

Draft Protocol between the City of Lincoln Council and Lincolnshire 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 a nominated single point of contact.
- 2) Similarly if the Police receive a complaint from a member of the public they will inform the Monitoring Officer of the receipt of that complaint.
- 3) Lincolnshire Police will register the complaint and will advise the 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 Ethics and Engagement 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 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 Monitoring Officer, the Police will conduct an initial assessment of the complaint but may approach the Monitoring Officer 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 Monitoring Officer so that the question of whether a Code of Conduct breach is to be pursued can be considered. To facilitate this, the Monitoring Officer and the Police will enter into a data sharing agreement. In the event that the Council decides to pursue the matter further in terms of a Code of Conduct breach, they will inform the Police of their decision.