

## HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 14 Tachwedd 2017  
Tabled on 14 November 2017

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

**Darren Millar**

62

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

Page 34, after line 38, insert a new section –

**[ ] Detention under Part 3 of the Mental Health Act 1983**

- (1) Subsection (2) applies where, because of section 42 or section 562 of the Education Act 1996 (c.56), powers or duties conferred or imposed by or under this Part on local authorities or on the governing bodies of maintained schools or institutions in the further education sector do not apply in relation to a child or young person who is –
  - (a) subject to a detention order (within the meaning given by section 562(1A)(a), (2) and (3) of the Education Act 1996), and
  - (b) detained in a hospital under Part 3 of the Mental Health Act 1983 (c. 20).
- (2) Regulations may provide for those powers or duties to be applied, with or without modification, in relation to the child or young person.'

Tudalen 34, ar ôl llinell 39, mewnosoder adran newydd –

**[ ] Cadw'n gaeth o dan Ran 3 o Ddeddf Iechyd Meddwl 1983**

- (1) Mae is-adran (2) yn gymwys pan, oherwydd adran 42 neu adran 562 o Ddeddf Addysg 1996 (p.56), na fo pwerau neu ddyletswyddau a roddir neu a osodir gan neu o dan y Rhan hon i neu ar awdurdodau lleol neu gyrff llywodraethu ysgolion a gynhelir neu sefydliadau yn y sector addysg bellach yn gymwys mewn perthynas â phlentyn neu berson ifanc –



- (a) sy'n ddarostyngedig i orchymyn cadw (o fewn yr ystyr a roddir i "detention order" gan adran 562(1A)(a), (2) a (3) o Ddeddf Addysg 1996), a
  - (b) sy'n cael ei gadw'n gaeth mewn ysbyty o dan Ran 3 o Ddeddf Iechyd Meddwl 1983 (p. 20).
- (2) Caiff rheoliadau ddarparu i'r pwerau neu'r dyletswyddau hynny gael eu cymhwyso, gydag addasiad neu hebdo, mewn perthynas â'r plentyn neu'r person ifanc.'

**Darren Millar**

**63**

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

Section 91, page 60, line 25, after '38(2)(b)', insert '(section to be inserted by amendment 62)',.

Adran 91, tudalen 60, llinell 24, ar ôl '38(2)(b)', mewnosoder '(yr adran sy'n cael ei mewnosod gan welliant 62)',.

**Llyr Gruffydd**

**64**

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

Page 42, after line 15, insert a new section –

#### **[ ] Assessment of Welsh Language provision**

- (1) Each local authority and local health board must in accordance with regulations, assess –
  - (a) the extent to which there are children and young persons in their area who would be likely to request additional learning provision through the medium of Welsh;
  - (b) whether they have capacity to provide additional learning provision through the medium of Welsh for those children and young persons identified in accordance with paragraph (a);
  - (c) the actions required to provide the range and level of services identified in accordance with paragraph (a) through the medium of Welsh.
- (2) Regulations under subsection (1) may, for example, provide for –
  - (a) the timing and review of assessments;
  - (b) arrangements for joint working.
- (3) Each local authority and local health board must ensure that it has the capacity, by a date agreed between it and the Welsh Ministers, to deliver additional learning provision through the medium of Welsh in each case in which it is requested.
- (4) Any duty to assess in accordance with regulations under subsection (1), does not affect any duty on a local authority under section 59 to keep additional learning provision under review.'

Tudalen 42, ar ôl llinell 15, mewnosoder adran newydd –

#### **[ ] Asesu darpariaeth Gymraeg**

- (1) Rhaid i bob awdurdod lleol a bwrdd iechyd lleol yn unol â rheoliadau, asesu –
  - (a) y graddau y mae plant a phobl ifanc yn ei ardal a fyddai'n debygol o wneud cais am ddarpariaeth ddysgu ychwanegol drwy gyfrwng y Gymraeg;



- (b) a oes ganddo'r capasiti i ddarparu darpariaeth ddysgu ychwanegol drwy gyfrwng y Gymraeg ar gyfer y plant a'r bobl ifanc hynny a nodir yn unol â pharagraff (a);
  - (c) y camau y mae'n ofynnol eu cymryd i ddarparu ystod a lefel y gwasanaethau a nodwyd yn unol â pharagraff (a) drwy gyfrwng y Gymraeg.
- (2) Caiff rheoliadau o dan is-adran (1), er enghraifft, ddarparu ar gyfer—
- (a) amseru ac adolygu asesiadau;
  - (b) trefniadau ar gyfer cydweithio.
- (3) Rhaid i bob awdurdod lleol a bwrdd iechyd lleol sicrhau bod ganddo'r capasiti, erbyn dyddiad a gytunir rhyngddo a Gweinidogion Cymru, i gyflawni darpariaeth ddysgu ychwanegol drwy gyfrwng y Gymraeg ym mhob achos y gwneir cais am hynny.
- (4) Nid yw unrhyw ddyletswydd i asesu yn unol â rheoliadau o dan is-adran (1) yn effeithio ar unrhyw ddyletswydd ar awdurdod lleol o dan adran 59 i gadw darpariaeth ddysgu ychwanegol o dan adolygiad'.

**Llyr Gruffydd**

65

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

Section 65, page 45, line 33, leave out 'principle' and insert 'following principles'.

Adran 65, tudalen 45, llinell 33, hepgorer 'egwyddor' a mewnosoder 'egwyddorion a ganlyn'.

**Llyr Gruffydd**

66

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

Section 65, page 45, after line 36, insert—

- '( ) that any services provided under the arrangements should normally be provided in Welsh in all cases where a person makes a request for services to be provided in Welsh.'

Adran 65, tudalen 45, ar ôl llinell 37, mewnosoder—

- '( ) y dylai unrhyw wasanaethau a ddarperir o dan y trefniadau gael eu darparu yn Gymraeg fel arfer ym mhob achos lle y bydd person yn gwneud cais i wasanaethau gael eu darparu yn Gymraeg.'

**Kirsty Williams**

67

Section 78, page 52, line 17, after 'person', insert ', the young person's parent, or a representative of the young person's parent'.

Adran 78, tudalen 52, llinell 18, ar ôl 'ifanc', mewnosoder ', rhiant y person ifanc, neu gynrychiolydd rhiant y person ifanc'.

