

Seibiant – arweiniad i Ymarferwyr Gofal Plant a Gwaith Chwarae a’u cyflogwyr

Mae Llywodraethy DU wedi datblygu [arweiniad i gyflogwyr](#), os yw’ch cyflogwr wedi eich gosod ar seibiant, bydd yr arweiniad hwn yn gymorth i chi ateb rhai Cwestiynau Cyffredin ynghylch bod yn gyflogai ar seibiant.

Hefyd mae gan Cwlwm [arweiniad](#) ar Gwestiynau Cyffredin ar Seibiant ar gyfer lleoliadau Gofal Plant a Gwaith Chwarae.

Crynodeb o bwyntiau ar gyflogai ar seibiant:

‘**Seibiant**’ Os ydych chi a’ch cyflogwr eich dau yn cytuno, mae’n bosibl y gall eich cyflogwr eich cadw ar y gyflogres os nad ydynt yn gallu bod yn weithredol neu os nad oes ganddynt waith i chi ei wneud oherwydd coronafeirws (COVID-19). Gelwir hyn gyfnod o fod ‘ar seibiant’.

- Rhaid i chi fod wedi bod ar gyflogres TWE eich cyflogwr ar Chwefror 28 2020. Gallwch fod ar unrhyw fath o gontract, yn cynnwys contract dim-oriau neu gontract dros dro.
- Ni allwch wneud gwaith i’ch cyflogwr tra byddwch ar seibiant.
- **Cyflogwyr sy’n derbyn ariannu cyhoeddus i dalu costau staff** a bod yr ariannu hwnnw’n parhau, y mae’n annhebygol y byddwch yn cael eich gosod ar seibiant; bydd eich cyflogaeth yn hytrach yn parhau, ond mae’n bosibl na fydd unrhyw waith i chi ymgymryd ag ef tra bod y wlad yn ddisymud. Neu, gall eich cyflogwr ofyn i chi wneud eich gwaith arferol o fan gwahanol. *Mewn nifer bychan o achosion, er enghraifft, lle nad yw sefydliadau wedi eu hariannu’n bennaf gan y llywodraeth, a lle na ellir ailoddi staff i gynorthwyo gyda’r ymateb i coronafeirws, gall eich cyflogwr eich gosod ar seibiant (yn amodol ar eich cytundeb fel y gosodir uchod) a hawlio o Gynllun Cadw Swyddi Coronafeirws y Llywodraeth (cyf <https://www.gov.uk/guidance/claim-for-wage-costs-through-the-coronavirus-job-retention-scheme>)*
- Os oes gennych fwy nag un swydd fel arfer, gellir eich gosod ar seibiant gan un cyflogwr a dal i weithio i’r cyflogwyr eraill; os yw’n bosibl i chi barhau’r gwaith y mae’r swyddi hynny’n ei olygu, fod hyn yn cael ei ganiatáu yn ôl eich contract cyflogaeth, ac i chi fod ar gynlluniau TWE y cyflogwyr eraill ar Chwefror 28 2020. Unwaith y byddwch ar gyfnod seibiant o gyflogwr, ni fyddwch yn gallu gweithio i’r cyflogwr hwnnw, ond gallwch **ymgymryd â hyfforddiant neu wirfoddoli** yn

Furlough - a guide for Childcare and Playwork Practitioners and their employers

UK government have developed [guidance for employees](#), if your employer has placed you on furlough, this guide will support you to answer some Frequently Asked Questions about being a furloughed employee.

Cwlwm have also [guidance](#) on Furlough FAQ’s for Childcare and Playwork settings.

Summary of points of a furloughed employee:

‘**Furlough**’ If you and your employer both agree, your employer might be able to keep you on the payroll if they’re unable to operate or have no work for you to do because of coronavirus (COVID-19). This is known as being ‘on furlough.’

- you must have been on your employer’s PAYE payroll on 28 February 2020. You can be on any type of contract, including a zero-hour contract or a temporary contract.
- You cannot undertake work for your employer while on furlough.
- **Employers receiving public funding for staff costs** and that funding is continuing, it is unlikely that you will be furloughed, instead your employment will continue but there may not be any work for you to undertake whilst the country is in lockdown. Alternatively, your employer may ask you to temporarily perform your usual work from a different location. *In a small number of cases, for example where organisations are not primarily funded by the government and whose staff cannot be redeployed to assist with the coronavirus response, your employer may furlough you (subject to your agreement as set out above) and claim from the Government’s Coronavirus Job Retention Scheme. (ref <https://www.gov.uk/guidance/claim-for-wage-costs-through-the-coronavirus-job-retention-scheme>)*
- If you usually have more than one job, you can be put on furlough by one employer and continue to work for the other employers, if it is possible for you to continue the work that those jobs entail, it is permitted within your employment contract and you were on the other employers’ PAYE schemes as at 28 February 2020. Once you are on furlough from an employer, you will not be able to work for that employer, but you can **undertake training or volunteer** subject to public health guidance, as

amodol ar yr arweiniad ar iechyd cyhoeddus, ar yr amod na fyddwch yn darparu gwasanaethau nac yn cynhyrchu refeniw i'r cyflogwr hwnnw.

- Os ydych ar seibiant o unrhyw un o'ch cyflogwyr arferol mae'n bosibl y gallwch ymgymryd â gwaith newydd â thâl, yn amodol ar fodloni'r amodau canlynol:
 - Bod eich contract(au) cyflogaeth presennol yn caniatáu i chi weithio i gyflogwyr eraill (gall hyn fod wedi ei gymeradwyo'n glir ganddynt, a dylech geisio hyn a'i gael yn ysgrifenedig).
 - Lle nad yw'ch contract(au) lleol yn caniatáu i chi weithio i gyflogwyr eraill, dylech geisio hepgor hyn am y cyfnod y byddwch ar seibiant oddi wrthynt (nodwch os gwelwch yn dda y bydd gofyn i chi, fel arfer, roi'r gorau i'r gwaith newydd â thâl unwaith y bydd eich cyfnod o absenoldeb ar seibiant yn dod i ben ac eithrio pan na fydd yr oriau sy'n cael eu gweithio gennych yn gwrthdaro â'ch oriau cyflogaeth arferol, neu os ydych wedi ymddiswyddo o'ch cyflogaeth bresennol.
- **Beth os ydych yn gwirfoddoli mewn lleoliad arall a allai fod yn cymryd ffioedd?** Ar yr amod nad yw'r cyflogwr sydd wedi eich gosod ar seibiant, ac sy'n dal i'ch talu, yn elwa'n ariannol o'ch gwaith gwirfoddol, gallwch ddal i wirfoddoli mewn man arall tra byddwch ar seibiant.
- Os ydych chi a'ch cyflogwr yn cytuno i'ch gosod ar seibiant, bydd angen i chi barhau ar seibiant am 3 wythnos o leiaf mewn unrhyw un cyfnod o seibiant (gall un cyfnod o seibiant bara'n hirach na 3 wythnos). Mae hyn fel y gall eich cyflogwr wneud hawliad o Gynllun Cadw Swyddi Coronafeirws y Llywodraeth. Er hynny, gall eich cyflogwr eich gosod ar seibiant fwy nag unwaith, er enghraifft os torrir ar draws gyfnod o seibiant gan gyfnod o waith, cyhyd â bod pob cyfnod o seibiant yn para o leiaf 3 wythnos. Bydd Cynllun Cadw Swyddi Coronafeirws y Llywodraeth ar agor am o leiaf 3 mis o Fawrth 1af 2020; mae'r Llywodraeth wedi awgrymu bod hyn yn cael ei adolygu'n gyson ac y gellid ei ymestyn yn ddibynnol ar sut y bydd y pandemig yn datblygu.
- **Beth sy'n digwydd i Wyliau Blynyddol yn ystod cyfnod seibiant?** Caiff hyn ei grynhoi ar sail arferol (bydd y flwyddyn wyliau a'r hawliau arferol yn gymwys) a gellid eu cymryd yn ystod y cyfnod seibiant neu pan fyddir yn ôl mewn cyflogaeth. Gall cyflogwyr hawlio o dan Gynllun Cadw Swyddi Coronafeirws y Llywodraeth hyd yn oed os yw cyflogai'n cymryd gwyliau pan fydd ar seibiant. (ond rhaid talu 100% i'r cyflogai dros unrhyw gyfnod y maent yn ei gymryd fel gwyliau).

long as you do not provide services to or generate revenue for that employer.

- If you are on furlough from any of your usual employers you may be able to take up new paid employment, subject to satisfying the following conditions:
 - Your current contract(s) of employment permit you to work for other employers (this may be with their explicit approval which you should seek and obtain in writing)
 - Where your current contract(s) do not permit you to work for other employers, you obtain written permission from those employers to waive this for the duration that you are on furlough from them (please note you will usually be required to give up the new paid employment once your period of furlough leave ends unless the hours being worked do not conflict with your usual employment hours or you have resigned from your usual employment)
- **What if you are volunteering in another setting which may be taking fees?** Provided the employer who has placed you on furlough and continues pay you is not benefitting financially from your volunteering then you can continue to volunteer elsewhere whilst on furlough.
- If you and your employer agree to place you on furlough, you will need to remain on furlough for a minimum of a 3 weeks in any one period of furlough (one furlough period can last longer than 3 weeks). This is so that your employer is able to make a claim on the Government's Coronavirus Job Retention Scheme. However, your employer can place you on furlough more than once, for example if a furlough period is interrupted by a period of work, provided that each furlough period is at least 3 weeks in duration. . The Government's Coronavirus Job Retention scheme will be open for at least 3 months from 1 March 2020; the Government has indicated this is being kept under review and may be extended depending on how the pandemic develops.
- **What happens to Annual Leave during a furlough period?** This is accrued on a normal basis (the normal holiday year and entitlements apply) and can be taken during the period of Furlough or when back in employment. Employers are able to claim under the Government's Coronavirus Job Retention scheme even if an employee takes holiday whilst on furlough (however, the employee must be paid 100% for any periods that they take as holiday).

- Os yw'ch cyflog yn cael ei gwtogi o ganlyniad i'r newidiadau hyn, mae'n bosibl y byddwch yn gymwys i gael cymorth drwy'r system les, yn cynnwys Credyd Cynhwysol.

- If your salary is reduced as a result of these changes, you may be eligible for support through the welfare system, including Universal Credit.

Cwestiynau Cyffredin pan fyddwch yn ystyried gweithio neu wirfoddoli yn eich cymuned leol tra byddwch ar Seibiant.

Rwyf yn gyflogai ar seibiant, a allaf:

- **wirfoddoli mewn lleoliad Gofal Plant neu Waith Chwarae?** Gall cyflogai ar seibiant gymryd rhan mewn gwaith gwirfoddol neu hyfforddiant, ar yr amod nad yw'n darparu gwasanaethau ar gyfer, nac yn cynhyrchu refeniw, i'r cyflogwr a'u rhoddodd ar seibiant.
 - **Beth os ydynt yn gwirfoddoli mewn lleoliad arall a allai fod yn cymryd ffioedd?** Os nad yw'r cyflogwr sy'n hawlio oddi wrth y Llywodraeth dros gyflogeion ar seibiant yn elwa ar y gwirfoddoli, yna gall y cyflogai ddal i wirfoddoli mewn man arall tra bydd ar seibiant ac yn derbyn tâl gan eu cyflogwr.
- **gymryd gwaith â thâl mewn man arall tra byddaf ar seibiant?** Os ydych wedi'ch rhoi ar seibiant gallwch gymryd cyflogaeth â thâl gyda gwahanol gyflogwr ar yr amodau canlynol:
 - Bod eich contract(au) cyflogaeth presennol yn caniatáu i chi weithio i gyflogwyr eraill (gallai fod yn ofynnol i gael eu cymeradwyaeth glir; dylech geisio hyn, a'i gael yn ysgrifenedig).
- **gael oriau ychwanegol gan gyflogwr arall gan fod gennyf ddwy swydd, ac wedi fy rhoi ar seibiant oddi wrth un, ond yn dal yn gyflogedig gyda'r llall?** **Cewch, ar yr amod nad ydych yn gwneud unrhyw waith i'r cyflogwr yr ydych wedi cymryd seibiant oddi wrtho, a bod gennych ganiatâd eich cyflogwyr arferol i weithio mewn man arall; yna fe allwch gymryd oriau ychwanegol gan gyflogwr yr ydych yn parhau i weithio iddo.**
- **gymryd absenoldeb heb dâl a gweithio mewn man arall?** Mae hyn yn bosibl ond rhaid ei gytuno gyda'ch prif gyflogwr gan na fyddant yn gallu hawlio drosoch o dan Gynllun Cadw Swyddi Coronafeirws (CJRS) y Llywodraeth tra byddwch ar absenoldeb â thâl. Y pwyntiau i'w nodi yw:
 - rhaid i chi fod yn glir ar y dyddiadau absenoldeb heb dâl gyda'ch prif gyflogwr fel nad oes perygl i'r cyflogwr hawlio o'r Cynllun Cadw Swyddi Coronafeirws pan fyddwchchi'n gweithio mewn man arall, ac nad oes perygl i chi gael eich talu gan eich cyflogwr presennol tra byddwch yn cael

FAQ's when considering working or volunteering in your local community whilst on Furlough.

I am a furloughed employee can I:

- **volunteer in a Childcare or Playwork setting?** A furloughed employee can take part in volunteer work or training, as long as it does not provide services to or generate revenue for the employer they have been furloughed by.
 - **What if they are volunteering in another setting which may be taking fees?** Provided the employer claiming from the Government for furloughed employees is not benefitting from the volunteering then the employee can continue to volunteer elsewhere whilst on furlough and receiving payment from their employer.
- **take up paid work elsewhere whilst on furlough?** If you are furloughed you can take up paid employment with a different employer on the following proviso:
 - Your current contract(s) of employment permit you to work for other employers (this may require their explicit approval which you should seek and obtain in writing)
- **take on extra hours from another employer as I have two jobs and am furloughed from one, but still employed with the other. Yes, as long as you do not** do any work for the employer that you are furloughed from, and you have permission from your normal employers to work elsewhere, then you can take on extra hours from an employer that you continue to perform work for.
- **take unpaid leave and work elsewhere?** This is possible but must be agreed with your principal employer, as they will not be able to make a claim for you under the Government's Coronavirus Job Retention Scheme whilst you are on unpaid leave. Points to note are:
 - you must be clear on the unpaid leave dates with your principal employer so there is no chance of the employer claiming from the Coronavirus Job Retention Scheme when you are working elsewhere, and there is no chance of you being

eich talu yn ogystal gan eich cyflogwr newydd, dros dro.

- Mae'n bosibl y bydd angen i'ch prif gyflogwr ddod â'ch absenoldeb heb dâl i ben ag ychydig iawn o rybudd, a bydd disgwyl i chi ddychwelyd i'ch prif swydd yn syth. Gall hyn fod oherwydd bod y gwaith wedi aildechrau, ond gall hefyd fod oherwydd bod ar eich cyflogwr angen eich gosod ar seibiant (fel y gall rhywfaint o gostau eich cyflogi gael eu had-dalu o'r Cynllun Cadw Swyddi Coronafeirws) a gofyn i chi gymryd rhywfaint o wyliau blynyddol tra byddwch ar seibiant.
- **Nid oeddwn yn gymwys i'm gosod ar seibiant h.y. ymunais ar ôl Chwefror 29^{ain}, ac felly rwyf wedi fy niswyddo dros dro heb dâl heblaw am dâl gwarant statudol, a allaf weithio yn rhywle arall?** Cyhyd â bod eich cyflogwr yn cydsynio, gallwch ymgymryd â gwaith â thâl mewn man arall. Fodd bynnag, mae'n bwysig eich bod yn deall, pan fydd eich cyflogaeth arferol gyda'ch prif gyflogwr yn aildechrau, bod gofyn i chi ddychwelyd i'r gwaith yn syth oni bai eich bod wedi ymddiswyddo. Ond dylech hefyd nodi, os daeth eich cyflogaeth flaenorol i ben ar neu cyn Chwefror 28ain, y gallwch gysylltu â'ch cyflogwr blaenorol a gofyn am gael eich ail-hurio a'ch gosod ar seibiant ganddynt.
- **Rwyf wedi cael cais i weithio mewn lleoliad gwahanol i'm lleoliad arferol; a ganiateir hyn?** Os yw'r lleoliad gwahanol yn cael ei reoli gan eich cyflogwr presennol, sy'n golygu eich bod ddim ond wedi cael cais i weithio i'r un cyflogwr, ond o leoliad gwahanol, mae hyn yn rhywbeth a ddisgwylir fel arfer gan gyflogaeth, ac fe'i gwarchodir gan 'gymal symudedd' yn y contract cyflogaeth. Os, fodd bynnag, y gofynnwyd i chi weithio mewn lleoliad gwahanol lle byddai'r cyflogwr yn wahanol (ac y byddech yn cael eich talu gan gyflogwr gwahanol), mae'r un cyngor ag sydd eisoes wedi ei osod i lawr uchod, ar weithio i gyflogwr arall, yn gymwys, h.y. gwneir, fe ganiateir hyn, cyhyd â bod eich prif gyflogwr yn caniatáu hyn, naill ai oherwydd ei fod yn y contract neu am fod eich prif gyflogwr wedi cytuno i hyn.

paid by your current employer whilst also being paid by your temporary new employer.

- your principal employer may need to end your unpaid leave at very short notice and you will be expected to return to your principal job immediately, this may be because work has resumed, but it may also be because your employer needs to place you on furlough (so that some of your employment costs can be recovered from the CJRS) and ask you take some annual leave whilst on furlough.
- **I was not eligible to be furloughed i.e. I joined after 29th February, and so I am temporarily laid off with no pay other than statutory guarantee pay, can I work elsewhere?** Provided your employer consents, you can undertake paid work elsewhere. It is however important for you to understand that when your normal employment with your principal employer resumes you are required to immediately return to work unless you have resigned. However, please also note if your previous employment ended on or after 28th February you can approach your previous employer and ask to be re-hired and placed on furlough by them.
- **I have been asked to work at a different setting than I normally do, is this allowed?** If the different setting is managed by your current employer such that you are simply being asked to work for the same employer but from a different location, this is usually expected of employees and is usually covered by a 'mobility clause' in the contract of employment. If, however, you have been asked to work at a different setting where the employer would be different (and you would be paid by a different employer), the same advice that has already been set out above regarding working for another employer applies i.e. yes, that is permitted provided your principal employer permits this, either because it is in the contract or your principal employer has agreed to it.

 <p>www.clybiauplantcymru.org</p>	 <p>arbenigwyr y blynyddoedd cynnar Welsh early years specialists</p> <p>https://www.meithrin.cymru/</p>	 <p>https://www.ndna.org.uk/</p>
 <p>https://www.pacey.org.uk/</p>	 <p>https://www.cwlwm.org.uk/</p>	 <p>https://earlyyears.wales/</p>