



RHESTR O WELLIANNAU WEDI'U DIDOLI MARSHALLED LIST OF AMENDMENTS

Bil Addysg Bellach ac Uwch (Llywodraethu a Gwybodaeth)
(Cymru)

Further and Higher Education (Governance and Information)
(Wales) Bill

Mae'r gwelliannau â * ar eu pwys yn rhai newydd neu'n rhai sydd wedi'u haddasu.

Amendments marked * are new or have been altered.

Mae'r testun mewn italig wedi'i ddarparu gan y sawl a gynigiodd y gwelliant perthnasol i esbonio ei ddiben ac i gynorthwyo'r darlennydd. Nid yw'r testun yn rhan o eiriad y gwelliant.

The text in italics has been provided by the proposer of the relevant amendment to explain its purpose and to aid the reader's understanding. The text does not form part of the amendment.

Caiff y Bil ei ystyried yn y drefn a ganlyn –

The Bill will be considered in the following order –

Sections 1- 11 Adrannau 1-11

Schedule 1-2 Atodlen 1-2

Huw Lewis

4

Section 4, page 3, after line 30, insert –

'() If the institution is in Wales and is an institution to which section 30 applies, the governing body may do any of the things mentioned in subsection (2) only with the consent of the trustees of the institution.'

Adran 4, tudalen 3, ar ôl llinell 30, mewnosoder –

‘() If the institution is in Wales and is an institution to which section 30 applies, the governing body may do any of the things mentioned in subsection (2) only with the consent of the trustees of the institution.’.

Simon Thomas

1

Page 5, line 5, leave out section 7.

To maintain the Welsh Government's power to regulate higher education courses in further education sector.

Tudalen 5, llinell 5, hepgorer adran 7.

Er mwyn cadw pwerau Llywodraeth Cymru i reoleiddio cyrsiau addysg uwch yn y sector addysg bellach.

Aled Roberts

9

To insert a new section –

[] Review of operation of Act

The Welsh Ministers must, no later than the end of the period of 1 year beginning immediately after commencement of all the provisions of this Act, undertake a review of the operation of this Act with a view in particular to assessing its impact on Welsh language provisions and Additional Learning Needs in education.’.

Section to be inserted immediately after crossheading ‘General’ to require a review of the operation of the Act after a period of no later than 1 year.

I fewnosod adran newydd –

[] Adolygu gweithrediad y Ddeddf

Rhaid i Weinidogion Cymru, dim hwyrach na diwedd y cyfnod o flwyddyn sy’n dechrau yn union ar ôl cychwyn holl ddarpariaethau’r Ddeddf hon, gynnal adolygiad o weithrediad y Ddeddf hon gyda’r nod penodol o asesu ei heffaith ar y ddarpariaeth Gymraeg mewn addysg a’r ddarpariaeth Anghenion Dysgu Ychwanegol mewn addysg.’.

Yr adran i’w mewnosod yn union ar ôl y pennawd ‘Cyffredinol’ i’w gwneud yn ofynnol i gynnal adolygiad o weithrediad y Ddeddf ar ôl cyfnod o ddim mwy na blwyddyn.

Aled Roberts

10

To insert a new section –

[] Transitional arrangements

- (1) The Welsh Ministers may make an order specifying any transitional, transitory or saving provision in connection with the coming into force of this Act.
- (2) Any order made under subsection (1) is exercisable by statutory instrument and is to be subject to annulment in pursuance of a resolution of the National Assembly for Wales.’.

To be inserted immediately after new section [Review of operation of Act], to require that any order made under subsection (1) is subject to the negative procedure.

I fewnosod adran newydd –

[] Trefniadau trosiannol

- (1) Caiff Gweinidogion Cymru wneud gorchymyn yn pennu unrhyw ddarpariaeth drosiannol, ddarfodol neu ddarpariaeth arbed mewn cysylltiad â’r Ddeddf hon yn dod i rym.
- (2) Mae unrhyw orchymyn a wneir o dan is-adran (1) yn arferadwy drwy offeryn statudol ac i fod yn agored i gael ei ddiddymu yn unol â phenderfyniad gan Gynulliad Cenedlaethol Cymru.’.

I’w fewnosod yn union ar ôl yr adran newydd [Adolygu gweithrediad y Ddeddf], i’w gwneud yn ofynnol bod unrhyw orchymyn a wneir o dan is-adran (1) yn ddarostyngedig i’r weithdrefn negyddol

Bethan Jenkins

13

To insert a new section –

[] Review of operation of Act

The Welsh Ministers must, no later than the end of the period of 1 year beginning immediately after commencement of all the provisions of this Act, undertake a review of the operation of this Act with a view in particular to assessing its impact on funding of education to 16 to 18 year olds in further education institutions.’.

The purpose of this amendment is to ensure the Welsh Government measures the Bill’s outcomes properly. Section to be inserted immediately after crossheading ‘General’.

I fewnosod adran newydd –

[] Adolygu gweithrediad y Ddeddf

Rhaid i Weinidogion Cymru, dim hwyrach na diwedd y cyfnod o flwyddyn sy’n dechrau yn union ar ôl cychwyn holl ddarpariaethau’r Ddeddf hon, gynnal adolygiad o weithrediad y Ddeddf hon gyda’r nod penodol o asesu ei heffaith ar ariannu addysg y rhai sydd rhwng 16 a 18 oed mewn sefydliadau addysg bellach.’.

Diben y gwelliant hwn yw sicrhau bod Llywodraeth Cymru yn mesur deilliannau’r Bil yn briodol. Yr adran

i'w mewnosod yn union ar ôl y pennawd 'Cyffredinol'.

Simon Thomas

14

To insert a new section –

[] Review of Act

The Welsh Ministers must, no later than the end of a period of 1 year beginning immediately after commencement of all provisions of this Act, undertake a review of the operation of this Act with a view in particular to assessing its impact on Welsh language provision and Additional Learning Needs provision in further education institutions.’.

To ensure that the FE sector provides sufficient services in terms of Additional Learning Needs, Special Educational Needs and Welsh medium education following the enactment of the legislation. Section to be inserted immediately after crossheading 'General'.

I fewnosod adran newydd –

[] Adolygu gweithrediad y Ddeddf

Rhaid i Weinidogion Cymru, dim hwyrach na diwedd y cyfnod o flwyddyn sy'n dechrau yn union ar ôl cychwyn holl ddarpariaethau'r Ddeddf hon, gynnal adolygiad o weithrediad y Ddeddf hon gyda'r nod penodol o asesu ei heffaith ar y ddarpariaeth Gymraeg mewn sefydliadau addysg bellach a'r ddarpariaeth Anghenion Dysgu Ychwanegol mewn sefydliadau addysg bellach.’.

Sicrhau bod y sector addysg bellach yn darparu gwasanaethau digonol o ran Anghenion Dysgu Ychwanegol, Anghenion Addysgol Arbennig ac addysg cyfrwng Cymraeg yn dilyn pasio'r ddeddfwriaeth. Yr adran i'w mewnosod yn union ar ôl y pennawd 'Cyffredinol'.

Bethan Jenkins

15

To insert a new section –

[] Review of operation of Act

The Welsh Ministers must, no later than the end of the period of 1 year beginning immediately after commencement of all the provisions of this Act, undertake a review of the operation of this Act with a view in particular to assessing its impact on the terms and conditions of all persons employed by further education corporations.’.

The purpose of this amendment is to ensure the Welsh Government measures the Bill's outcomes in a transparent way. Section to be inserted immediately after crossheading 'General'.

I fewnosod adran newydd –

[] Adolygu gweithrediad y Ddeddf

Rhaid i Weinidogion Cymru, dim hwyrach na diwedd y cyfnod o flwyddyn sy'n dechrau yn union ar ôl cychwyn holl ddarpariaethau'r Ddeddf hon, gynnal adolygiad o weithrediad y Ddeddf hon gyda'r nod penodol o asesu ei heffaith ar delerau ac amodau pob person a gyflogir gan gorfforaethau addysg bellach.’.

Diben y gwelliant hwn yw sicrhau bod Llywodraeth Cymru yn mesur canlyniadau'r Bil mewn ffordd dryloyw. Yr adran i'w mewnosod yn union ar ôl y pennawd 'Cyffredinol'.

Aled Roberts

11

Section 10, page 6, leave out lines 11 to 12.

Adran 10, tudalen 6, hepgorer llinellau 11 hyd at 12.

Simon Thomas

2

Schedule 1, page 7, leave out lines 31 to 33 and insert –

- (i) two student representatives of the institution, elected by the student body,
- (ii) two staff representatives, elected by staff of the institution,
- (iii) representatives of local employers or businesses,
- (iv) in the case of a sixth form college corporation, parents of students at the institution aged under 19'.

To ensure that elected students and staff are represented on governing bodies as well as local employers or businesses.

Atodlen 1, tudalen 7, hepgorer llinellau 31 hyd at 33 a mewnosoder –

- (i) two student representatives of the institution, elected by the student body,
- (ii) two staff representatives, elected by staff of the institution,
- (iii) representatives of local employers or businesses,
- (iv) in the case of a sixth form college corporation, parents of students at the institution aged under 19'.

Er mwyn sicrhau bod myfyrwyr a staff etholedig yn ogystal â chyflogwyr neu fusnesau lleol yn cael eu cynrychioli ar gyrrff llywodraethu.

Angela Burns

8

Schedule 1, page 7, leave out lines 31 to 33 and insert –

- (i) two student representatives of the institution, elected by the student body,
- (ii) two staff representatives, elected by staff of the institution,
- (iii) in the case of a sixth form college corporation, parents of

students at the institution aged under 19.’.

Atodlen 1, tudalen 7, hepgorer llinellau 31 hyd at 33 a mewnosoder –

- ‘() two student representatives of the institution, elected by the student body,
- () two staff representatives, elected by staff of the institution,
- () in the case of a sixth form college corporation, parents of students at the institution aged under 19.’.

Huw Lewis

5

Schedule 1, page 7, line 34, after ‘members’, insert ‘, if the institution is in England, or the appointment or election of members, if the institution is in Wales’.

Atodlen 1, tudalen 7, llinell 34, ar ôl ‘members’, mewnosoder ‘, if the institution is in England, or the appointment or election of members, if the institution is in Wales’.

Huw Lewis

6

Schedule 1, page 7, after line 34, insert –

- ‘() In the case of an institution in Wales, the provision made by an instrument under sub-paragraph (1)(c)(i) and (d) must include provision –
 - (a) for the members of the body to include –
 - (i) the chief executive,
 - (ii) at least two other members of staff at the institution, and
 - (iii) at least two students at the institution,
 - (b) for at least one half of the other members of staff to be members of the teaching staff elected by the teaching staff and at least one half of them to be members of the non-teaching staff elected by the non-teaching staff, and
 - (c) for the students to be elected by all the students at the institution or, if the body so determines, by such of them as are members of a students’ union or other association representing students at the institution recognized by the body.’.

Atodlen 1, tudalen 7, ar ôl llinel 34, mewnosoder –

- () In the case of an institution in Wales, the provision made by an instrument under sub-paragraph (1)(c)(i) and (d) must include provision –
- (a) for the members of the body to include –
 - (i) the chief executive,
 - (ii) at least two other members of staff at the institution, and
 - (iii) at least two students at the institution,
 - (b) for at least one half of the other members of staff to be members of the teaching staff elected by the teaching staff and at least one half of them to be members of the non-teaching staff elected by the non-teaching staff, and
 - (c) for the students to be elected by all the students at the institution or, if the body so determines, by such of them as are members of a students' union or other association representing students at the institution recognized by the body.'.

Simon Thomas

3

Schedule 1, page 8, after line 19, insert –

- (d) in the case of a governing body a duty to consult every 3 years with local employers, students of the institution and communities about the educational provision at the institution concerned and how it impacts on local curriculum planning and to publish responses to the consultation.'.

To ensure governing bodies have a responsibility to regularly consult with local employers, students and communities and to publish responses to those consultations.

Atodlen 1, tudalen 8, ar ôl llinell 19, mewnosoder –

- (d) in the case of a governing body a duty to consult every 3 years with local employers, students of the institution and communities about the educational provision at the institution concerned and how it impacts on local curriculum planning and to publish responses to the consultation.'.

Er mwyn sicrhau bod gan gyrff llywodraethu gyfrifoldeb i ymgynghori'n rheolaidd â chyflogwyr lleol, myfyrwyr a chymunedau a chyhoeddi'r ymatebion i'r ymgynghoriadau hynny.

Huw Lewis

7

Schedule 1, page 8, after line 22, insert –

- '6A In the case of an institution in Wales, an instrument must require the body to consult persons in the locality of the institution receiving education or training, employers in that locality and bodies representing persons living in that locality as to the education provided at the institution and the planning of its curriculum.'

Atodlen 1, tudalen 8, ar ôl llinel 22, mewnosoder –

- '6A In the case of an institution in Wales, an instrument must require the body to consult persons in the locality of the institution receiving education or training, employers in that locality and bodies representing persons living in that locality as to the education provided at the institution and the planning of its curriculum.'

Bethan Jenkins

12

Schedule 1, page 9, after line 2, insert –

- '12 An instrument must provide that in the event that a member of staff has indicated his or her intention to appeal against a redundancy dismissal, the body (excluding the Chief Executive and the Clerk) is to invite the person concerned to an appeal meeting.'

The purpose of this amendment is to provide additional protection to staff facing redundancy.

Atodlen 1, tudalen 9, ar ôl llinell 2, mewnosoder –

- '12 An instrument must provide that in the event that a member of staff has indicated his or her intention to appeal against a redundancy dismissal, the body (excluding the Chief Executive and the Clerk) is to invite the person concerned to an appeal meeting.'

Diben y gwelliant hwn yw rhoi rhagor o ddiogelwch i staff sy'n wynebu colli eu swyddi.