

## **LEGISLATIVE CONSENT MEMORANDUM**

### **WELFARE REFORM and WORK BILL: SOCIAL MOBILITY COMMISSION PROVISIONS**

1. This Legislative Consent Memorandum is laid under Assembly Standing Order (“SO”) 29.2. SO29 prescribes that a Legislative Consent Memorandum must be laid, and a Legislative Consent Motion may be tabled, before the National Assembly for Wales if a UK Parliamentary Bill makes provision in relation to Wales for a purpose that falls within, or modifies the legislative competence of the National Assembly.
2. The Welfare Reform and Work Bill (the “Bill”) was introduced in the House of Commons on 9 July 2015. The Bill can be found at:

<http://services.parliament.uk/bills/2015-16/welfarereformandwork.html>

#### **Summary of the Bill and its Policy Objectives**

3. The Bill is sponsored by the Department for Work and Pensions.
4. The UK Government’s main stated policy objectives for the Bill are to support the Government’s commitments to increase employment; slow the growth of the welfare budget to help achieve a more sustainable welfare system; and support the policy of rewarding hard work while increasing fairness with working households.
5. The Bill makes provision about:
  - reports on progress towards full employment and the apprenticeships target;
  - reports on the effect of certain support for troubled families;
  - social mobility;
  - the benefit cap;
  - social security and tax credits;
  - loans for mortgage interest;
  - social housing rents.

#### **Provisions in the Bill for which consent is sought**

6. Clause 5 of the Welfare Reform and Work Bill sets out proposals to fundamentally reform the UK Social Mobility and Child Poverty Commission which will become the Social Mobility Commission. The revised remit of the Commission will be to promote social mobility in England only, and to advise the UK Government (at its request) on how to improve social mobility in England.

7. The provisions for which consent are sought are those described in paragraphs 8 and 9 below.
8. Clause 5 inserts section A1C in the Child Poverty Act 2010. This provides that the Social Mobility Commission must publish an annual report setting out its views on the progress made towards improving social mobility in the United Kingdom.
9. Amendment no. 16, tabled by Secretary Iain Duncan Smith on 21 October 2015 and listed in the Notices of Amendments given up to and including Wednesday 21 October 2015, amends the Child Poverty Act 2010 so that Welsh Ministers will no longer have the function of appointing a Welsh Commissioner to the Social Mobility Commission.
10. The provisions apply in relation to Wales.
11. It is the view of the Welsh Government that these provisions fall within the legislative competence of the National Assembly for Wales in so far as they relate to “Social welfare including social services” and the “Protection and well-being of children” under paragraph 15 (Social welfare) of Part 1, Schedule 7 to the Government of Wales Act 2006.
12. The National Assembly has previously considered a Legislative Consent Motion in relation to provisions about the Social Mobility and Child Poverty Commission in the Bill which became the Welfare Reform Act 2012. The Memorandum relating to those provisions was laid in January 2012 because the Welsh Government considered the goals of (i) improving social mobility and (ii) reducing child poverty are within the legislative competence of the National Assembly for Wales.

### **Advantages of utilising this Bill rather than Assembly legislation**

13. It is the view of the Welsh Government that this UK Bill represents the most practicable and proportionate legislative vehicle to enable these provisions to apply in relation to Wales. This is because, even though the provisions fall within the Assembly’s competence, the provisions relate to the UK Government’s proposals for reform of the Social Mobility and Child Poverty Commission, which is a UK-wide body. We consider it reasonable for all the provisions relating to the reform of the Commission to be taken forward at the same time in the UK Government’s Bill, to ensure a coherent approach across the UK.

### **Financial implications**

14. There are no financial implications for the Welsh Government in relation to these provisions.

**Lesley Griffiths AM**  
**Minister for Communities and Tackling Poverty**  
**October 2015**