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# Post Office Group

# Investigations Policy

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# Document Control Sheet

| SUMMARY | | | |
|---|---|---|---|
| GE Policy Sponsor | Policy Owner | Policy Implementor | Policy Approver |
| General Counsel<br>**Jane MacLeod** | Employment Lawyer<br>**Nisha Marwaha** | Employment Lawyer<br>**Nisha Marwaha** | Post Office<br>**Risk & Compliance Committee** |
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| REVISION HISTORY | | | |
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| **Version** | **Date** | **Author** | **Reason For Change** |
| | | | |

| POLICY APPROVAL | | |
|---|---|---|
| **Role/Forum** | **Name** | **Date** |
| Executive Owner and Sponsor | General Counsel (Jane MacLeod) | 30 March 2016 |
| Executive Committee | Post Office Risk & Compliance Committee (RCC) | 8 Sept 2016 |
| Board Committee | Post Office Audit, Risk and Compliance Committee (ARC) | 28 Sept 2016 |

| DOCUMENT DISTRIBUTION STATUS | | | |
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| QUALITY STATEMENT | |
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| Quality Control | Next review date |
| This document is periodically reviewed and at least once each year starting from the last effective date. This policy has been reviewed against the latest Post Office policy standards. | January 2017 |

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# Section A. Introduction

## *Chief Executive's Note*

Post Office Group ('Post Office') is committed to doing things correctly. Our Business Standards are our code of behaviours that represent the conduct we expect. This policy supports the code to help us ensure the highest investigation policy standards are maintained.

This policy sets out what is and is not acceptable but if you have any doubts or questions, these should be referred in the first instance to the policy owner, our principal employment lawyer within our Legal team who oversees compliance with this policy. It is essential that you read this policy.

## *Introduction by the Group Executive Policy Owner: General Counsel*

As Post Office's General Counsel and the Group Executive Policy Owner I have overall accountability for the governance framework to which this policy relates to the Board of Directors. Post Office's Audit, Risk and Compliance Committee considers investigations and related matters as an agenda item. The Post Office Board is updated as necessary.

# Section B. Context

## About this Policy

The purpose of this policy is to provide key principles for individuals to consider and use where necessary when conducting internal investigations. The policy sets standards Post Office employees should aim to achieve.

The definition of investigation is the act or process of investigating someone or something.

This policy should be read in conjunction with any other applicable Post Office policies which require an investigation to be conducted, including in particular the Post Office Prosecutions Policy (located on the Post Office intranet). It applies to the Post Office Group as defined in Section C.

This policy is reviewed on a regular basis with relevant individuals and at least at half yearly intervals each year.

This policy enables us to comply with our obligations under applicable legislation and with regulatory requirements. It also protects Post Office's brand and reputation.

This policy's effective date will be determined by the date on which final approval is given by the appropriate governance forum.

## Principles to be considered at the outset

- Before commencing an investigation, the following should be considered: Identify the nature of the investigation and its purpose;
- Identify who and what is being investigated;
- Identify if there are any other applicable existing Post Office procedures. For example, Whistleblowing, Bullying and Harassment, Information Security, Fraud or Financial Crime;
- Identify who should 'own' the investigation (who is responsible for it);
- Consider the sensitivity and confidentiality of the investigation and any special measures that are required before proceeding;
- Consider who should or should not be informed prior to commencing the investigation (e.g. person being investigated, the line manager, HR etc.); and whether this is appropriate and/or legally compliant; and
- Remember that the person responsible for the investigation is also responsible for taking legal advice from Post Office Legal as required

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## Principles to be considered during the investigation

The following principles should be adhered to wherever possible during an investigation:

- **Confidentiality** – where possible and appropriate, maintain confidentiality. Ensure that all communications are labelled 'confidential' and are kept secure. Balance the need for confidentiality with the need to carry out an effective investigation. Be aware of legal obligations regarding disclosure of information;

- **Fairness** – when following any investigation procedure, keep relevant individuals informed as appropriate. Seek expert input where necessary, e.g. from HR, from Security Teams, from Information Security Teams. Advise individuals of their right to appeal, if there is such a right under the applicable Policy;

- **Objectivity** - try to remain impartial and wherever possible base your conclusions on facts. Avoid making snap judgments or assumptions about culpability or wrongdoing;

- **Transparency** – ensure there is an audit trail of your investigation. Keep records of discussions and meetings, and notes of interviews. Retain documents in accordance with Post Office's Acceptable Use and Document Retention policies; and

- **Decision making** - prior to making your decision, ensure you have all the information you reasonably need. Prepare a report of findings. Consider who needs to be: (i) informed of the report outcome in conjunction with any applicable procedures, (ii) provided with the findings/ outcome report, (iii) advised of any follow-up actions. In some circumstances it may not be appropriate to share outcomes/ findings, e.g. in the context of whistleblowing investigations.

## Who is responsible for this policy

Post Office's Board of Directors have overall responsibility for ensuring that Post Office has a framework to ensure compliance with legal, regulatory and contractual requirements. The Board is kept abreast of relevant matters relating to the

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management of investigations by reports from its committees including its ARC Committee.

Key individuals and their specific responsibilities in relation to this Policy are:

- The General Counsel for Post Office is the Policy Sponsor, accountable to the Post Office Board overall.
- The Principal Employment Lawyer is the Policy Owner responsible for the day to day implementation of and compliance with this Policy. The Employment Lawyer is accountable to the General Counsel.

## Who must comply and how

Compliance with this policy is mandatory for all Post Office employees, officers, contractors, casual workers and agency workers. This policy applies wherever in the world Post Office's business is undertaken.

It is important that you read, understand and comply with this policy. Your actions, behaviour and conduct to apply the provisions of this policy are your responsibility.

You must adhere to all parts of this policy. You should avoid any activity which may lead to a breach of this policy. We may request your confirmation of agreement to this policy. You must notify your line manager, in the first instance, as soon as possible if you believe or suspect that a breach of this policy has occurred or may occur.

You may request a policy exception or waiver to this policy, but you must follow the Post Office's exceptions and waivers procedures which can be obtained from the business continuity Policy Owner.

If non-compliance is identified the matter must be referred to the General Counsel. Any investigations should be carried out in accordance with this policy. If the cause is found to be due to wilful disregard or negligence, it will be treated as a disciplinary offence.

## How we monitor compliance

The Principal Employment Lawyer will ensure that this policy is implemented, reviewed and remains effective. Post Office's internal systems and controls ensure that this policy is regularly independently assessed for effectiveness, suitability and adequacy. In addition, Internal Audit will periodically test compliance with this policy.

Review and assessment of compliance with this policy is done on a regular and timely basis. Reports are made to the Risk & Compliance Committee.

## How to raise a concern

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Any Post Office employee who has concerns about a failure to comply with this policy has a duty to:

- discuss the matter fully with their Line Manager; or,
- discuss it directly with their Head of Business Unit; or
- discuss it with Legal Services; or
- bring it to Post Office's attention independently of management, via the Speak Up Line (see Section E 'References' for more information).

## Contact us and more information

**If you need further information about this Policy, please contact** Nisha Marwaha – Employment Lawyer on GRO or by email : GRO

# Section C. Key Terms and References

## Key Terms

| Term or Acronym | Description |
|---|---|
| Post Office Group ('Post Office') | Post Office Limited and all subsidiaries and entities within the Post Office Group which includes Post Office Management Services Limited (POMS) |

## References

| References | Description |
|---|---|
| Speak Up Line | "Speak Up" is confidential reporting service which is run by InTouch MCS Ltd, an independent company. More details can be found in the Post Office Whistleblowing Policy. The Speak Up service is available on GRO or via a secure on-line web portal GRO |