

Ferndown Post Office Branch
Information Briefing

Section 1: Branch Details

- Mrs. **Rachpal Athwal** was appointed as the agent of Ferndown Post Office branch on **30th January 2008** and a contract for services exists between Post Office Ltd and Mrs. Athwal.
- **Val Athwal (Husband)** and **Daljinder Athwal (Daughter)** also work in the Post Office and are instrumental in its day to day running
- The branch is urban in classification and is located in Ferndown, a town in the East Dorset district of southern England.
- It is a mid sized branch with 4 counter positions serving around 2,500 customer sessions per week.
- The family are also members of the Justice for Sub postmasters alliance (JFSA)

FAD	282508	Branch Name	Ferndown
Postcode	BH22 9TH	Address1	3 Pennys Walk
Phone	GRO	Address2	
Type	SPSO	Address3	
Status	Open	Address4	Ferndown
Country	England	Address5	Dorset
Acquired Status	01-Oct-10	Sub Status	Open
Counter Terminals	4	Segment	Agency Branches
BOTs	1	BAU FCA	Matt Walls
Total Hours (p/w)	46	BAU NDM	Tony X Jones
Required for Access (Postcode District)	N	HoS Name	Troy Gardner
Nearest Branches	FAD	Branch Name	Distance (miles)
	302508	West Moors	1.82
	161508	Bearwood	3.12
	204508	Kinson	3.47

Average CS	last 6 weeks	last 3 months	last 6 months	last 12 months
	2,532	2,311	2,265	2,247

No. of Households (within 1mile)	6,498
Population (within 1mile)	14,028
% Population with at least one car/van	82.33%
% Population Under 16 years old	13.54%

% Population between 16 years old to Retirement Age	49.66%
% Population Retired	36.36%

Section 2: Recent Branch History

There have been a number of issues associated with this branch over the past 12 months. The extent of these issues and associated correspondence exchanges between Post Office Ltd and Ferndown branch is detailed in the timeline below:

Date	Activity	Narrative
30/01/08	Appointment	Mrs. Rachpal Athwal appointed as sub postmaster of Ferndown Post Office branch
04/02/10	Branch Audit	Post Office Ltd audit identified loss of £812.89 with Mrs. Athwal paid back in full on the same day. No precautionary suspension although various areas of non conformance identified such as non completion of training workbooks and following of incorrect procedures for Bureau refunds. Written warning provided.
06/05/10	HOL training and cash dec	Mick Searle (BDM) attended the branch at 09.00 to provide HOL training support in advance of migration. As with all training visits, this included a cash check. On investigation Mick noticed that figures were being shown against the ATM line and £1 notes line of the cash account, lines that should have shown zero amounts. Mick found other areas of discrepancy and advised the Contracts Advisor, Carol Ballan, who then arranged an audit on the same day.
06/05/10	Full branch audit	<p>The audit revealed a shortage in the branch of £959.09. A breakdown of the audit result and details of the audit findings are as follows:</p> <p>£ 849.18 -) Identified as a difference in cash figures</p> <p>£ 38.87 (+) Identified as a difference in stock figures</p>

		<p>£ 1.06 (+) Identified as a difference in postage figures</p> <p>£ 39.84 (-) Discrepancy as per office snapshot</p> <p>£ 110.00 (-) Cheque introduced after start of Audit</p> <hr/> <p>£ 959.09 (-) Total Shortage</p>
		<p>Audit findings were relayed to Nigel Allen, Contract Advisor who then made the decision to precautionary suspend Mrs. Athwal. On suspension Mrs. Athwal admitted that she was aware of a shortage of £714, in that she admitted the cash was inflated in her last BT statement to cover this loss. She had been inflating her ONCH ever since.</p> <p>Statements were also made by 3 separate people stating that a car tax had been purchased by the PM's daughter on the previous Friday but that funds had failed to be paid as the business cheque book was not in the branch, They had the forgotten to pay the money the next day.</p> <p>Mrs. Athwal tried to put some of the blame on Horizon, saying that a negative amount of £436 appeared on DH stock in Feb, a stock that had been left dormant.</p> <p>Branch closed for remainder of day</p>
07/05/10	Continued audit involvement and reopening of branch	Audit team attend the branch once again to undertake a transfer to a temporary agent (Mary Cameron Stewart). A written statement is obtained from Mrs. Athwal and a cheque

		<p>provided to cover the total loss of £959.09</p> <p>Branch reopens at 12.30 under management of Mary Cameron Stewart.</p>
11/05/10	Charge letter sent to Mrs. Athwal	Carol Ballan sends letter to Mrs. Athwal stating the consideration must be given to summary termination of the contract and invites Mrs. Athwal to attend an interview to put forward her version of events, or, provide a written submission
14/05/10	Response from Mrs. Athwal	Mrs. Athwal replies to Carol Ballan stating that she does not wish to attend an interview and will provide a written submission by the 26 th May
24/05/10	26 page submission sent to RMG by Mrs. Athwal	Mrs. Athwal sends a full 26 page submission to Group including a request for information on 20 counts (under FOIA) mostly regarding our contracts with Fujitsu and proof of audit team competence.
25/05/10	Written submission received from Mrs. Athwal	<p>A lengthy written submission received by Carol Ballan</p> <p>Mrs. Athwal now states that the car tax was not purchased by her daughter but by a regular company client and that payment was not taken at the point of sale.</p> <p>Mrs. Athwal also states that a shortage of £436 appeared out of nowhere against a dormant stock unit in February and that this had been the cause of increasing losses.</p>

		<p>She also accused POL of fabricating branch accounts in order to make a financial gain and severely questions the integrity of the Horizon system.</p>
08/06/10	Decision to terminate contract	<p>Having reviewed all case details, Carol Ballan takes the decision to terminate Mrs. Athwals contract and advises that she is entitled to an appeal.</p>
14/06/10	Response from Mrs. Athwal	<p>Mrs. Athwal responds to the decision letter stating that:</p> <ul style="list-style-type: none"> • She is dismissing the letter as its contents are factually incorrect • She believes POL internal procedures are farcical and that investigators are inexperienced and unqualified • She states that POL alleges that she is guilty of two counts of criminal activity, which is libellous and defamatory • States that POL are on notice that our decision to terminate the contract is legally stopped until answers to the questions raised in her 26 page submission are answered.
14/06/10	Mrs. Athwal send letter to Donald Brydon	<p>States that she has been the subject of farcical internal investigations and makes slanderous remarks against Carol Ballan, Andrew Thompson and Mick Searle</p>
21/06/10	FOI requests received by POL	<p>POL receives copy of Mrs. Athwals letter of 24th May with FOI requests on 20 counts</p>
25/06/10	Case file received by appeals manager	<p>Carol Ballan provides notice to Andy Bayfield of the need to hear an appeal at Ferndown.</p>
28/06/10	Acknowledgement of request to	<p>Carol Ballan contacts Mrs. Athwal and advises that she</p>

	appeal	will be contacted shortly by the appeals manager
02/07/10	Appeal invitation sent to Mrs. Athwal	Andy Bayfield contacts Mrs. Athwal and invites her to attend an appeal hearing on the 19 th July in Southampton.
05/07/10	Andy Bayfield decides to delay the appeal hearing until the FOI issues have been resolved	After discussion with Michele Graves and Peter Johnson, Andy Bayfield speaks to Mr. Athwal (on behalf of Mrs. Athwal) and agrees to delay the appeal hearing until a response has been provided under the FOI act.
15/07/10	FOI response to Mrs. Athwal from Peter Johnson	Peter explains that investigating the questions asked by Mrs. Athwal would significantly exceed the cost limit set out under section 12(1) of the FOI Act and to that end, there is no requirement for POL to provide a response. Mrs. Athwal can narrow her request and POL will reconsider.
16/08/10	Second appeal hearing letter sent to Mrs. Athwal	Andy Bayfield writes to Mrs. Athwal advising that a new appeal hearing date of 8 th September has been set.
08/09/10	Appeal hearing	Andy Bayfield hears the appeal. Mrs Athwal arrived with her daughter and Mark Baker of NFSP. At the outset of the appeal they challenged why Andy was not "taping" the hearing and following a long recess whilst they decided if they wanted to continue the appeal without Andy taping it they agreed to continue and it was agreed that they could record the appeal on a "blackberry" Andy supplied the key points of the appeal hearing, Mrs Athwal was not prepared to accept these notes of the meeting as being a fair representation of what was discussed.

09/09/10 - 17/09/10	Further investigations by Andy Bayfield following appeal hearing	Further investigation undertaken including a review of all previous data.
22/09/10	Decision letter sent to Mrs. Athwal	Letter states that after considering all the evidence, it has been decided to uphold the decision to summary terminate Mrs. Athwals contract. The letter outlines why this decision has been taken.
24/09/10	Premises no longer available	Mrs. Athwal advises POL that she is not making the premises available any longer and the branch closes to the public.
30/09/10	Customer complaints	Customers begin to complain about the loss of service and approach Paula Vennells by email about the service disruption.
01/10/10	Decision taken to reinstate Mrs. Athwal	POL takes the decision to reinstate Mrs. Athwal as the losses originally incurred were of low value and repaid in full. Local customer disruption and negative PR were also factors taken into consideration here.
02/10/10	Branch reopens	Mrs. Athwal reopens the branch at 09.00 to the delight of her customers.
03/10/10	Mrs. Athwal writes letter to Mark Baker, NFSP rep	Mrs. Athwal complains about the fact that no audit had been arranged at the branch on the 2 nd and makes slanderous comments about Lynn Hobbs. Also accuses the following POL employees of deliberately conspiring to remove Mrs. Athwal from Ferndown PO: <ul style="list-style-type: none"> • Lynn Hobbs • Andy Bayfield • Carol Ballan • Wendy Wackerill • Mick Searle • Nigel Allen

23/10/10	Pay advice for October arrives in branches	<p>Mrs. Athwals pay advice for October includes reimbursement of remuneration for 8th May - 1st October totalling £34.7k. This has been calculated by Agents Pay Team.</p> <p>Andy Terrett phones Mrs. Athwal and advises of the amount to be reimbursed. Andy promises to write a letter to Mrs. Athwal explaining the calculations involved here.</p>
26/10/10	Letter sent to Mrs. Athwal from Andy Terrett	Letter sent detailing calculations involved in remuneration reimbursement.
02/11/10	Mrs. Athwal phones Andy Terrett	<p>Mrs. Athwal states that she has not received the letter sent on the 26th October. Andy apologises for this and agrees to investigate what has happened.</p> <p>Following investigation that afternoon, Andy realised that the letter, although addressed to Mrs. Athwal and marked Private and in Confidence, was sent to the private address of the temporary agent. The error was manual and due to the fact that HRSAP had not yet been updated following the reinstatement of Mrs. Athwal.</p> <p>Andy phones Mrs. Athwal back and explains the error, apologising for the mistake. He agrees to post a duplicate letter to Mrs. Athwal. He also phones the temp agent and asks her to return the correspondence.</p>
04/11/10	Mrs. Athwal contacts helpline regarding Horizon outages	Mrs. Athwal complains that her Horizon system has been down for 36 hours and requests a goodwill payment. She is advised that the good will payment policy does not apply for outages less than 48 hours.

		She does not accept this and asks to speak to her contracts manager.
05/11/10	Email from Mrs. Athwal to Andy Terrett	<p>Acknowledges receipt of letter dated 2nd November and raises a number of queries regarding the reimbursement of remuneration</p> <ul style="list-style-type: none"> • Asks why she has not received any backdated pay for 6th & 7th May when the branch was closed. • States that on the 7 May 2010, she gave a cheque to the Auditor which cleared threw the account for £961.39, which also needs to be refunded • Since this is a Commercial Debt, she believes she is entitled to receive Interest in accordance with, The Late Payment of Commercial Debts (Interest) Act 1998. • In addition she claims she has lost 4 days trading in the shop which averages around £350 per day and would like this, with interest, refunded. <p>Andy passes her issues to Lynn Hobbs and acknowledges Mrs. Athwals email, advising that someone will be in touch in due course.</p>
09/11/10	Nigel Allen speaks to Mrs. Athwal	Despite several failed attempts to contact Mrs. Athwal, Nigel Allen finally speaks to her explains that the contracts team do not administer the goodwill payments. Someone from the contract and policy team will be in touch shortly.
25/11/10	Complaint made against Ferndown branch by Supply Chain	<p>The extract below from the call centre explains the issue in more detail:</p> <p><i>pm called re todays del, she</i></p>

		<p>said she is down to 3k in 5's and in danger of running low, I told her that i can't contact cit and told her to call h/l to put herself on a restricted service if nec, she started screaming at me and said why should she and started to get very personal,said it was my fault and seemed to be under impression that we should monitor her cash ! She has a very negative attitude and conversation went from bad to worse, we were going around in circles and as she wasn't going to calm down I told her that i was going to terminate call.....</p> <p>Concerns also raised at this point regarding ONCH figures in general: high cash holdings but continued and repeated demands for special rem's due to cash shortages.</p>
01/12/10	Letter from Tracy Marshall to Mrs. Athwal	Letter sent explaining that the policy for goodwill payments is currently under review. Whilst no payment can be made at this point in time we will contact Mrs. Athwal in due course when the policy has been refreshed.
02/12/10	Email from Mrs. Athwal to Andy Terrett	Mrs. Athwal chases Andy for a response and enquires as to whether the response has been sent to the wrong address again.
02/12/10	Letter from Val Athwal, on behalf of Mrs. Athwal received by POL	Letter sent to Paula Vennells, Kevin Gilliland, Andy Terrett, Lynn Hobbs and Mark Baker, amongst others. Letter states that there has been a serious breach of data protection by POL and enquires as to what level of compensation we will provide. Also complains about the Horizon system and states that until POL provide details as to what went wrong with the system, entry to her PO will be

		refused to any auditors. The letter states that she does not trust any of our systems.
06/12/10	Invitation to interview	Kevin Gilliland sends letter to Mrs. Athwal inviting her to attend a meeting with him to iron out some of the outstanding issues.
10/12/10	Complaint made by Service Delivery team against Mrs. Athwal	Complaint made that members of the Athwal family were frequently and inappropriately contacting a member of the Horizon team on his personal mobile
13/12/10	Letter sent to Mrs. Athwal from Anne Allaker	Letter politely asks Mrs. Athwal to use the correct procedure to raise issues with the Horizon system, by contacting the helpline.
17/12/10	Response from Mr. Athwal	Mr. Athwal confirms that his wife can attend a meeting in early January and will be accompanied by Mark Baker, NFSP.

Section 3: Outstanding Issues

I believe that the following issues are outstanding and require discussion or resolution:

a) Issues raised by Mrs. Athwal in her email to Andy Terrett of 5th November

Mrs. Athwal asks the following questions in her email to Andy, answers to which need to be provided. Questions along with suggested POL responses are as follows:

1) My office was closed 6th & 7th May 2010 for which you have not paid me any money.

POL response: following further investigation we can confirm that we will credit your account with £463.32, covering your absence from the branch on the 6th & 7th May. You will receive a letter from POL detailing the calculation used here.

2) On the 7 May 2010, I gave a cheque to the Auditor which cleared through the account for £961.39, which also needs to be refunded.

The cheque will not been refunded as this was paid to cover the loss discovered at your office by our audit team. Under the terms of your agent contract you are responsible for making good any losses incurred at your office. One of the factors taken into account when agreeing to reinstate you as sub postmaster at Ferndown branch was the fact that you had made good all outstanding losses.

3) Since this is a Commercial Debt, I am entitled to receive Interest in accordance with, **The Late Payment of Commercial Debts (Interest) Act 1998.**

See above - this is not a commercial debt

4) In addition to the above, I also lost 4 days trading in the shop which averages around £350 per day.

Post Office Ltd takes no responsibility for the non Post Office business conducted in your premises and are not obligated to compensate you for any loss of business here.

b) Issues raised by Mrs. Athwal in her letter to Paula Vennells of 2nd December

The following issues are apparent within the letter dated 2nd December:

1) Accusations of a data protection breach by POL

POL has apologised for the error involved here which should never have happened. We have taken steps to rectify the errors in our internal systems to prevent this from happening again. Under the terms of the data protection act, a breach is classed as an incident whereby an individuals' personal information is disclosed to an unauthorised third party. In this case, no specific personal details, financial or otherwise were disclosed, only data pertaining to the amount of remuneration to be reimbursed. This data is not personal to you but to the Post Office and in any event, the temporary agent who opened the letter was well aware of the levels of income generated by Ferndown Post Office branch.

Our legal advice is that POL has not committed a breach of the data protection act on this occasion and no compensation will be payable to you.

2) Specific questions about the integrity of the Horizon system

Mrs. Athwal seeks to understand why her Horizon system has not been able to function properly on several occasions and requests a detailed account of what went wrong.

Suggest that the Horizon expert deals with these specific issues.

3) Threats to prevent any POL auditors from accessing the premises

Mrs. Athwal threatens to prevent access to her premises until such point as all her questions have been answered and she has been provided with a list of all personnel logged on to her system remotely, without her authority.

It should be made clear to Mrs. Athwal that all cash and stock contained within her premises is the property of Post Office Ltd, as is the Horizon system itself. Mrs. Athwal is acting as an agent for and on behalf of POL.

It should also be made clear that POL cannot access the horizon system remotely and make changes to it. The system is based on a user log in, and all actions have to be endorsed by the user. POL cannot remotely control a branches system.

If Mrs. Athwal refuses entry to her premises she is automatically in breach of section 12 of her sub postmaster contract. An extract from clause 12 is attached below:

ACCOUNTS

4. The Subpostmaster must ensure that accounts of all stock and cash entrusted to him by Post Office Ltd are kept in the form prescribed by Post Office Ltd. He must immediately produce these accounts, and the whole of his Post Office® branch cash and stock for inspection whenever so requested by a person duly authorised by Post Office Ltd.

4) Mistrust of POL and our systems

Mrs. Athwal states in her letter that she does not trust Post Office Ltd or our systems. A statement of this nature is a clear indication that the relationship is

broken and steps must be taken to either remedy the situation or terminate the contract between both parties.

c) Complaints against Ferndown branch regarding aggressive and rude behaviour

Both auditors and supply chain have commented on the aggressive tone and behaviour of Mrs. Athwa's daughter, Daljinder. It should be made clear that this behaviour is not acceptable.

d) Bringing the Post Office into disrepute

Section 16 of the Sub postmaster contract states that:

"views and opinions expressed publicly must not bring Post Office Ltd or any other Subpostmaster, Franchisee, Operator or Royal Mail Group plc or its employees into disrepute"

In her letters to Opinion Formers, Mrs. Athwal has made a number of slanderous remarks about Post Office personnel and has clearly stated that she does not trust the company nor its employees.