



Department for Levelling Up,
Housing & Communities

Simon Hoare MP
Minister for Local Government
2 Marsham Street
London
SW1P 4DF

Leaders of Unitary and Upper Tier Authorities in
England

18 January 2024

Dear Leaders,

I wish to draw your attention to the recommendation in Simon Bailey's Independent Review of the Disclosure and Barring Regime (18 April 2023) concerning the eligibility of local councillors for criminal record checks. The review is available online at:

<https://www.gov.uk/government/publications/independent-review-of-the-disclosure-and-barring-regime>

The purpose of the review, commissioned by the Home Office, was to provide assurance to Ministers about the effectiveness of the disclosure and barring regime in safeguarding children and vulnerable adults. Part of the review considered the regime with regard to eligibility of local councillors for criminal record checks provided by the Disclosure and Barring Service ('DBS checks').

With specific reference to local authorities, the review made the following recommendation:

Recommendation 5: Local councillors

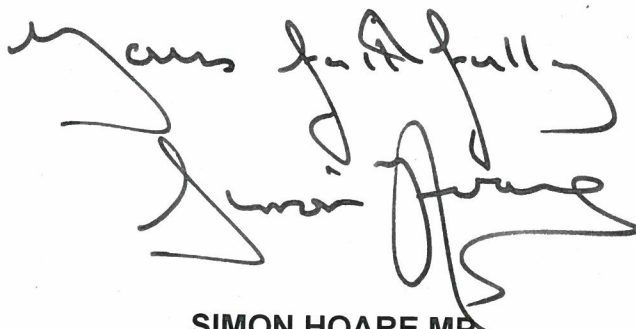
I recommend that an enhanced criminal record check is made mandatory for all councillors in Unitary and Upper Tier Authorities who are being considered for appointment to any committee involved in decisions on the provisions of children's services or services for vulnerable adults. I accept that this would require legislation and therefore some inevitable delay, so I further recommend that these authorities are encouraged to adopt this procedure as best practice pending legislation.

Government strongly supports the recommendation and I urge an enhanced DBS check to be adopted as best practice for all councillors being considered for appointment to any committee which discharges education or social services functions. Such roles are eligible for enhanced DBS checks, and it is within the power of relevant authorities to implement this best practice. My clear view is that there is reputational benefit in councils being both consistent and robust on adopting this best practice recommendation given the high profile of cases, rightly so, when things go wrong.

In the meantime, the Government will keep under review the case for mandating enhanced criminal record checks for all councillors falling into the categories identified by Bailey's recommendation 5 above.

I feel strongly that adopting as best practice enhanced DBS checks for all councillors serving on committees with responsibilities for children's services or services for vulnerable adults is important to ensure public confidence in political representatives. I would be grateful if the content of this letter could be brought to the attention of those officers with responsibilities for these matters.

This letter will be published on GOV.UK.

A handwritten signature in black ink, appearing to read 'Simon Hoare', written in a cursive style.

SIMON HOARE MP
Minister for Local Government