor Dethol ar Addysg a Sgiliau yn Nhy'r Cyffredin fel y bydd ganddynt gofnod o'n trafodaethau. Diolch yn fawr iawn.

Don Touhig: Thank you for asking me along to be with Jane at this committee meeting. The Bill will go through the House of Commons, we hope, before too long. If there are matters arising from this debate that you feel that you need to bring to the attention of the Government, we will help to inform any deliberations that we have in committee in the House of Commons.

[60] **Peter Black:** Thank you very much. The meeting is now over.

Don Touhig: Diolch i chi am fy ngwahodd yma i fod gyda Jane yn y cyfarfod pwyllgor hwn. Aiff y Mesur drwy Dy'r Cyffredin, gobeithio, cyn bo hir. Os bydd materion yn codi o'r ddadl hon y teimlwch fod angen i chi eu dwyn i sylw'r Llywodraeth, helpwn i gyflwyno'r wybodaeth mewn unrhyw drafodaethau a gawn mewn pwyllgor yn Nhy'r Cyffredin.

[60] **Peter Black:** Diolch yn fawr. Mae'r cyfarfod yn awr ar ben.

Daeth y cyfarfod i ben am 12.25 p.m.

The meeting ended at 12.25 p.m.