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Liquidated Damages Exclusions applicable to the Engineering Service, Branch Network Service and Data Centre Operations

Service

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Note: See RMGA HNG-X Reviewers/Approvers Role Matrix (PGM/DCM/ION/0001) for guidance.



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0.2 Document History

| Version No. | Date | Summary of Changes and Reason for Issue | Associated Change - CP/PEAK/PPRR Reference |
|-------------|----------|---|--|
| 0.1 | 10/08/06 | Issued for review as CCD | |
| 0.2 | 21/03/07 | Issued for review as JWD including reviewers' comments and SLT extension criteria for Engineering Service incidents | |
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0.4 Associated Documents (Internal & External)

| Reference | Version | Date | Title | Source |
|------------------|---------|---------|--|------------|
| PGM/DCM/TEM/0001 | 1.0 | 16/6/06 | Fujitsu Services Post Office Account HNG- X Document Template | Dimensions |
| (DO NOT REMOVE) | | | A Document Template | |
| SVM/SDM/SD/0002 | | | Engineering Service: Service Description | Dimensions |
| SVM/SDM/SD/0003 | | | Data Centre Operations Service: Service Description | Dimensions |
| SVM/SDM/SD/0011 | | | Branch Network: Service Description | Dimensions |
| SVM/SDM/SD/0014 | | | Operational Business Change (Branch | Dimensions |

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| | | Change) Service: Service Description | | | | |
|-----------------|--|--------------------------------------|------------------------|---------|----------|------------|
| SVM/SDM/SD/0018 | | POA Manage | Customer ement Process | Service | Incident | Dimensions |

Unless a specific version is referred to above, reference should be made to the current approved versions of the documents.

0.5 Abbreviations

| Abbreviation | Definition |
|--------------|--------------------------------------|
| ВТ | British Telecom |
| OBC | Operational Business Change |
| POA | Fujitsu Services Post Office Account |
| POL | Post Office Ltd |
| SLT | Service Level Target |
| 0.6 Glossary | |
| - | D. C. W. |

0.6 Glossary

| Term | Definition |
|------|------------|
| | |

0.7 Changes Expected

| Changes |
|---|
| Potential changes resulting from HNG-X developments |

0.8 Accuracy

Fujitsu Services endeavours to ensure that the information contained in this document is correct but, whilst every effort is made to ensure the accuracy of such information, it accepts no liability for any loss (however caused) sustained as a result of any error or omission in the same.

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1 Summary

This document defines the exclusions applicable to the calculation of:

- Branch Network Service Time to Repair Service Level Targets;
- Engineering Service Time to Repair Service Level Targets;
- Branch Network Service Branch and Counter Availability Service Level Targets;
- Data Centre Operations Service Data File Delivery Service Level Targets;
- Branch Network Service Counter Availability Liquidated Damages, and;
- Data Centre Operations Service Data File Delivery Liquidated Damages.

2 Extension Criteria - Engineering Service

Where the Time to Repair Service Level Target (SLT) for the Engineering Service, as defined in the CCD entitled: "Engineering Service: Service Description" (SVM/SDM/SD/0002), is 95% resolved by 18.30 next Working Day, this SLT may be extended in the event of half day or full day closing.

2.1 Branch with half day closing

If a branch is open less than or equal to 5 hours on the next working day, the SLT will be the closure time (taken from the next working day) on the following working day. Examples:

- Call opened Monday, office closed 13:00 Tuesday, SLT will be 13:00 Wednesday
- Call opened Thursday, office closed 12:00 Friday, SLT will be 12:00 Monday

2.2 Branch with full day closing

If a branch is closed for a full day on the next working day, the SLT will be suspended until 18:30 on the following working day.

Examples:

- Call opened Monday, office closed Tuesday, SLT will be 18:30 Wednesday
- Call opened Thursday, office closed Friday to Wednesday, SLT will be 18:30 on the following Thursday

3 Exclusion Criteria - Engineering Service and Branch Network Service

Engineering Service and Branch Network Service Incidents may be excluded partially or totally from SLTs and Liquidated Damages as defined below:

- Partial exclusion allows the call to be suspended for part of the call;
- Total exclusion allows the call to be suspended for the duration of the call i.e. from its open time to its clear time.

Incidents may be excluded in accordance with the criteria set out in Table 1:

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Table 1

| Reason for exclusion | Partial Exclusion | Total exclusion |
|--|-------------------|-----------------|
| Access Times | * | |
| Engineer refused access to Branch | | * |
| Tivoli indicates Branch/Counter operational | * | |
| Functionality not impacted by fault | * | |
| Call reclassification (ND to HD) | * | |
| Incident passed out of Fujitsu domain | * | |
| Unable to contact Branch to progress resolution | * | |
| Clear time requires adjustment | * | |
| Delay in resolution – Not Fujitsu default | * | |
| Branch in OBC status | | * |
| Agreed pilot site | | * |
| Fault due to enforced closure, third party or user error/damage/negligence | 50 K K | * |
| Call cancelled by Branch | as i Maria | * |
| No fault found by engineer | | * |
| POA internally raised call | | * |
| Indeterminate resolution | | * |
| Service disabled by agreement with POL | | * |
| Network wide failure | | * |

Further details of the exclusion criteria relating to Engineering Service and Branch Network Service incidents are provided in Section 5.

4 Exclusion Criteria - Data File Delivery

Data File Delivery Transactions may be excluded from SLTs and Liquidated Damages in accordance with the criteria set out in Table 2:

Table 2

| Reason for exclusion | |
|--|--|
| Access times | |
| Branch in OBC status | |
| Fault due to enforced closure, third party or user error/damage/negligence | |
| Engineer unable to access Branch and/or kit | |
| Let agreed by POL/Fujitsu | |





Further details of the exclusion criteria relating to Data File Delivery transactions are provided in Section 6.

5 Exclusion Details - Engineering Service and Branch Network Service

Further details of the reasons for exclusion listed in Table 1 are provided below. The exclusions relate to both SLTs and Liquidated Damages and, unless otherwise stated, apply to all faults.

5.1 Access times

Calls will be suspended for any time outside the access hours as provided by the branch, which may be greater or more restrictive than the opening hours. In the case of portables the access times are when the engineer can have access to the portable at the location at which the fault can be resolved.

5.2 Engineer refused access to Branch

Where an engineer has visited the branch within the specified access times but has been refused access to the branch. This exclusion will apply to all engineer visits e.g. Fujitsu engineer, BT engineer.

5.3 Tivoli indicates Branch/Counter operational

Calls will be suspended when the event management system indicates that the branch/counter is operational. This will allow for accurate suspension on intermittent communications faults and also when the engineer is delayed in returning the call closure notification. This exclusion will apply to Hardware base unit and Branch Network Incidents only.

5.4 Functionality not impacted by fault

Where the fault does not have a consistent effect on the operation of the branch e.g. reboot required each morning but thereafter service is fully operational for the remainder of the day, whilst awaiting engineer visit. This is not applicable to portables at the storage location, see 5.1.

5.5 Call reclassification (ND to HD)

If during the investigation of a network fault (ND) it is identified that the fault is with the base unit, the call will be recoded to HD. The call will be suspended from the open time until the call is passed to engineering, which may include the time the call is with BT. This exclusion will apply to Hardware base unit incidents only, which have been recoded from ND to HD.

5.6 Incident passed out of Fujitsu domain

Where the incident has been passed out of the Fujitsu domain e.g. where the branch details are passed to BT or referral to POL agreed. The call is suspended from the time the call was passed out of the Fujitsu domain until the time the call is passed back to Fujitsu Services.

5.7 Unable to contact Branch to progress resolution

Where the Service Desk or Third Line Support have been unable to contact the branch to arrange an engineer visit or provide remote assistance. It should be evident within the call that reasonable

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endeavours were used to contact the branch. The call is suspended after reasonable endeavours to contact the branch were made until the time that contact with the branch is established.

5.8 Clear time requires adjustment

Where it is evident that the service became operational prior to the clear time specified in the call. The call is suspended from the time that the service became operational until the clear time.

5.9 Delay in resolution - Not Fujitsu default

Where an engineer has been delayed in visiting branch(es) in a geographical area due to reasons completely out of the control of Fujitsu Services. The call is suspended from the time that access is prevented until the time it becomes available again. Details of the delay in resolution must be recorded and exclusion agreed with Post Office Operations Control.

When the build of a gateway is delayed due to an incorrectly filtered Redcare alarm, and the engineer has to leave site to obtain a specialist filter (non standard equipment), the call will be suspended from the time the engineer leaves site to collect the filter to the time that he/she returns to resolve the fault. This suspension equates to the time it takes for the engineer to receive the specialist filter plus the return journey to branch, and must not include the time spent on other calls, whilst in possession of the filter.

5.10 Branch in OBC status

Where the fault relates to an OBC Branch Change which is in the course of completion.

5.11 Agreed pilot site

Where the fault relates to a pilot site which is excluded from SLTs and Liquidated Damages as agreed by POL.

5.12 Fault due to enforced closure, third party or user error/damage/negligence

Where it is evident within the call that the fault has been caused by circumstances of enforced closure, user or third party error, damage or negligence.

5.13 Call cancelled by Branch

Where the branch has taken action to resolve the fault, or the fault has resolved itself, and the call has subsequently been cancelled.

5.14 No fault found by engineer

Where an engineer has visited the branch but has taken no action due to the service being fully operational. This exclusion will apply to Hardware Incidents only.

5.15 POA internally raised call

Where the call has been incorrectly logged against a live branch when it has been internally raised by POA.

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5.16 Indeterminate resolution

Where a fault has been resolved but both its cause and resolution are unclear. For example, where a fault is investigated by a number of areas, say, HSD, SSC, BT and POL, who all undertake actions to try and resolve the fault but, although the fault is resolved, its cause and the resolving action are unclear. It should be evident within the call that reasonable endeavours were used to diagnose the cause of the fault and to resolve it.

5.17 Service disabled by agreement with POL

Where the service has been disabled by agreement with POL e.g. for protection against a computer virus

5.18 Network wide failure

Where the fault results from failure of the HNG-X Central Infrastructure and/or the Central Telecom Infrastructure which results in a loss of the availability of one or more branches and counter positions. Such faults will be included in the Network Wide Failure unavailability figures and therefore individual calls in respect of this failure may be excluded.

6 Exclusion Details - Data File Delivery

Further details of the reasons for exclusion listed in Table 2 are provided below. The exclusions relate to both SLTs and Liquidated Damages.

6.1 Access times

Calls will be suspended for any time outside the access hours as provided by the branch, which may be greater or more restrictive than the opening hours. In the case of portables the access times are when the engineer can have access to the portable at the location at which the fault can be resolved.

6.2 Branch in OBC status

See Section 5.10

6.3 Fault due to enforced closure, third party or user error/damage/negligence

See Section 5.12

6.4 Engineer unable to access Branch and/or kit

Where the engineer has been unable to gain access to the branch/kit e.g. refused by PM or for Health and Safety reasons.

6.5 Let agreed by POL/Fujitsu

Where a let for a branch has been jointly agreed by POL and Fujitsu Services.

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