

Message

From: Georgina Blair
on behalf of: Georgina Blair
Sent: 11/06/2013 11:07:18
To: Jessica Madron
Subject: RE: Disclosure line & agency branches

GRO

Hi Jessica,

Many apologies for the very long delay in responding in turn - as usual other events have conspired to occupy me!

We had an RMG-provided line in place and available to the whole network for three years so I think we've grappled with some of these issues before. Would you have time for a brief chat sometime next week so I can get an indication of how best to take this forward?

Thanks,

Georgina

From: Jessica Madron
Sent: 05 April 2013 15:51
To: Georgina Blair
Cc: Kate Newton; kate.newman
Subject: RE: Disclosure line & agency branches

GRO

Georgina,

Apologies for the delay in replying on this.

I have spoken to Kate Newman at Bond Pearce on this and my understanding is this:

1. The Public Interest Disclosure Act 1998 protects an employee/worker who makes a "protected disclosure" from being dismissed by his/her employer.
2. Our subpostmasters and other agents are not our employees or workers, and therefore do not benefit from the protection of this Act in terms of their contractual relationship with POL.
3. Their staff are not employees or workers of POL either, although they may be employees of the subpostmaster. However, POL cannot ensure that the subpostmaster complies with its statutory obligations under the Act if an employee "whistle-blows" against a subpostmaster-employer.
4. For these reasons, a whistle-blowing subpostmaster or employee of a subpostmaster is likely to want to do so anonymously/confidentially. This will make it difficult for POL to take certain kinds of action in reliance on the whistle-blower's information (e.g it will be difficult to terminate a subpostmaster's contract based on what one of his employees tells us anonymously about his contract-breaching activities, unless we gather some further corroborative evidence ourselves).
5. Kate has advised that because we need to distinguish subpostmasters and their staff as not being our employees, we should have a separate helpline number for them and should have separate comms to explain their position under the Act and to also explain what kinds of things we will not be able to investigate (i.e any issues between the subpostmaster and his employee cannot be reported through this helpline).
6. Kate's view is that POL's supplier of this helpline service should be familiar with operating 2 forms of helpline service, through 2 phone numbers and with different comms, and that we should ask them to produce some materials for us to review. I would be happy to help in reviewing any drafts if you wish.
7. I'm concerned about the process proposed for complaints about multiples – if these are just sent straight to the multiple, is this not abdicating our own responsibility to investigate issues in our network? How will we preserve confidentiality/anonymity in these cases?

I hope this helps.

Kate – if I've misunderstood anything, please do say.

Many thanks

Kind Regards
Jessica Madron
Principal Lawyer
Legal & Compliance

My working days are Tuesday to Friday.



148 Old Street, LONDON, EC1V 9HQ

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From: Georgina Blair
Sent: 21 March 2013 14:13
To: Jessica Madron
Subject: FW: Disclosure line & agency branches

Hi Jessica,

Did you ask for any external advice on this one?

Thanks,

Georgina

Georgina Blair | Regulatory Risk Business Partner

148 Old Street, London, EC1V 9HQ,

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From: Georgina Blair
Sent: 12 March 2013 12:14
To: Jessica Madron
Cc: Michael R Haworth
Subject: Disclosure line & agency branches

Hi Jessica,

As discussed, we are setting up our own disclosure (whistleblowing) line as the current arrangement with RMG comes to an end. The line will be available to agents as well as Post Office employees, and will be publicised as a 'line of last resort' to report suspected or known wrongdoing relating to Post Office matters when the usual routes to report issues (Grapevine, NBSC, Area Sales Manager, line manager etc) are not felt to be appropriate. The line will be provided by a third party specialist provider, who will send reports received via the line to a small team in HRSC, who will then issue the reports to the appropriate area for investigation. If reports relate to our multiple partners they will be sent to a nominated contact at the relevant partner.

Paul Inwood is concerned that offering the line to agents and their assistants will blur the line between agents and employees. We cannot afford to ignore issues in the bulk of the network, but I understand that this is a very tricky area and will need to be managed carefully. For example, if an agent's assistant rings up and says the sub-postmaster is selling cigarettes to minors, what are we supposed to do about it? (Is there a legal requirement to report this to anybody?) What if an agent's assistant rings up and says the sub-postmaster is bullying her?

We will need to tailor our comms very carefully, and can also tailor the call handler's script and the messages around the web reporting portal to explain which matters we can and can't deal with. Any guidance on what we can and can't say, and should and shouldn't do, when dealing with agents and their assistants, would be helpful.

Thanks,

Georgina

Georgina Blair | Regulatory Risk Business Partner

148 Old Street, London. EC1V 9HQ.

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