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Ysgrifennydd y Cabinet dros Addysg
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Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref LN/PO/282/2025

Children, Young People and Education Committee

SeneddChildren@senedd.wales

12 June 2025

Dear Buffy,

Thank you for your letter of 7 May on behalf of the Children, Young People and Education Committee, in relation to the Children's Wellbeing and Schools Bill.

Having considered the points you have raised, I believe that the Legislative Consent Memorandum (LCM) that was laid on 24 March omitted to include some of the provisions in relation to children not in school measures which require the legislative consent of the Senedd. As I explained to the Legislation, Justice and Constitution Committee when I gave evidence on 12 May, this was an oversight. I apologise that these provisions were missed. The clauses referenced in your letter are Clause 35 and Schedule 2, Clause 63 and Clause 66.

To rectify this, today I have laid a supplementary LCM under Standing Order 29 which covers these provisions.

The specific queries raised in your letter of 7 May are addressed below:

1. As set out in the [UK Government's Explanatory Note](#), Clause 35 and Schedule 2 of the current published Bill, do require Senedd consent. These provisions relate to consequential amendments.
2. Clause 63 of the Bill (as currently published), provides the Secretary of State with the power to make consequential provisions, including a Henry VIII power to amend, repeal, revoke primary legislation, including an Act or Measure of the Senedd. As you have queried, the LCM that was submitted on 24 March did not reference that this provision requires Senedd consent. There are no equivalent powers for the Welsh Ministers and this issue has been raised with the UK Government. I will provide further information to the Committee on this power following engagement with the UK Government.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

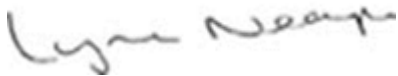
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

3. Current Clause 66 within the Bill provides Welsh Ministers with the power to make regulations to commence clauses 30-35 and Schedule 2. These clauses relate to the children not in school provisions, and the regulations that will be required in order to commence them. Clause 66 does require Senedd consent.

Once again, I apologise for the oversight in relation to these provisions. I hope that this information allows the Committee to continue its consideration of the LCM.

I have copied this letter to the Clerk of the Legislation, Justice and Constitution Committee for information.

Yours sincerely,



Lynne Neagle AS/MS
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Cabinet Secretary for Education