

SUPPLEMENTARY LEGISLATIVE CONSENT MEMORANDUM (MEMORANDUM NO 6)

25 March 2026

CHILDREN'S WELLBEING AND SCHOOLS BILL

1. This Supplementary Legislative Consent Memorandum (“sLCM”) is laid under Standing Order 29.2(iii). Standing Order 29 requires a Legislative Consent Memorandum to be laid, and a Legislative Consent Motion to be tabled, where a UK Parliamentary Bill makes provision in relation to Wales which has regard to devolved matters.
2. The Children’s Wellbeing and Schools Bill (“the Bill”) was introduced in the UK Parliament on 17 December 2024. Legislative Consent Memoranda in respect of earlier amendments to the Bill were laid on 24 March 2025, 28 May 2025, 12 June 2025, 16 January 2026, and 10 March 2026.
3. This supplementary LCM No 6 includes an additional amendment relating to “sibling contact with children in care” under Part 1 of the Bill on Children’s Social Care, tabled by the UK Government in response to non-government amendments agreed at House of Lords Report Stage. The amendment makes provision in relation to Wales.
4. Clause numbers have changed following amendments agreed at House of Lords Report Stage. The Bill as amended on Report can be found at: [Children's Wellbeing and Schools Bill](#)

Policy Objectives

5. The UK Government’s stated policy objective is to include siblings to the list of persons in s.34(1) CA 1989 to ensure that local authorities are under the same duties to ensure reasonable contact between children in care and their siblings as they are to ensure reasonable contact with the child’s parents or other person with, or previously had, parental responsibility for the child.

Summary of the Bill

6. A summary of the Bill was provided in the original LCM and remains accurate.

Requirement for a further LCM

7. The previous LCM (“LCM no. 5”) was laid on 10 March 2026 including additional amendments tabled or agreed which have regard to devolved matters.

8. To date all LCM's have been voted on by the Senedd following the Children's Wellbeing and School's Bill debate on Tuesday 17th March 2026.
9. LCM no. 6 includes an amendment tabled by UK government on 19 March in response to a non-government amendment agreed in the Lords at Report Stage. A link to the amendment can be found here: [HL Bill 175\(a\)](#). Lords amendment 17 which the Commons disagreed with related to English regulations, therefore it did not impact on devolved matters, whereas the UK Government amendment tabled for the Lords debate on 25th March relates to primary legislation which will impact on devolved matters.

Engagement with UK Government

10. Welsh Government officials have held regular meetings and engagement with UK Government officials across the relevant departments. Discussions on the content of the Bill began in September 2024.
11. UK government and Welsh Government officials have continued regular contact throughout 2025 and 2026 to discuss the provisions. The Cabinet Secretary for Education has also been in communication with the Secretary of State for Education.

Update on position since the publication of the first Legislative Consent Memorandum (LCM)

12. In the first LCM in March 2025 the Cabinet Secretary for Education set out that Senedd consent was required to apply certain provisions relating to children's social care and children not in school, to Wales. The LCM related to the social care provisions under Clauses 15 and 24 (as currently published), and the children not in school provisions at Clauses 39-44 and Schedule 2 (as currently published). The second LCM in May 2025 sought consent to apply the child employment provisions (now Clause 30) to Wales, whilst the third LCM requested consent for provisions within the children not in school clauses that were not referenced within the first LCM. Further amendments were tabled by the UK Government on 7 January 2026, necessitating a fourth LCM which was laid on 16 January 2026. The fifth LCM included additional amendments (and a motion) that were agreed at Report Stage, and during third reading, including one non-government amendment and two government amendments in relation to the children not in school clauses which fall within legislative competence of the Senedd.
13. The Children's Wellbeing and Schools Bill LCM Debate took place on 17 March and the Senedd voted in favour of the motion.

Amendments Requiring Senedd Consent

14. The primary objective of the amendment is to prioritise contact between a child in care and their siblings. This could be achieved by adding siblings to the list of persons with whom a Local Authority must allow reasonable contact under s34(1) of the Children Act 1989.

15. The amendment will impose a duty to allow reasonable sibling contact for children in care. At present this duty only applies to parents/guardians/or other persons who had care of, or parental responsibility for, the child. The amendment as tabled reads:

After Clause 9, insert the following new Clause—

“Sibling contact with children in care

In section 34 of the Children Act 1989 (parental contact etc. with children in care)—

(a) in subsection (1)—

- i. omit the “and” at the end of paragraph (c), and
- ii. at the end of paragraph (d) insert“; and
(e.)any brother or sister (whether of the whole or half blood) or step-brother or step-sister (whether by marriage or civil partnership) of the child.”;

(b) In subsection (4), for “(d)” substitute “(e)”;

(c) In subsection (8), in paragraph (za), for “(d)” substitute “(e)”.”

UK Government view on the need for consent

16. This section falls under Part 4 of the Children Act and relates to Care Orders and their effect. This part is reserved to the UK Government, however s.34 imposes duties upon both English and Welsh local authorities so the duties within this section are imposed on devolved authorities. This amendment falls within the legislative competence of Senedd Cymru and triggers the requirement for legislative consent under Standing Order 29.

Reasons for making these provisions for Wales in the Children’s Wellbeing and Schools Bill

17. Taking this provision in this UK Bill ensures consistency in approach to supporting children in care. The other provisions under s34(1) apply equally in Wales so to exclude Wales from this additional provision would appear to lower the value of sibling relationships for children in Wales, which is contradictory to practice across Wales where strong emphasis is placed on maintaining sibling contact.

Financial implications

18. There are no financial implications for Wales in relation to these clauses, either for the Welsh Government or for Local Authorities other than in respect of administration costs.

Conclusion

19. In my view it is appropriate to deal with these provisions in this UK Bill as these will enhance existing and proposed Welsh Government policy in relation to children in care. The amendments which are the subject of this LCM are in line with the consent already given.

Dawn Bowden MS
Minister for Children and Social Care
25 March 2026