



## **Protocol between the Monitoring Officer of Warwick District Council and Warwickshire Police**

Section 34 of the Localism Act 2011 (The Act) sets out summary offences relating to elected and co-opted Councillors who fail to disclose or register a Disclosable Pecuniary Interest (DPI), or where they participate in a meeting when they have a DPI in the absence of being granted a dispensation.

The DPI interests are detailed in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012. Prosecution of these offences is by the Police by virtue of section 34(5) of the Act.

The Monitoring Officer Warwick District Council (WDC) and Warwickshire Police have agreed this Protocol relating to reporting processes and information sharing for potential criminal offences arising under section 34 of the Act, as follows:-

- 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 who is the District Commander for South Warwickshire.
- 2 The 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 them being satisfied that there is prima facie evidence that a criminal offence may have been committed.
- 3 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.
- 4 If the Police receive a complaint from a member of the public they will inform the Monitoring Officer of WDC as appropriate of the receipt of the complaint. The Police will conduct an initial assessment of the complaint but may approach the Monitoring Officer for background information on the complaint.
- 5 If the Police decide not to prosecute in the public interest they will, wherever possible, 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 Monitoring Officer and the Police will enter into a data sharing agreement.
- 6 In the event that WDC decides to pursue the matter further in terms of a Code of Conduct breach, they will inform the Police of their decision.

Monitoring Officer (Warwick District  
Councils)  
Date:

Warwickshire Police Chief Constable  
Date:

**Document Control**

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