

**Y Pwyllgor Deddfwriaeth,
Cyfiawnder a'r Cyfansoddiad**

**—
Legislation, Justice and
Constitution Committee**

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Lynne Neagle MS
Cabinet Secretary for Education

3 February 2026

Supplementary Legislative Consent Memorandum (Memorandum No 4): Children's Wellbeing and Schools Bill

Following its laying on 16 January 2026, we were due to consider our report on the above Memorandum yesterday in readiness for a debate scheduled for today on the relevant legislative consent motion.

We understand that the debate has been postponed to 3 March 2026 and that a further supplementary consent memorandum will be forthcoming. As a result, the purpose of this letter is to seek clarification on a number of issues arising from Memorandum No. 4; our original intention had been to seek that clarification through recommendations, which we hope you would have addressed in the debate. The clarification we would like to receive is as follows:

1. Please can you confirm whether the amendment referred to in paragraph 24 of Memorandum No. 4 has now been tabled and if it will be included in the further supplementary consent memorandum now expected?
2. Memorandum No. 4 refers to a regulation-making power contained in amendments to clause 32, relating to the estimate of time which a child receives education from parents or other providers. It is not clear from Memorandum No. 4 whether this is a new regulation-making power or which Senedd scrutiny procedure will be applied to such regulations.

Please can you confirm the scrutiny procedure which will apply to the making of regulations under clause 32 of the Bill should amendments to that clause be agreed at House of Lords Report Stage?

3. Amendment 244 provides the Welsh Ministers with a regulation-making power to make consequential provision (a new clause proposed after clause 64). We note that this amendment addresses recommendation 4 of our first report. However, Memorandum No. 4 is silent on the Senedd scrutiny procedure to be applied to such regulations. It appears to the Committee that the Senedd annulment procedure will be applied, unless the regulations amend primary legislation, in which case the Senedd approval procedure will be applied.

Please can you confirm the scrutiny procedure which will apply to the making of regulations under the new clause to be inserted after clause 64 by amendment 244, should it be agreed at House of Lords Report Stage?

4. Please could you confirm:
 - a. which amendments in Memorandum No. 4 have been considered in the House of Lords and the outcome of that consideration;
 - b. which amendments in Memorandum No. 4 have yet to be considered and when you expect that to happen;
 - c. in relation to bullet point (b), if there are amendments yet to be considered, what this means in terms of the consent being sought for them through Memorandum No. 4?
5. In relation to any amendments to the Bill that are to be the subject of a fifth memorandum, please can you ensure that any such memorandum includes information stating whether such amendments will have been considered by the time of the consent motion debate on 3 March 2026 and if not, please can you explain what this means in terms of the consent being sought from the Senedd for them?

Please can you provide a response to these questions by Thursday 19 February 2026.

I am copying this letter to Buffy Williams MS, Chair of the Children, Young People and Education Committee.

Yours sincerely,



Mike Hedges

Chair