

Protocol between Nottinghamshire Monitoring Officers and Nottinghamshire Police

Purpose – to agree a protocol for the reporting of potential criminal offences arising from the failure to register or declare disclosable pecuniary interests or from speaking and voting where a Member has a disclosable pecuniary interest and has not first sought a dispensation

- 1) In the event that the Monitoring Officer receives a complaint regarding a potential DPI offence they will make immediate contact with the Police through the nominated single point of contact currently Andy Baguley (andy.baguley@nottinghamshire.pnn.police.uk) telephone: 0115 9670999 extension 8171340
- 2) Similarly if the Police receive a complaint from a member of the public they will inform the relevant Monitoring Officer of the receipt of that complaint (each Authority will be responsible for providing up to date contact details of their appointed Monitoring Officer from time to time).
- 3) Nottinghamshire Police will register the complaint and will advise the relevant Monitoring Officer if they wish to be involved at this stage. This will normally follow an initial assessment of the complaint by the Monitoring Officer and/or the relevant Standards Committee and their being satisfied that there is prima facie evidence that a criminal offence may have been committed. In undertaking an initial assessment as to whether there is prima facie evidence of a criminal offence the relevant Monitoring Officer may conduct an interview with the complainant but will not approach the Member who is the subject of the complaint until the Police have been advised of the matter and have indicated how they wish to proceed. In the event of a complaint being received directly by the Police rather than through the relevant Monitoring Officer, the Police will conduct an initial assessment of the complaint but may approach the relevant Monitoring Officers for background information on the complaint.
- 4) If the Police decide not to prosecute in the public interest they will normally pass the relevant evidence to the relevant Monitoring Officer so that the question of whether a Code of Conduct breach is to be pursued can be considered. To facilitate this, the Nottinghamshire Monitoring Officers and the Police will enter into a data sharing agreement. In the event that the relevant District Council decides to pursue the matter further in terms of a Code of Conduct breach, they will inform the Police of their decision.