



ALL WALES CENTRE *for* GOVERNOR TRAINING AND RESEARCH

COMMUNITY FOCUSED SCHOOLS - THE GOVERNOR'S ROLE

In this article, Pam Boyd looks at developments in community focused schools in Wales. Pam is Executive Director of ContinYou Cymru, a charity which is providing the "Supporting Community Focused Schools" service for all LEAs in Wales.

There are probably two main questions that governors ask about community focused schools - what do I need to know about community focused schools, and secondly, what role can I play in helping my school become a successful community focused school?

Well, to help answer the first question, the Welsh Assembly Government describes a community focused school as

"... one that provides a range of services and activities, often beyond the school day, to help meet the needs of its pupils, their families, and the wider community."

(Welsh Assembly Government Guidance 2003/5)

ContinYou Cymru has been working closely with the Welsh Assembly Government and the Association of Directors of Education Wales to take things forward and this has included the development of a vision for community focused schools which incorporates the seven core aims of the Assembly Government's 'Rights to Action' to ensure that all children:

- have a flying start in life
- have a comprehensive range of education, training and learning opportunities
- enjoy the best possible health, and are free from abuse, victimisation and exploitation.
- have access to play, leisure, sporting and cultural activities
- are listened to and treated with respect, and have their race and cultural identity recognised
- have a safe home and a community which supports physical and emotional well-being
- are not disadvantaged by poverty.

There is in Wales a great tradition of schools working closely with their communities, so for many this is not new. However, the community focused schools initiative takes community involvement to a new level by providing an opportunity to change the ethos and focus of how learning takes place - not just in school for pupils, but also outside of school hours for pupils, families and the wider community, and this commitment is built into the school's ethos, and not something that is 'bolted on'.

A community focused school is, of course, always aware of its core mission - to improve pupils' ability to learn, and extending opportunities and service will not detract from this. Rather, the aim is to help to improve achievement in its broadest sense, not only for pupils but also for the wider community.

A community focused school, for instance, will provide a range of activities and learning opportunities outside the school day for children, young people, families and adults. Most schools

are already providing out-of-hours learning opportunities for their pupils, but community focused schools in addition will want to develop new activities and ideas for a broader audience. Examples include: out-of-school-hours childcare; adult and family learning classes; youth clubs and activities; and training for volunteers.

While community focused schools are often at the hub of the community, we must remember however that they should not and cannot be doing everything themselves. Certainly they may be a repository for information on local services and even provide venues for such things as resident association meetings or local councillors' surgeries, but if they are to fulfil their community role fully and also remain focused on their core duty of educating their pupils, then they must work in partnership with other local organisations such as residents' associations, sports clubs and regeneration groups for the greater good of their communities. In particular, community focused schools (and their partners) should think of their local as well as national and global environment, and aim to develop in a sustainable way.

So what can you do as a governor to help this happen?

- Ask for information from your school and/or LEA. ContinYou Cymru has developed a training resource to help support governors' understanding of community focused schools
- Support the school in finding out what already exists and what activities and opportunities are needed for and by the community
- Ensure that community focused schools features on governors/sub-group agendas
- Look at how activities and opportunities can be provided in a cluster with other schools and by partner organisations
- Look at different sources of funding and resources - from within and outside the school and not just the community focused schools grant
- Help to ensure that community focused schools development is part of whole school planning - build it in, don't bolt it on
- Help to ensure that the community focus is monitored and evaluated as part of the whole school planning and development - and is related to Estyn inspection
- Be enthusiastic and supportive!

If you want more information on community focused schools locally, you can contact your LEA - every LEA has a named person with responsibility for community focused schools - or have a look at the ContinYou website

www.continyou.org.uk/cymru



INVESTIGATION OF CHILD PROTECTION ALLEGATIONS AGAINST SCHOOL STAFF

In this article, Cath Pickett of the Welsh Assembly Government Schools Management Division describes two new requirements for governing bodies in respect of the investigation of child protection allegations against school staff.

The Staffing of Maintained Schools (Wales) Regulations 2006 ("the 2006 Regulations"), dealing with governing body responsibilities for the conduct and capability, appointment, discipline, dismissal and suspension of school staff came into force on 1 April 2006, with the exception of regulation 7(3) which came into force on 1 September 2006.

The regulations in the main replicate the provisions in Schedules 16 and 17 to the School Standards and Framework Act 1998. However there are two new requirements introduced as part of the Assembly Government's response to recommendations in the Children's Commissioner's Clywch Inquiry Report.

Appointment of an Independent Investigator for child protection allegations against school staff

The first new provision is contained in regulation 7(3) of the 2006 Regulations and requires that where allegations are made against school staff which involve child protection issues, the governing body must appoint an independent investigator to investigate the allegations prior to the start of any staff disciplinary proceedings brought under the 2006 Regulations relating to those allegations. To help governing bodies meet these requirements, the Assembly Government has established an Independent Investigation Service which governing bodies can use free of charge. The Assembly Government is not itself running the Independent Investigation Service.

We have awarded a contract to Dream Group Ltd to set up, manage and run the service on our behalf.

The contact details are:

Mr Tony Hester
Dream Group Ltd
Unit 4, Aziz Court, Parkhill, West Stratton
Winchester, Hampshire SO21 3QX.

Mr Hester's telephone number is **01692 795 048**.

Alternatively Mr Neil Connelly is the Support Officer for the service and he can be contacted at the same address or

Telephone: **01692 795 040**

Email: **tonyh@dream-group.com**.

An independent investigator must be appointed in all cases where allegations involving issues of child protection are made and which may lead to disciplinary proceedings under the 2006 Regulations. The only exception to this is where following initial consultation with the LEA lead officer, the headteacher/ chair of governors conclude that the allegation is demonstrably false, because the circumstances of the allegation show that beyond any doubt it is not possible for it to be true, the matter can be dealt with by the school. In this situation the governing body does not need to put in place disciplinary proceedings and does not therefore need to appoint an independent investigator.

In cases where there are allegations involving issues of child

protection which lead to a criminal prosecution and conviction, an independent investigator must still be appointed. In those circumstances the governing body would convene a meeting of the staff disciplinary committee to decide whether to dismiss the member of staff concerned. The Assembly Government envisages that the role of an independent investigator in these cases would be limited to reporting on the outcome of the criminal prosecution to the staff disciplinary committee, unless there are unresolved issues of fact that are possibly relevant to the staff disciplinary proceedings which need investigating.

Once, following a child protection allegation, it has been decided that staff disciplinary proceedings should take place, the chair of the disciplinary committee should engage an independent investigator. We expect this to be done immediately. Where an allegation is referred to the statutory authorities an independent investigator must be appointed and the investigation completed prior to the start of the governing body disciplinary hearing.

Governing bodies are free to decide who they appoint as an independent investigator. If they decide to use the Assembly Government's service, an investigator will be assigned free of charge to the governing body. Alternatively the governing body may appoint their own investigator, the cost of which would have to be met from the governing body's delegated budget.

Requests to use the Assembly Government Service should be made direct to Dream Group Ltd through the contact details given above, and not to the Assembly Government. The Police will normally secure the agreement of witnesses that any evidence obtained for the purposes of prosecution can be used in any subsequent consideration of disciplinary action. The independent investigator should therefore be able to use the Police and other evidence and we are taking steps to secure the agreement of the Police authorities to release primary evidence. The investigator will need to review, and as necessary, supplement the evidence from the statutory authorities in light of the governing body disciplinary requirement.

In accordance with regulation 55(4A) of the Government of Maintained Schools (Wales) Regulations 2005 ("the 2005 Regulations"), inserted by Regulation 8 of the 2006 Regulations, an investigator cannot be:

- a governor of the school in question (but could be a governor of another school),
- a parent of a current or former pupil at the school in question,
- a current or former member of staff at the school in question,
- a person employed by the LEA that maintains the school in question.

LEAs are defined in section 12(5) of the Education Act 1996 as being county councils and county borough councils. In effect,



the LEA is the local authority. Therefore no person who is employed by the local authority or LEA that maintains the school can be considered to be an independent investigator.

The role of the Independent Investigation Service is to:

- Consider all the evidence, including that supplied by the statutory authorities, and explore the facts relating to an allegation. This may mean interviewing witnesses.
- Produce a report with findings and conclusions for the chair of the staff disciplinary/dismissal committee.
- Present the report at the disciplinary hearing and any appeal hearing.

It should be emphasised that the decision on the report conclusions is for the staff disciplinary/dismissal committee to take collectively. It is not the role of the investigator or any other individual or body to take this decision.

Governing bodies may object to an investigator assigned by the Assembly Government's Independent Investigation Service if they have evidence that the person is in one of the categories excluded by regulation or is known to any member of the disciplinary/dismissal committee, the disciplinary/dismissal appeal committee or to the staff member or their union representative, and there is a question of their impartiality. In these circumstances the chair of disciplinary committee would need to present his/her evidence and ask for another investigator to be assigned.

Appointment of Independent Non Governor Member on Staff Disciplinary and Dismissal Committee and Staff Disciplinary and Dismissal Appeal Committee

In addition to the requirement for an independent investigation for all child protection allegations, regulation 8(3)(b) of the 2006 Regulations introduces new provisions into Regulation 55 of the 2005 Regulations. Regulations 55(3) and (4) of the 2005 Regulations now require the governing body to appoint an independent, non governor with voting rights to be a member of staff disciplinary/dismissal committees and disciplinary/dismissal appeal committees when these committees consider allegations against school staff involving child protection issues. This requirement is aimed at giving governing bodies further support and assistance in handling these often difficult cases. Regulation 55(8) of the 2005 Regulations as amended by Regulation 8(4)(c) of the 2006 Regulations provides that non governors are entitled to have a vote when considering child protection allegations.

The non governor member must not be:

- a governor of the school in question (but could be a governor of another school),
- a parent of a current or former pupil at the school in question,
- a current or former member of staff at the school in question,
- currently employed by the LEA that maintains the school in question.

LEAs are defined in section 12(5) of the Education Act 1996 as being county councils and county borough councils. The LEA therefore is in effect the local authority. In practice this means that no person employed by the local authority or LEA that maintains the school can be considered to be a non governor member with voting rights on governing body staff

disciplinary/dismissal and disciplinary/dismissal appeal committees.

The role of the non governor member is to stay with the members of the staff disciplinary/dismissal committee and the appeal committee when they deliberate the evidence from the hearing, and guide them to give due regard to all the evidence and reach a fair decision. The key skills we therefore expect the non governor members to have are analytical skills with perhaps a knowledge of child protection matters.

This introduces some flexibility for governing bodies as to where they may seek appointments of their non governor member. The Welsh Assembly Government will be issuing further guidance on who might fulfil this role, but in the meantime governing bodies might consider:

- a person from a neighbouring LEA (in our experience the people asked to investigate governing body disciplinary/dismissal matters are generally from the Education, HR or Legal departments) but they could be working elsewhere in the local authority,
- a suitably experienced governor from another governing body,
- a suitably experienced person from a voluntary setting such as Citizens Advice Bureau.

The non governor member may take the place of one of the three governors assigned to sit on the staff disciplinary/dismissal committee and the appeal committee, or may be additional to the three governors. There must be at least two governors on each committee and the chair of the committee would have a casting vote in the event of a tie over any decisions made. The non governor member cannot be the chair of either committee.

To clarify, the non governor member of the governing body does not take the place of the adviser from the LEA. Regulations 17(9) for community, community special and voluntary controlled schools, and Regulation 30 for foundation and voluntary aided schools, of the 2006 Regulations give explicit rights for the chief education officer and/or his/her representative to be present at all dismissal proceedings to give advice to the governing body.

If you have any queries, please contact Mrs Catherine Pickett on 02920 826051.

Llywodraethwyr Cymru

Governors Wales

GOVERNORS HELPLINE

0845 6020100

**is the helpline for governors of schools
in Wales.**

Operated by Governors Wales the helpline will provide advice on a range of issues to governors in all parts of Wales.



CONVERSATIONS

Rosina Frew is a parent governor at Olchfa School, Swansea, an 11-18 mixed comprehensive. In this term's edition of Cadwyn she speaks to editor Steve Gullick about her role.

SG How long have you been a parent governor at Olchfa, Rosina?

RF It's just over 18 months. I've been Vice-Chair for just under a year as well, and chaired two meetings.

SG So it's been quite a steep learning curve for you.

RF More like a rock face!

SG So what made you want to become a parent governor?

RF Pure chance, really. I was talking to someone who was already a school governor and the way they described the role made it sound interesting; so I decided to stand at the parent governor elections for Olchfa and was lucky enough to be elected. I can't pretend that I wanted to change the world, and I certainly wasn't aware of what lay ahead.

SG And have you been put off by what you've experienced?

RF No. In fact, it's been the exact opposite. I find what I'm doing is better than I anticipated, largely, I think, because of the support I've had from other governors and the fact that from the beginning, it was made clear to me that my views and opinions were valued, even though I was pretty inexperienced.

SG Do you serve on any governing body committees?

RF Yes, five in total - Curriculum, Special Needs, Admissions, Staff Disciplinary and Pupil Disciplinary. I know it seems a lot, but I felt the more committees I sat on, the more quickly I'd learn about the school, and it worked. I really don't think I'd have felt able to take the position of Vice-Chair if I hadn't gained that knowledge so quickly.

SG You must be at school quite a lot?

RF I suppose it's worked out at about one meeting a fortnight, though last year we were heavily involved in introducing TLRs, which meant we had more meetings than you'd normally expect. Also, of course, I sit on five committees, so I wouldn't think I'm typical of most governors.

SG Let's return to the position of parent governor. What do you think are the most important roles?

RF Obviously, it's the same as every other governor's as we all want what's best for the school, the pupils and staff, and the ways we go about achieving that are the same, such as monitoring the work of the school and helping set the long term aims, etc. What is important as a parent governor, though, is our particular view of the school. We see it as parents of the pupils, which is slightly different from the way a teacher governor would see the school, the way an LEA governor would see the school, the way a community governor would see the school, and so on. It's these slightly different ways of seeing the school which are vital in helping the Head and Senior Management Team to run it successfully.

Secondly, because a parent governor is likely to know other parents of pupils at the school, it's possible to get a good idea

of their views on issues and initiatives from the school, and I'm aware that the Head and other governors value the way that parent governors can help keep them in touch with what parents are feeling.

SG What, then, do you see as the main challenges to parent governors in carrying out their role?

RF The most obvious one is time. Once you've made the commitment to be a governor you really must attend all the meetings, and there is no doubt that juggling with times can be difficult.

The next challenge you have to deal with is the idea you may have of having little knowledge of schools. Parents are not experts in education, but when they become governors, they enter a world of "education speak" and this can be intimidating; so much so that you might be afraid to speak. I know I hardly said a word in my first two meetings, even though I had plenty of encouragement from fellow governors.

Thirdly, you must always be impartial when considering issues. This can be particularly difficult for parent governors, and also teacher and staff governors, who have such a personal stake in the school and who may know personally people who may be affected by any decision you make, but impartiality is essential as so much may depend on the outcome of what you decide.

SG Finally, Rosina, what advice would you give to a new parent governor?

RF First of all, don't be afraid to speak up at meetings. You certainly won't be regarded as lacking knowledge or understanding, and your view will be respected and valued by a good governing body.

Secondly, try to sit on a few different committees so that you get to see the school from a number of different angles. If you are on the Finance Committee, for instance, you'll quickly appreciate the necessity of wise spending, though you won't learn a great deal about any building problems unless you sit on the Buildings Committee. A really rounded view of the school is very valuable in helping you make decisions.

Thirdly, don't be afraid to ask the Head or any other governors for help. They'll welcome it, because it will mean you'll be more confident about taking an active part in meetings. I know I benefited from this; I'd never have felt able to become Vice-Chair after six months if I hadn't asked for advice from the Head and more experienced colleagues. It also means you enjoy being a governor much more than if you just sat at meetings feeling confused.

SG So you've no regrets about becoming a parent governor?

RF Absolutely not! In fact, one benefit I never expected to find is that my husband's cooking has improved as I go to governing body meetings, and he has to make the tea!

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CANOLFAN CYMRU AR GYFER HYFFORDDI LLYWODRAETHWYR AC YMCHWIL

YSGOLION BRO - RÔL Y LLYWODRAETHWR

Yn yr erthygl hon, mae Pam Boyd yn edrych ar y datblygiadau mewn ysgolion bro yng Nghymru. Mae Pam yn Gyfarwyddwr Gweithredol ContinYou Cymru, elusen sy'n darparu'r gwasanaeth "Cefnogi Ysgolion Bro" ar gyfer pob AALI yng Nghymru.

Mae'n debygol bod yna ddau brif gwestiwn y mae llywodraethwyr yn eu gofyn ynghylch ysgolion bro - beth sydd arnaf angen ei wybod am ysgolion bro, ac yn ail, pa rôl allaf i ei chwarae yn helpu fy ysgol i ddod yn ysgol fro lwyddiannus?

Yn gymorth i ateb y cwestiwn cyntaf, mae Llywodraeth Cynulliad Cymru yn disgrifio ysgol fro fel

"... ysgol sy'n darparu ystod o wasanaethau a gweithgareddau, yn aml y tu hwnt i'r diwrnod ysgol, i helpu i ddiwallu anghenion ei disgyblion, eu teuluoedd a'r gymuned ehangach."

(Cyfarwyddyd Llywodraeth Cynulliad Cymru 2003/5)

Mae ContinYou Cymru wedi bod yn gweithio'n agos gyda Llywodraeth Cynulliad Cymru a Chymdeithas Cyfarwyddwyr Addysg Cymru i symud pethau yn eu blaen ac mae hyn yn cynnwys datblygu gweledigaeth ar gyfer ysgolion bro, sy'n ymgorffori saith nod craidd 'Hawl i Weithredu' Llywodraeth y Cynulliad sy'n sicrhau bod pob plentyn:

- yn cael dechrau da iawn mewn bywyd
- yn cael ystod gynhwysfawr o gyfleoedd addysg, hyfforddiant a dysgu
- yn mwynhau'r iechyd gorau posibl, ac yn rhydd o gael ei gamdrin, ei erlid a'i ecsbloetio.
- yn cael mynediad i weithgareddau chwarae, hamdden, chwaraeon a diwylliannol.
- yn cael ei glywed a'i drin gyda pharch, ac yn cael cydnabyddiaeth i'w hunaniaeth hiliol a diwylliannol
- yn cael cartref diogel a chymuned sy'n gofalu am ei les corfforol ac emosiynol
- heb fod yn cael ei anfanteisio oherwydd tlodi.

Mae yna draddodiad cryf yng Nghymru o ysgolion yn gweithio'n agos gyda'u cymunedau, felly nid yw hwn yn beth newydd i lawer. Fodd bynnag, mae'r fenter ysgolion bro yn codi ymrwymiad cymunedol i lefel newydd trwy ddarparu cyfle i newid ethos a ffocws y modd y mae dysgu yn digwydd - nid yn unig yn yr ysgol ar gyfer disgyblion, ond hefyd y tu allan i oriau ysgol ar gyfer disgyblion, teuluoedd a'r gymuned ehangach, ac mae'r ymroddiad hwn yn cael ei ymgorffori yn ethos yr ysgol, ac nid yn rhywbeth sy'n cael ei 'ôl-ddodi' yn unig.

Wrth gwrs, mae ysgol fro bob amser yn ymwybodol o'i gorchwyl craidd - sef gwella gallu disgyblion i ddysgu, ac ni fydd ymestyn y cyfleoedd a'r gwasanaeth yn amharu ar hyn. Yn hytrach, y nod yw helpu i gynyddu llwyddiant yn ei ystyr mwyaf bras, nid yn unig ar gyfer disgyblion ond hefyd ar gyfer y gymuned ehangach.

Bydd ysgol fro, er enghraifft, yn darparu ystod o weithgareddau a chyfleoedd dysgu y tu allan i'r diwrnod ysgol ar gyfer plant,

pobl ifanc, teuluoedd ac oedolion. Mae'r rhan fwyaf o ysgolion eisoes yn darparu cyfleoedd dysgu ar gyfer eu disgyblion y tu allan i oriau ysgol, ond yn ogystal, bydd ysgolion bro yn dymuno datblygu gweithgareddau a syniadau newydd ar gyfer cynulleidfia ehangach. Mae enghreifftiau o hyn yn cynnwys: gofal plant y tu allan i oriau ysgol; dosbarthiadau dysgu i oedolion a theuluoedd; clybiau a gweithgareddau ieuenctid; a hyfforddiant ar gyfer gwirfoddolwyr.

Tra bod ysgolion bro yn aml yn ganolbwynt y gymuned, rhaid i ni gofio fodd bynnag, na ddylent ac ni allant wneud popeth eu hunain. Yn sicr, gallant fod yn ystorfa o wybodaeth am wasanaethau lleol a gallant hyd yn oed ddarparu lleoliad ar gyfer y fath bethau a chyfarfodydd cymdeithasau trigolion neu gymorthfeydd cynghorwyr lleol, ond os disgwylir iddynt gyflawni eu rôl gymunedol yn llawn ac, ar yr un pryd, parhau i ganolbwyntio ar eu dyletswydd craidd o addysgu eu disgyblion, yna mae'n rhaid iddynt weithio mewn partneriaeth gyda sefydliadau lleol megis cymdeithasau trigolion, clybiau chwaraeon a grwpiau adfywio, er lles cyffredinol eu cymunedau. Yn arbennig, dylai ysgolion bro (a'u partneriaid) feddwl am eu hamgylchedd lleol yn ogystal â chenedlaethol a byd-eang, ac ymdrechu i ddatblygu mewn ffordd gynaliadwy.

Felly beth allwch chi, fel llywodraethwr, ei wneud i helpu i wireddu hyn?

- Gofynnwch am wybodaeth gan eich ysgol ac/neu AALI. Mae ContinYou Cymru wedi datblygu adnodd hyfforddi i hybu dealltwriaeth llywodraethwyr o ysgolion bro
- Cynorthwycwch yr ysgol i ddod i wybod beth sydd ar gael eisoes a pha weithgareddau a chyfleoedd sydd eu hangen ar gyfer a gan y gymuned
- Gwnewch yn siwr bod ysgolion bro yn ymddangos ar agendâu llywodraethwyr/is-grwpiau
- Edrychwch ar sut gellir darparu gweithgareddau a chyfleoedd mewn clwstwr gydag ysgolion eraill a sefydliadau partneriaeth
- Edrychwch ar wahanol ffynonellau o gyllid ac adnoddau - y tu fewn i'r ysgol ac o'r tu allan, ac nid ar y grant ysgolion bro yn unig
- Helpwch i sicrhau bod datblygiad ysgolion bro yn rhan o gynllunio ysgol gyfan - mae angen ei ymgorffori, nid ei ôl-ddodi
- Helpwch i sicrhau bod y ffocws cymunedol yn cael ei fonitro a'i werthuso fel rhan o gynllunio a datblygiad yr ysgol gyfan - a bod hyn yn cael ei gysylltu ag arolwg Estyn
- Byddwch yn frwdfrydig a chefnogol!

Os hoffech gael mwy o wybodaeth am ysgolion bro lleol, gallwch gysylltu â'ch AALI - mae ym mhob AALI berson enwebedig gyda chyfrifoldeb am ysgolion bro - neu ewch i wefan ContinYou.

www.continyou.org.uk/cymru



YMCHWILIAD I HONIADAU DIOGELU PLANT YN ERBYN STAFF YSGOL

Yn yr erthygl hon, mae Cath Pickett o Adran Rheoli Ysgolion Llywodraeth Cynulliad Cymru yn disgrifio dau ofyniad newydd ar gyfer cyrff llywodraethol mewn perthynas ag ymchwilio i honiadau diogelu plant yn erbyn staff ysgol.

Daeth y Rheoliadau Staffio Ysgolion a Gynhelir (Cymru) 2006 ("Rheoliadau 2006"), sy'n delio â chyfrifoldebau cyrff llywodraethol am ymddygiad a gallu, penodi, disgyblu, diswyddo a gohirio staff ysgol, i rym ar 1 Ebrill 2006, ac eithrio rheoliad 7(3) a ddaeth i rym ar 1 Medi 2006.

Ar y cyfan, mae'r rheoliadau yn dyblygu'r darpariaethau yn Atodiadau 16 a 17 o'r Ddeddf Safonau a Fframwaith Ysgolion 1998. Fodd bynnag, mae yna ddau ofyniad newydd a gyflwynwyd fel rhan o ymateb Llywodraeth y Cynulliad i'r argymhellion yn Adroddiad Clywch Comisiynydd Plant Cymru.

Penodi Ymchwilydd Annibynnol ar gyfer honiadau diogelu plant yn erbyn staff ysgol

Ceir y ddarpariaeth newydd gyntaf yn rheoliad 7(3) o Reoliadau 2006 ac mae'n golygu, pan wneir honiadau yn erbyn staff ysgol, sy'n ymwneud â materion diogelu plant, bod yn rhaid i'r corff llywodraethol benodi ymchwilydd annibynnol i ymchwilio i'r honiadau cyn dechrau unrhyw achos disgyblu staff a ddygir o dan Rheoliadau 2006 mewn perthynas â'r honiadau hynny. I helpu cyrff llywodraethol i gwrdd â'r gofynion hyn, mae Llywodraeth y Cynulliad wedi sefydlu Gwasanaeth Ymchwiliad Annibynnol sydd ar gael i gyrrff llywodraethol yn rhad ac am ddim. Nid Llywodraeth y Cynulliad ei hun sy'n cynnal y Gwasanaeth Ymchwiliad Annibynnol.

Rydym wedi gwneud cytundeb â Dream Group Ltd i sefydlu, rheoli a chynnal y gwasanaeth ar ein rhan. Y manylion cyswllt yw:

Mr Tony Hester
Dream Group Ltd
Unit 4, Aziz Court, Parkhill, West Stratton
Winchester, Hampshire SO21 3QX.

Rhif ffôn Mr Hester yw **01692 795 048.**

Fel arall, Mr Neil Connelly yw Swyddog Cefnogi'r gwasanaeth a gallwch gysylltu ag ef yn yr un cyfeiriad,

Ffôn: **01692 795 040**
E-bost: **tonyh@dream-group.com.**

Rhaid penodi ymchwilydd annibynnol ymhob achos lle y gwneir honiadau sy'n ymwneud â materion diogelu plant ac a allai arwain at achos disgyblu dan Reoliadau 2006. Yr unig eithriad i hyn yw lle mae'r pennaeth/ cadeirydd y corff llywodraethol yn cynnal ymgynghoriad cychwynnol gyda phrif swyddog yr AALI, ac maent yn dod i'r casgliad for yr honiad yn ddangosadwy anghywir, oherwydd bod amgylchiadau'r honiad yn dangos y tu hwnt i unrhyw amheuaeth nad yw'n bosibl iddo fod yn wir, ac os felly gall yr ysgol ddelio â'r mater. Yn y fath sefyllfa, nid oes angen i'r corff llywodraethol ddechrau achos disgyblu ac felly nid oes angen penodi ymchwilydd annibynnol.

Mewn achosion lle mae honiadau yn ymwneud â materion diogelu plant sy'n arwain at erlyniad troseddol ac euogfarn, rhaid penodi ymchwilydd annibynnol beth bynnag. O dan yr amgylchiadau hynny, byddai'r corff llywodraethol yn galw cyfarfod o'r pwyllgor disgyblu staff i benderfynu a ddylid diswyddo'r aelod staff dan sylw. Mae Llywodraeth y Cynulliad yn rhagweld y bydd rôl ymchwilydd annibynnol yn y fath achosion yn gyfyngedig i adrodd ar ddeiliant yr erlyniad troseddol i'r pwyllgor disgyblu staff, oni bai fod yna faterion ffeithiol heb eu datrys a allai fod yn berthnasol i'r achos disgyblu staff ac sydd angen eu hymchwilio.

Unwaith y penderfynir, o ganlyniad i honiad diogelu plant, y dylid cynnal achos disgyblu staff, yna dylai cadeirydd y pwyllgor disgyblu benodi ymchwilydd annibynnol. Disgwyliwn y bydd hyn yn digwydd ar unwaith. Ble mae honiad yn cael ei atgyfeirio i'r awdurdodau statudol, rhaid penodi ymchwilydd annibynnol a rhaid cwblhau'r ymchwiliad cyn dechrau gwrandawriad disgyblu'r corff llywodraethol.

Mae gan gyrrff llywodraethol ryddid i benderfynu pwy y penodant yn ymchwilydd annibynnol. Os penderfynant ddefnyddio gwasanaeth Llywodraeth y Cynulliad, bydd ymchwilydd yn cael ei bennu yn ddi-dâl i'r corff llywodraethol. Neu, gall y corff llywodraethol benodi ei ymchwilydd ei hun, a byddai'n rhaid defnyddio cyllideb ddirprwyedig y corff llywodraethol i dalu'r gost hon.

Dylid anfon ceisiadau i ddefnyddio Gwasanaeth Llywodraeth y Cynulliad yn uniongyrchol at Dream Group Ltd gan ddefnyddio'r manylion cyswllt a roddir uchod, ac nid at Lywodraeth y Cynulliad. Fel arfer bydd yr Heddlu yn cael cytundeb gan y tystion y gellir defnyddio unrhyw dystiolaeth a gasglwyd yn ystod yr erlyniad mewn unrhyw ystyriaeth ddilynol o weithred ddisgyblu. Dylai'r ymchwilydd annibynnol fedru defnyddio'r Heddlu a thystiolaeth arall felly, ac rydym yn cymryd camau i sicrhau cytundeb gan awdurdodau'r Heddlu i ryddhau dystiolaeth wreiddiol. Bydd ar yr ymchwilydd angen adolygu, ac fel y bo angen, ychwanegu at y dystiolaeth gan yr awdurdodau statudol yng ngoleuni gofyniad disgyblu'r corff llywodraethol.

Yn unol â Rheoliad 55(4A) o Rheoliadau Staffio Ysgolion a Gynhelir (Cymru) 2005 ("Rheoliadau 2005") a fewnosodwyd drwy Rheoliad 8 o Reoliadau 2006, ni all ymchwilydd fod yn:

- llywodraethwr yr ysgol o dan sylw (ond gallai fod yn llywodraethwr ysgol arall),
- rhiant disgybl presennol neu gyn-ddisgybl yn yr ysgol o dan sylw,
- aelod presennol neu gyn-aelod o'r staff yn yr ysgol o dan sylw,
- person a gyflogir gan yr AALI sy'n cynnal yr ysgol o dan sylw.

Y diffiniad o AALLau yn adran 12(5) o'r Ddeddf Addysg 1996 yw cynghorau sir neu gynghorau bwrdeistref sirol. Mewn



gwirionedd, yr AALI yw'r awdurdod lleol. Felly ni all unrhyw berson a gyflogir gan yr awdurdod lleol neu AALI sy'n cynnal yr ysgol gael ei ystyried fel ymchwilydd annibynnol.

Rôl y Gwasanaeth Ymchwiliad Annibynnol yw:

- Ystyried yr holl dystiolaeth, yn cynnwys yr hyn a ddarparwyd gan yr awdurdodau statudol, ac archwilio'r ffeithiau mewn perthynas â'r honiad. Gallai hyn olygu cyfweled â thystion.
- Cynhyrchu adroddiad yn cynnwys yr holl gasgliadau ar gyfer cadeirydd y pwyllgor disgyblu/diswyddo staff.
- Cyflwyno'r adroddiad mewn gwrandawriad disgyblu ac unrhyw wrandawriad apêl.

Dylid pwysleisio y bydd y penderfyniad ar gasgliadau'r adroddiad yn cael ei wneud gan y pwyllgor disgyblu/diswyddo staff ar y cyd. Nid rôl yr ymchwilydd nac unrhyw unigolyn neu gorff arall yw gwneud y penderfyniad hwn.

Gall cyrff llywodraethol wrthod ymchwilydd a bennwyd gan Wasanaeth Ymchwiliad Annibynnol Llywodraeth y Cynulliad os oes ganddynt dystiolaeth bod y person yn dod o fewn un o'r categorïau a waharddwyd drwy reoliad neu fod y person yn adnabyddus i unrhyw aelod o'r pwyllgor disgyblu/diswyddo, y pwyllgor apêl disgyblu/diswyddo neu gynrychiolwyr eu hundeb, ac mae eu hamhleidioldeb yn amheus. O dan yr amgylchiadau hyn byddai angen i gadeirydd y pwyllgor disgyblu gyflwyno ei dystiolaeth/thystiolaeth a gofyn am bennu ymchwilydd arall.

Penodi Aelod Annibynnol nad yw'n Llywodraethwr ar y Pwyllgor Disgyblu a Diswyddo Staff a'r Pwyllgor Apêl Disgyblu a Diswyddo Staff

Yn ogystal â'r gofyniad am ymchwiliad annibynnol ar gyfer pob honiad diogelu plant mae rheoliad 8(3)(b) o Rheoliadau 2006 yn cyflwyno darpariaethau newydd i Rheoliad 55 o Rheoliadau 2005. Mae Rheoliad 55(3) a (4) o Rheoliadau 2005 bellach yn gorchymyn i'r corff llywodraethol benodi person annibynnol, nad yw'n llywodraethwr gyda hawliau pleidleisio i fod yn aelod o'r pwyllgor disgyblu a diswyddo staff a'r pwyllgor apêl disgyblu a diswyddo staff pan fydd y pwyllgorau hyn yn ystyried honiadau yn erbyn staff ysgol sy'n ymwneud â materion diogelu plant. Nod y gofyniad hwn yw rhoi cefnogaeth a chymorth pellach i gyrff llywodraethol wrth drin yr achosion hyn sydd yn aml yn anodd. Mae Rheoliad 55(8) o Rheoliadau 2005, a ddiwygiwyd gan Rheoliad 8(4)(c) o Rheoliadau 2006 yn darparu fod gan y rhai nad ydynt yn llywodraethwyr yr hawl i bleidleisio wrth ystyried honiadau diogelu plant.

Ni chaiff yr aelod nad yw'n llywodraethwr fod yn:

- llywodraethwr yr ysgol o dan sylw (ond gallai fod yn llywodraethwr ysgol arall),
- rhiant disgybl presennol neu gyn-ddisgybl yn yr ysgol o dan sylw,
- aelod presennol neu gyn-aelod o'r staff yn yr ysgol o dan sylw,
- cael ei gyflogi gan yr AALI sy'n cynnal yr ysgol dan sylw.

Y diffiniad o AALIau yn adran 12(5) o'r Ddeddf Addysg 1996 yw cynghorau sir neu gynghorau bwrdeistref sirol. Mewn gwirionedd, yr AALI yw'r awdurdod lleol. Yn ymarferol mae hyn yn golygu na all unrhyw berson a gyflogir gan yr

awdurdod lleol neu AALI sy'n cynnal yr ysgol gael ei ystyried fel aelod nad yw'n llywodraethwr gyda hawliau pleidleisio ar bwyllgor disgyblu a diswyddo staff a phwyllgor apêl disgyblu a diswyddo staff cyrff llywodraethol.

Rôl yr aelod nad yw'n llywodraethwr yw aros gydag aelodau staff y pwyllgor disgyblu a diswyddo staff neu'r pwyllgor apêl pan fyddant yn ystyried y dystiolaeth o'r gwrandawriad, a'u harwain i roi'r ystyriaeth briodol i'r holl dystiolaeth a dod i benderfyniad teg. Y sgiliau allweddol y disgwyliwn gan aelodau nad ydynt yn llywodraethwr felly yw sgiliau dadansoddol, ac efallai gwybodaeth am faterion diogelu plant.

Mae hyn yn rhoi rhywfaint o hyblygrwydd i gyrff llywodraethol wrth benderfynu ble i chwilio am y penodiadau ar gyfer yr aelod nad yw'n llywodraethwr. Bydd Llywodraeth Cynulliad Cymru yn rhoi mwy o arweiniad ar bwy all gyflawni'r rôl hon, ond yn y cyfamser, gallai cyrff llywodraethol ystyried:

- person o AALI cyfagos (yn ein profiad ni, mae 'r bobl y gofynnir iddynt ymchwilio i faterion disgyblu/diswyddo corff llywodraethol yn dod yn gyffredinol o Adrannau Addysg, Adnoddau Dynol neu Gyfreithiol) ond gallent fod yn gweithio yn rhywle arall yn yr awdurdod lleol,
- llywodraethwr gyda'r profiad priodol o gorff llywodraethol arall,
- person gyda'r profiad priodol o faes gwirfoddol megis Cyngor Ar Bopeth.

Gall yr aelod nad yw'n llywodraethwr gymryd lle un o'r tri llywodraethwr a bennwyd i eistedd ar bwyllgor disgyblu a diswyddo staff a'r pwyllgor apêl disgyblu a diswyddo staff, neu gallai fod yn ychwanegol i'r tri llywodraethwr. Rhaid bod yna o leiaf ddau llywodraethwr ar bob pwyllgor a byddai gan gadeirydd y pwyllgor y bleidlais fantol os oes pleidlais gyfartal dros un o'r penderfyniadau a wnaed. Ni all yr aelod nad yw'n llywodraethwr gadeirio unrhyw un o'r pwyllgorau.

I egluro, nid yw'r aelod nad yw'n llywodraethwr yn cymryd lle'r ymgynghorydd o'r AALI. Mae Rheoliadau 17(9) ar gyfer y gymuned, ysgolion cymunedol arbennig a gwirfoddol a reolir, a Rheoliad 30 ar gyfer ysgolion sylfaen a gwirfoddol a gynhelir, o Rheoliadau 2006, yn rhoi hawliau penodol i'r prif swyddog addysg ac/neu i'w gynrychiolydd/ chynrychiolydd i fod yn bresennol ymhob achos diswyddo i roi cyngor i'r corff llywodraethol.

Os oes gennych unrhyw ymholiadau, byddwchystal â chysylltu â Catherine Pickett ar 02920 826051.

Llywodraethwyr Cymru

Governors Wales

LLINELL GYMORTH LLYWODRAETHWYR

0845 6020100

**yw'r linell gymorth newydd ar gyfer
llywodraethwyr ysgolion yng Nghymru.**

Mae'r linell gymorth a weithredu'r gan Lywodraethwyr Cymru yn darparu cyngor ar ystod o faterion llywodraethwyr ar draws Cymru.



SGYRSIAU

Mae Rosina Frew yn rhiant-lywodraethwraig yn Ysgol Olchfa, Abertawe, ysgol gyfun gymysg 11-18. Yn rhifyn y tymor hwn o Cadwyn mae'n siarad â'r golygydd Steve Gullick am ei rôl.

SG Ers pryd rydych wedi bod yn rhiant-lywodraethwr yn Olchfa, Rosina?

RF Ychydig dros 18 mis. Rwyf yn Is-Gadeirydd ers bron blwyddyn hefyd, ac rwyf wedi cadeirio dau gyfarfod.

SG Felly mae hwn wedi bod yn gyfnod dysgu dwys i chi.

RF Yn debyg i ddringo wyneb clogwyn!

SG Felly beth a berodd i chi ddod yn rhiant-lywodraethwr?

RF Damwain a hap, a dweud y gwir. Roeddwn yn sgwrsio â rhywun sydd eisoes yn llywodraethwr ysgol ac roedd ei ddisgrifiad o'r rôl yn swnio'n ddi-ddorol; felly penderfynais sefyll fel ymgeisydd yn etholiad rhiant-lywodraethwyr Olchfa a bûm yn ddigon ffodus i gael fy ethol. Ni allaf honni 'mod i wedi dymuno newid y byd, ac yn sicr, nid oeddwn yn gwybod beth oedd o'm blaen.

SG Ac a yw eich profiad wedi eich digalonni?

RF Nac ydy. I'r gwrthwyneb, a dweud y gwir. Mae'r hyn yr wyf yn ei wneud yn well nag y disgwyliwn, yn bennaf, rwy'n meddwl, oherwydd y gefnogaeth a gaf gan lywodraethwyr eraill, ac oherwydd, ers y cychwyn cyntaf, roedd yn hollol eglur bod fy syniadau a'm barnau yn cael eu gwerthfawrogi, er 'mod i'n reit ddi-brofiad.

SG A ydych yn eistedd ar unrhyw bwyllgorau cyrff llywodraethol?

RF Ydyf, pump ohonynt - Cwricwlwm, Anghenion Arbennig, Derbyn, Disgyblu Staff a Disgyblu Disgyblion. Mi wn fod hyn yn swnio'n nifer fawr, ond fy nheimplad oedd, mwyaf oll o bwyllgorau yr eisteddaswn arnynt, cyflymaf y dysgw'n am yr ysgol, ac felly y bu. Nid wyf yn meddwl y gallwn fod wedi derbyn swydd Is-Gadeirydd oni bai 'mod i wedi cael y wybodaeth hon mor gyflym.

SG Rhaid eich bod yn treulio tipyn o amser yn yr ysgol?

RF Tybiaf i mi fynd i un cyfarfod bob rhyw bythefnos, er y buom yn brysur iawn y llynedd yn cyflwyno'r Cyfrifoldebau Addysgu a Dysgu (TLR), a golygai hyn bod yna fwy o gyfarfodydd nag arfer. Yn ogystal, wrth gwrs, rwyf yn eistedd ar bum pwyllgor, felly ddwedwn i ddim 'mod i'n llywodraethwr nodweddiadol.

SG Gadwech i ni fynd yn ôl at swydd y rhiant-lywodraethwr. Beth yw'r rolau pwysicaf, yn eich barn chi?

RF Yn amlwg, yr un ydynt â rhai pob llywodraethwr arall, prif nod pob un ohonom yw sicrhau'r hyn sydd orau i'r ysgol, i'r disgyblion ac i'r staff, a'r un yw ein ffyrdd o gyflawni hyn, megis monitro gwaith yr ysgol a helpu i sefydlu amcanion tymor hir, ayb. Yr hyn sy'n bwysig fel rhiant-lywodraethwyr, fodd bynnag, yw ein safbwynt arbennig ar yr ysgol. Fe'i gwelwn o safbwynt rhieni'r disgyblion, ac mae hyn ychydig yn wahanol i'r ffordd y byddai athro-lywodraethwr yn gweld yr ysgol, y ffordd y byddai llywodraethwr AALI yn gweld yr ysgol, ac yn y blaen. Mae'r ffyrdd braidd yn wahanol hyn o weld yr ysgol yn hanfodol wrth i ni gynorthwyo'r Pennaeth a Thîm yr Uwch Reolwyr i redeg yr ysgol yn llwyddiannus. Yn ail, gan fod rhiant-lywodraethwr yn debygol o fod yn adnabod rhieni disgyblion eraill yn yr ysgol, mae'n bosibl cael syniad da o'u syniadau ar faterion a mentrau yn yr ysgol, ac rwy'n ymwybodol fod y Pennaeth a'r

llywodraethwyr eraill yn gwerthfawrogi'r ffordd y gall rhiant-lywodraethwyr helpu i'w cadw mewn cysylltiad â theimpladau'r rhieni.

SG Yn eich barn chi, felly, beth yw'r prif heriau i riant-lywodraethwyr wrth gyflawni eu rôl?

RF Y peth mwyaf amlwg yw amser. Unwaith y byddwch wedi ymroi i fod yn llywodraethwr, mae'n wirioneddol bwysig eich bod yn bresennol ymhob cyfarfod, ac yn sicr, gall jyglo gydag amser fod yn anodd. Yr her nesaf i ymdopi ag ef yw'r ffaith y gallech fod yn meddwl nad oes gennych lawer o wybodaeth am ysgolion. Nid yw rhieni yn arbenigwyr mewn addysg, ond pan ddônt yn llywodraethwyr, maent yn symud i mewn i fyd "jargon addysg" a gall hyn fod yn fygythiol; i'r graddau lle y gallech fod yn ofni siarad. Gwn na ddwedais i braidd dim yn y ddau gyfarfod cyntaf, er i mi gael digon o gefnogaeth gan y llywodraethwyr eraill. Yn drydydd, rhaid i chi fod yn amhleidiol bob amser wrth ystyried materion. Gall hyn fod yn arbennig o anodd i riant-lywodraethwyr, a hefyd i athrawon a staff sy'n llywodraethwyr, gan fod eu lles personol ynghlwm yn yr ysgol a gallent fod yn adnabod yn bersonol pobl a fydd yn cael eu heffeithio gan unrhyw benderfyniad a wneuch, ond mae amhleidioldeb yn hanfodol gan y gallai llawer iawn ddibynnu ar ddeiliant eich penderfyniad chi.

SG I gloi, Rosina, pa gyngor hoffech chi ei roi i riant-lywodraethwr newydd?

RF Yn gyntaf oll, peidiwch ag ofni siarad mewn cyfarfodydd. Yn sicr, ni fydd neb yn meddwl nad oes gennych wybodaeth neu ddealltwriaeth, a bydd eich barn yn cael ei barchu a'i werthfawrogi gan gorff llywodraethol da. Yn ail, ceisiwch eistedd ar nifer o wahanol bwyllgorau fel y byddwch yn cael cyfle i weld yr ysgol o nifer o safbwyntiau. Os ydych ar y Pwyllgor Cyllid, er enghraifft, byddwch yn dod i werthfawrogi yn gyflym pa mor bwysig yw gwario'n ddoeth, er na fyddwch yn dysgu rhyw lawer ynghylch problemau adeiladau oni bai y byddwch yn eistedd ar y Pwyllgor Adeiladau. Mae cael golwg cynhwysfawr ar yr ysgol yn werthfawr iawn a bydd yn eich yn helpu i wneud penderfyniadau. Yn drydydd, peidiwch ag ofni gofyn i'r Pennaeth neu i unrhyw llywodraethwr eraill am gymorth. Byddant yn croesawu hyn, oherwydd bydd yn golygu y byddwch yn fwy hyderus i gymryd rhan weithredol mewn cyfarfodydd. Mi wn 'mod i wedi elwa ar hyn. Fyddwn i fyth wedi teimlo y gallwn ddod yn Is-Gadeirydd ar ôl chwe mis oni bai mod i wedi gofyn i'r Pennaeth ac i gydweithwyr mwy profiadol am gyngor. Mae'n golygu hefyd eich bod yn mwynhau bod yn llywodraethwr llawer mwy na phetaech yn eistedd mewn cyfarfodydd yn teimlo'n ddryslyd.

SG Felly nid yw'n edifar gennych ddod yn rhiant-lywodraethwraig?

SG Dim o gwbl! Y gwir yw, mae yna un budd hollol annisgwyl, sef bod fy ngwr wedi dysgu coginio'n well ers i mi fynd i gyfarfodydd cyrff llywodraethol, gan fod yn rhaid iddo ef baratoi swper!

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