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Welcome – Susan Crichton & Kay Linnell

Introductions

Aims and Agenda

House keeping

Background

Bond Dickinson


Post Office

Initial Complaint Review and Mediation Scheme Scheme Overview

Andrew Parsons
5 September 2013



Introduction

- 1. What is mediation?**
 - 2. Scheme process**
 - 3. Role of the advisor**
 - 4. Remedies and outcomes**
 - 5. Funding**
 - 6. Panel appointment**
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1. What is mediation?

Facilitated negotiation

Neutral third party

Parties agree their own solutions

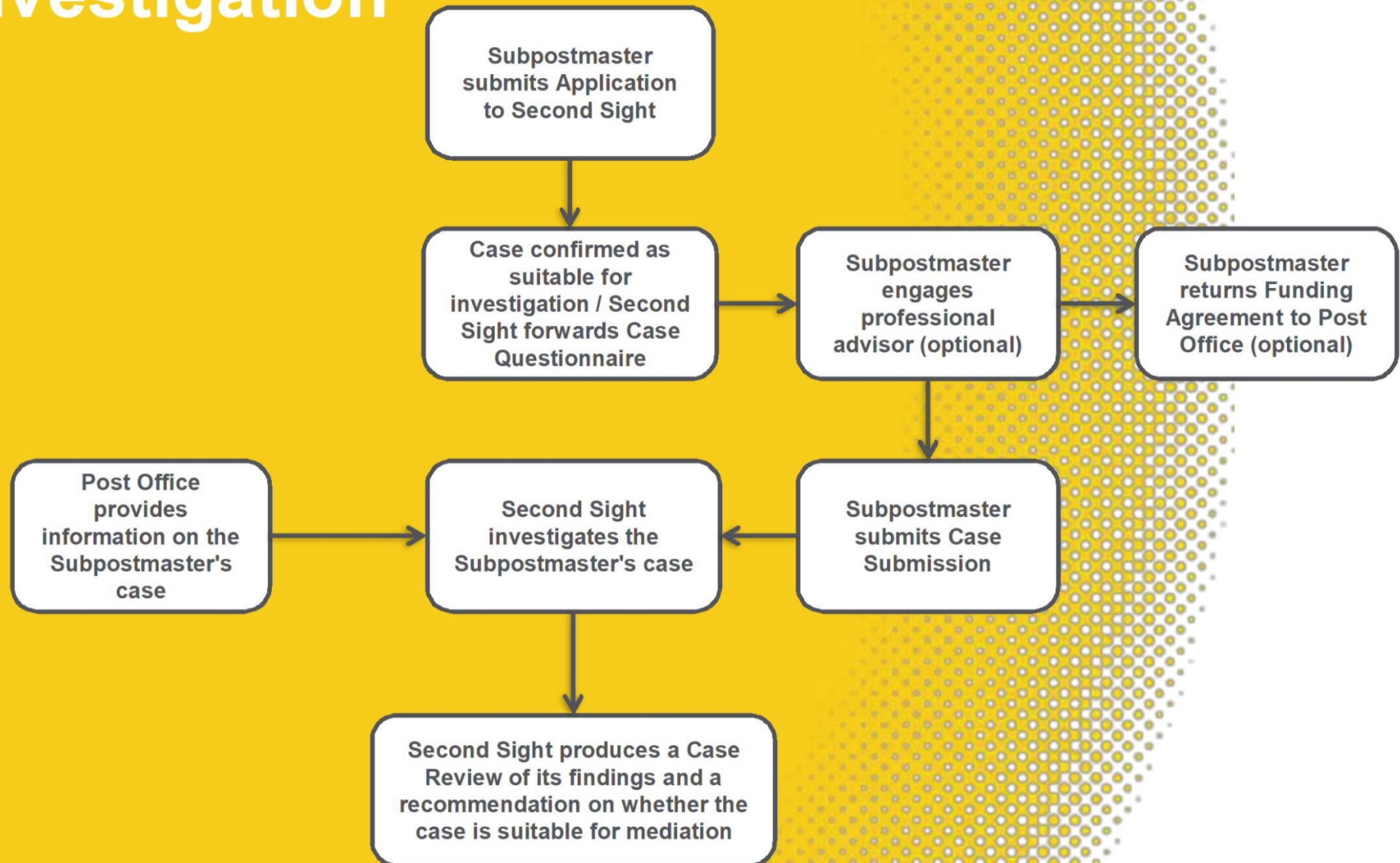
No commitment

2. Scheme process



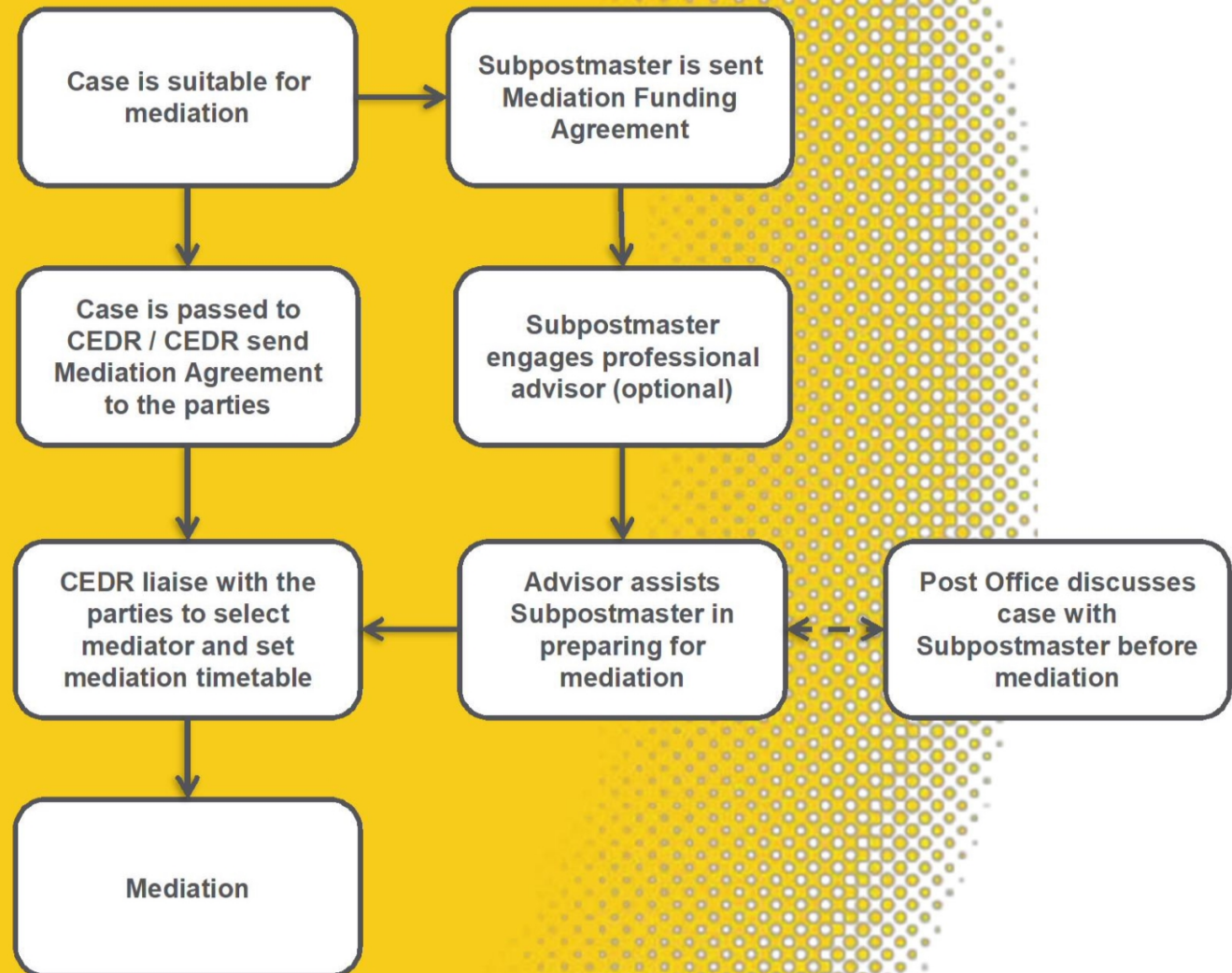
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Phase 1 Investigation



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Phase 2 Mediation



3. Role of the advisor - investigation

Review a Subpostmaster's case

Help present the case in logical manner

Support case with evidence

Ensure the case is accurate

Establish the Subpostmaster's objectives

Assist with responding to queries



Role of the advisor - mediation

Advocate the Subpostmaster's case

Contest Post Office's position

Identify possible solutions

Advise on possible settlements



4. Remedies and Outcomes

No guarantee of
resolution

Mediation

Negotiation

Court

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Possible remedies

Apology

Commitment to change

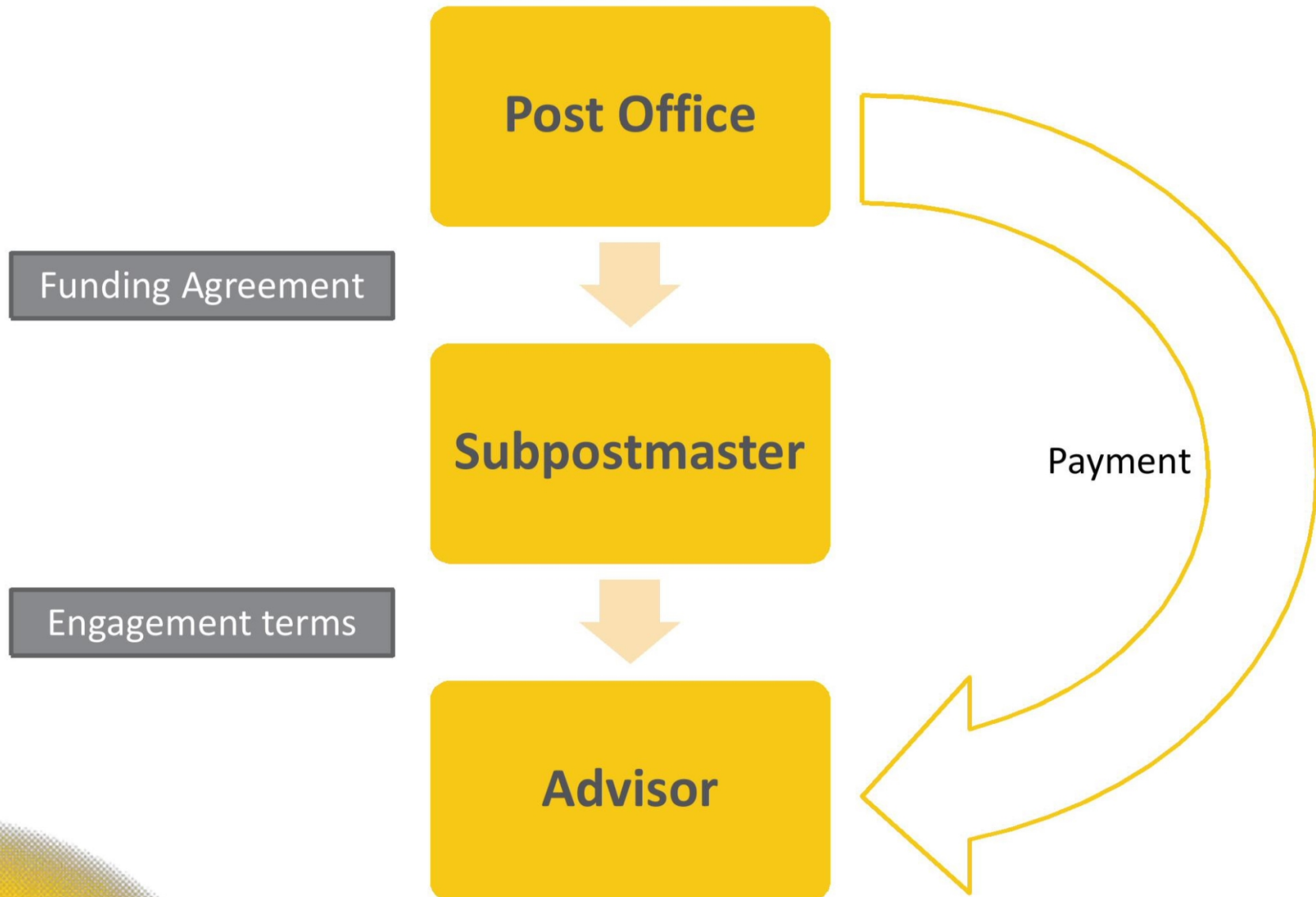
Compensation

Further investigation

Fix a problem

Support a criminal appeal

5. Funding model




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Funding rules

- 1. Post Office will not provide funding without a signed Funding Agreement**
- 2. Your responsibility to agree your fees with a Subpostmaster**
- 3. No payments on account**
- 4. Additional funding requests**

Invoicing

- **Complete advisor details sheet**
 - **Post Office raise Purchase Order**
 - **Invoices addressed to Subpostmaster and marked as “Payable by Post Office Limited”**
 - **Include Purchase Order number**
 - **Do not exceed funding levels**
 - **Submit invoices as required**
 - **Payment made**
- 

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6. Panel Appointment

No guarantee of work

Subpostmasters can go off panel

Panel and Scheme may change

Rates capped at £120 per hour

Personal appointment

Must sign Panel Advisor Agreement



The Post Office

An insight

Angela Van Den Bogerd

Key statistics

- The Post Office with a network of circa 11800 branches is the biggest retail network in the UK with more branches than all the banks and building societies combined.
- 97% of Post Branches are run with retail partners on an agency or franchise basis
- 370 Crown branches are directly managed by the Post Office
- 99.7% of population live within 3 miles of a post office
- 18m customers visit a Post Office branch each week
- Post Office secure cash distribution service is third largest in the UK
- Post Office cash supply chain collect and deliver on average £42bn cash, foreign exchange & secure stock each year



Our products and services

- Post Office is the UK's number one travel money provider
- Post Office is number one Mails retailer in the UK
- Best Online Lender, Fixed Rate Mortgage Provider, What Mortgage 2012
- Sixth largest telecoms provider of home phone and broadband in the UK with 500,000 customers
- Largest user of contactless enabled terminals in Europe with 30,000 terminals
- 754 branches offer world-leading identity technology (AEI)
- 6000 outlets for National Lottery products





Our relationship with subpostmasters

- Not an employee – an agent/franchisee operating on a contract for services
- Post Office entrusts cash and stock to the subpostmaster for them to use to operate the Post Office business.
- Subpostmaster is responsible for the cash and stock transferred
- Also responsible for any losses and gains - and is required to either put in the shortfall or take out the gain.



Post Office – initial training

- New Spmrs receive a week's classroom training and a week on-site in their post office branch
- Training on how to transact products and services; how to reconcile the days transactions; transfer in and transfer out cash and stock and how to despatch cheques to processing centre.
- Training on how to balance the branch on a weekly basis and roll over in to the next balancing period. And on a monthly basis and how to roll over into the next trading period.
- If discrepancies are notified by the in-branch system reports the trainer shows the Spmr how to verify the transactions completed and the cash and stock on hand.
- The trainer also explains how to accept discrepancies; how to make good losses and gains; how to raise issues about errors/discrepancies and settle centrally.



In branch reports

There are a range of reports that the Spmr is required to complete/run in branch to ensure the branch is functioning effectively:

- Daily cash declaration
- Weekly Balance Period Rollovers
- Monthly Trading Period Rollover
- Cut off routines
- Other reports ad hoc reports include – trial balance snapshot, transaction logs, suspense reports, daily sales, reversals



Transaction corrections

- Transaction Corrections (TC's) are transaction adjustments sent by the Finance Service Centre to branches.
- TC's are provided with evidence and are often superseded by enquiries with branches.
- The branch is required to process the TC via the Horizon system to make the necessary adjustment to align the branch records with that at the FSC and our client records.
- Processing TCs could result in a financial adjustment to the branch ie a loss or a gain depending on the error that is being corrected



Ongoing support

- Following the initial 2 week training period the Spmr gets a follow up visit at the 1 month, 3 month and 6 month stage
- Remote support is provided by the Helpline which is the first port of call for the Spmr with any customer and transactional queries.
- Accounting assistance is also provided by the Helpline; the Branch Support team and where required the Field Support Advisor (trainer)





Horizon Online

What is Horizon Online?

Horizon is an On-Line Point of Sale solution which supports...

- 170 products and services
- Financial Services
- Telephony
- Bill Payment
- Banking
- Travel Products
- DVLA Services
- Passport
- Retail Products



Background

- Horizon system was originally developed in 1996
- Horizon system migrated to Horizon Online in 2010
- Installed in over 11,000 branches with over 30,000 counters
- Handles 47 million transactions every week; 22 million banking transaction every month; 2.5 billion transactions a year with a cash value of £100 billion
- Horizon has the following industry standard accreditations:-
 - ✓ Payment Card Industry Data Security Standard
 - ✓ ISO 27001



Horizon - counter

The computer equipment in each branch consists of:

- Special Horizon Point of Sale Keyboard
- Touch Screen
- Magnetic Card Reader
- Barcode Scanner
- Slip and Label Printer
- PINPad

All the counters in a branch communicate to the Post Office Datacentre via a secure communication line with a backup communication system. Horizon needs to be online to operate – no offline transaction capability





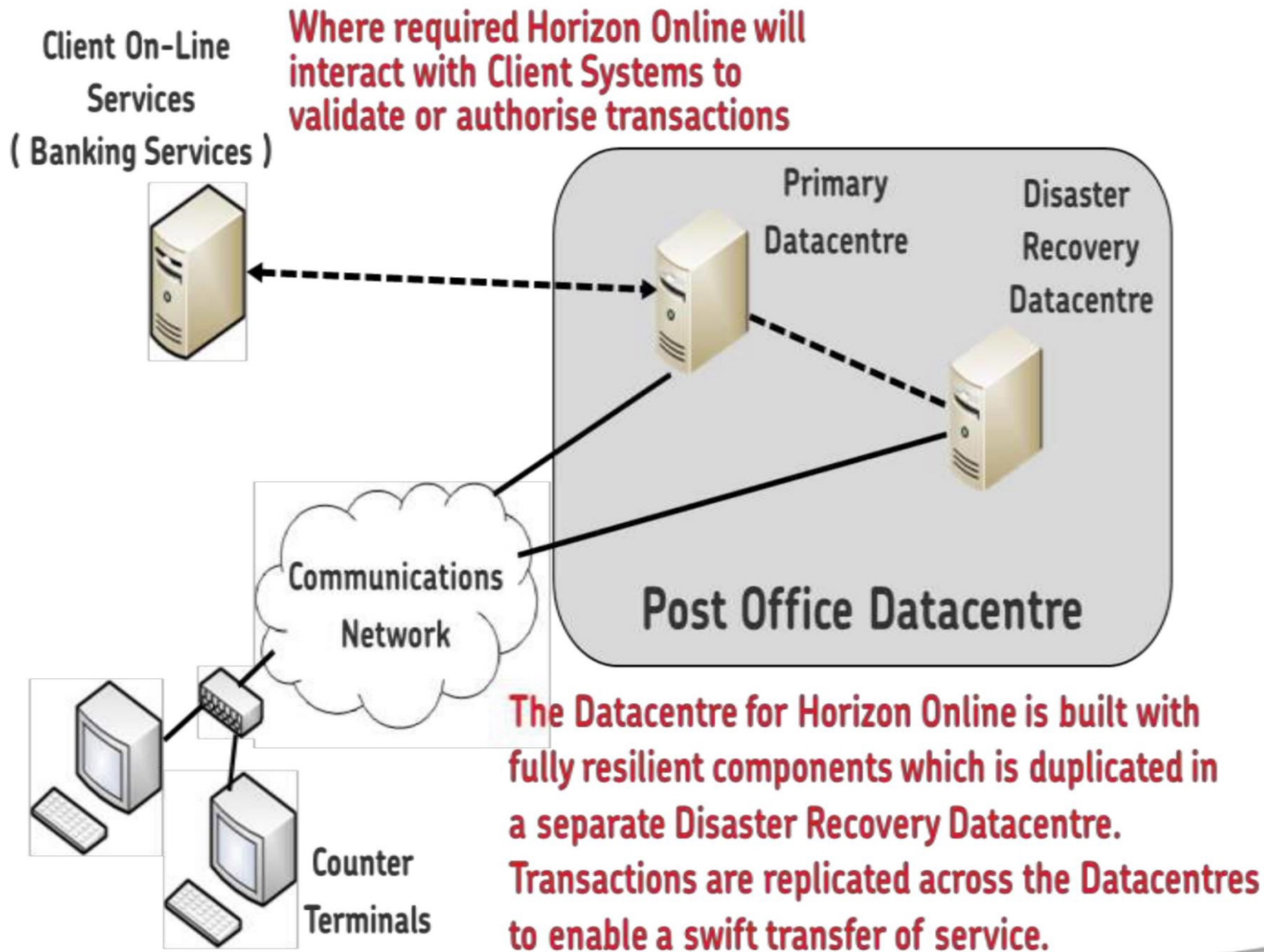
Horizon Online – user interface

- Access to Horizon via unique User Id and Password. User attached to Stock Unit
- Transactions driven by
 - Barcode Scan
 - Card Swipe
 - Keyboard
 - Touch Screen
- Transaction are added to the Basket
- Customer and Branch Receipts printed
- Colour coded function buttons
- Colour coded Balance:
 - **Red** (Total Due from Customer)
 - **Green** (Total Due to Customer)

Home	Front Office Home						Fri 07 Dec 12 12:32			Help	
	Select product or function or navigate to another screen using tabs or token										
Stamps	Stamps						Acceptance			Screen Entry T1	
Postal Services	1st	1st Large	1st x12	1st x6	Post Mail Items					Suspend Resume Lock T2	
	F1	21	22	23	24	26					
Banking	2nd	2nd Large	2nd x12	Open Postage Stamps	Ordinary CoP	Business Suite...	Total Due To Customer				
	F2	31	32	33	34	35	36	£ 0.00			
Travel	Bureau						Giros			Quantity	Previous
	F4					Green	Remove Item	Scroll Up	Scroll Down	PREV	
Licences & Government	Buy Dollars	Sell Dollars	Buy Euros	Sell Euros						Cancel	
	F5	51	52	53	54	56	F9	←	→	UNDO	
Telephony	Other						View Full Basket	Receipt	Back Office	Back Space	
	F6						F10	RECPT	F14		
Retail	AP Manual Entry	Chip & PIN	Transcsh	Retail Single Sale	Asylum Smartcard	Calculate	Logout	Quantity	Enter		
	F7	72	73	74	75	76	F11	F13	F15		
Local Schemes							Fast Cash	PLU	Settle		
	F8						F12		F16		
3DYKY4 TP: 11 BP: 01 SU: 30T Shared Serve Customer K:											

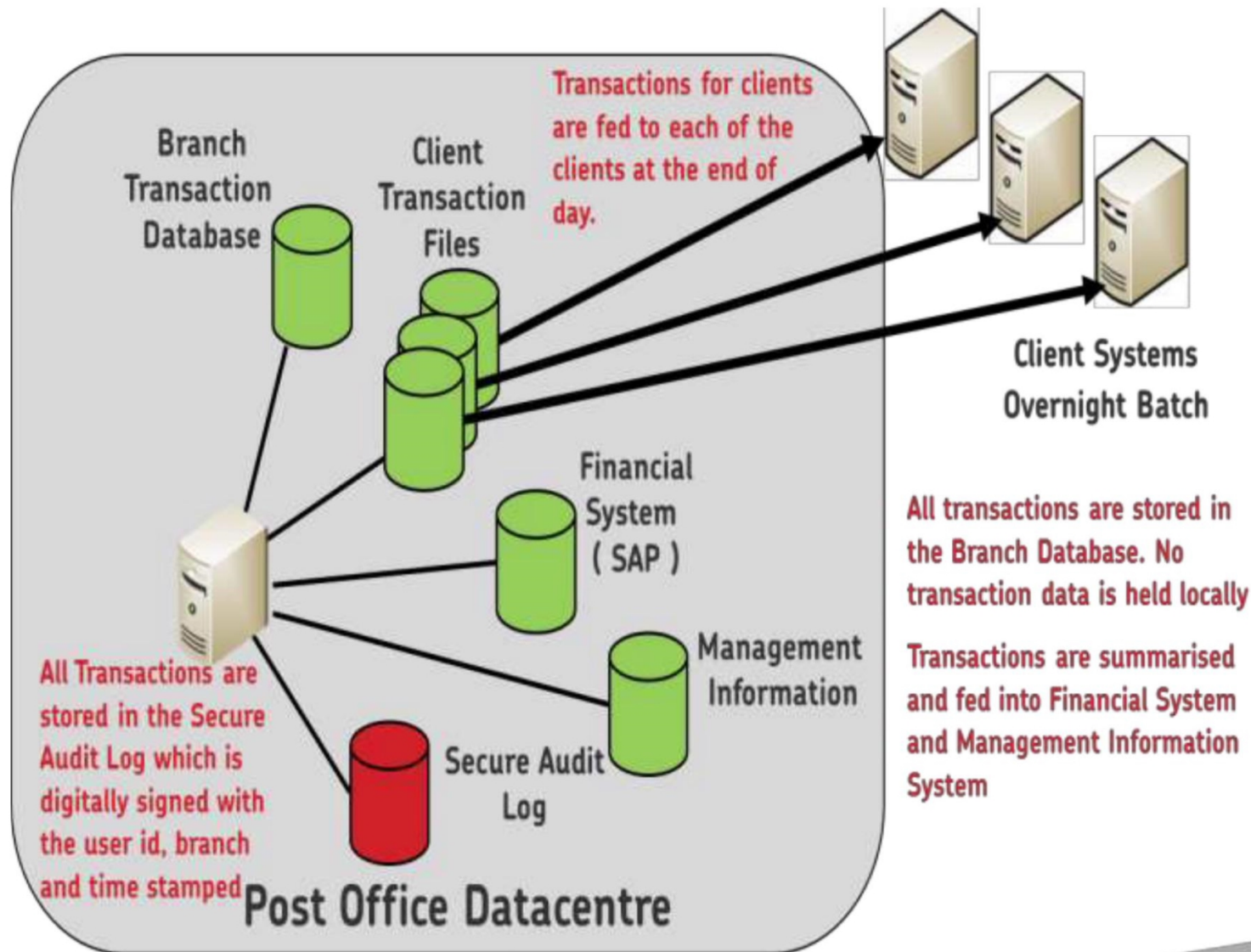


Horizon Online – system overview



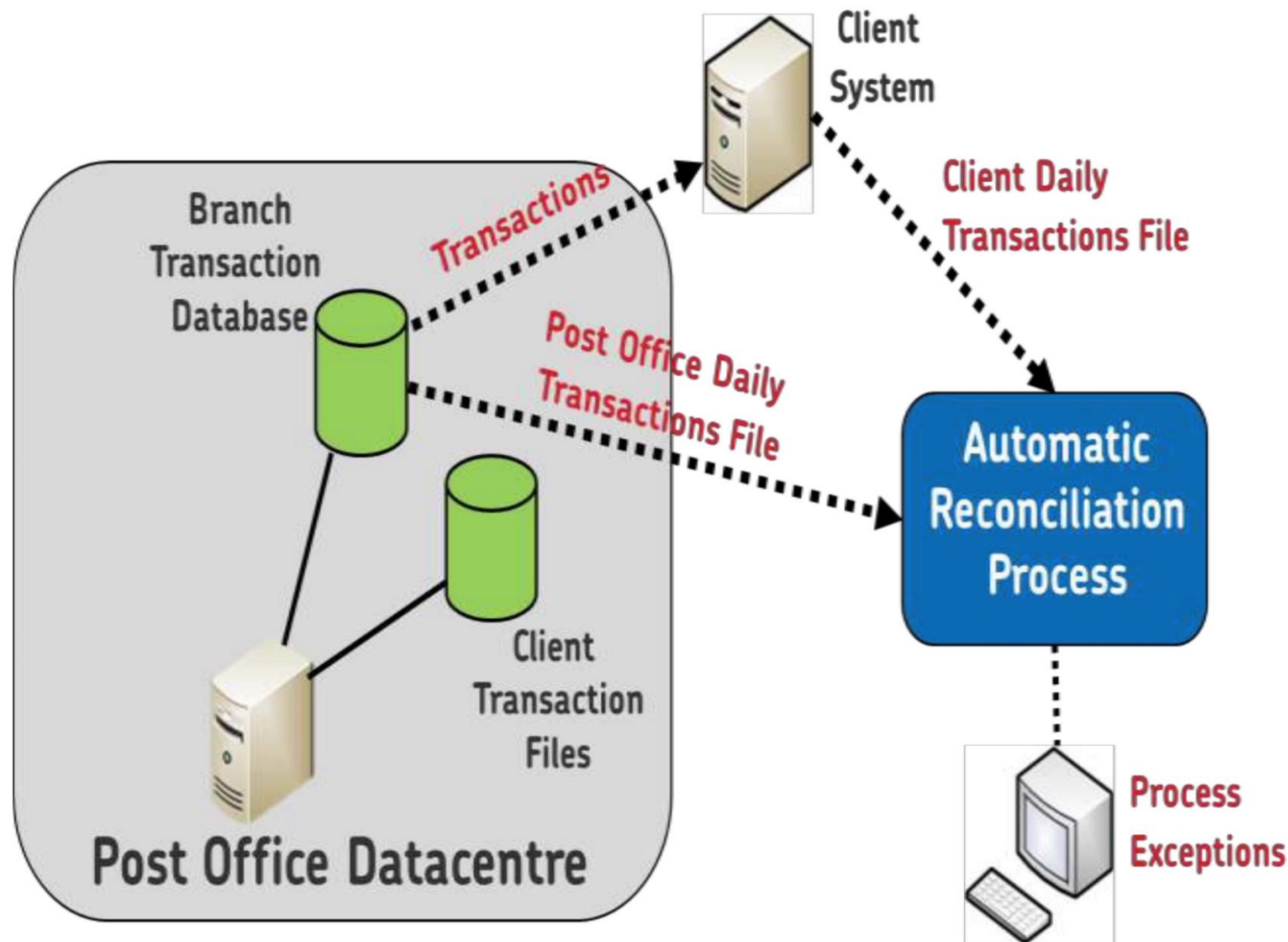


Horizon Online – data centre





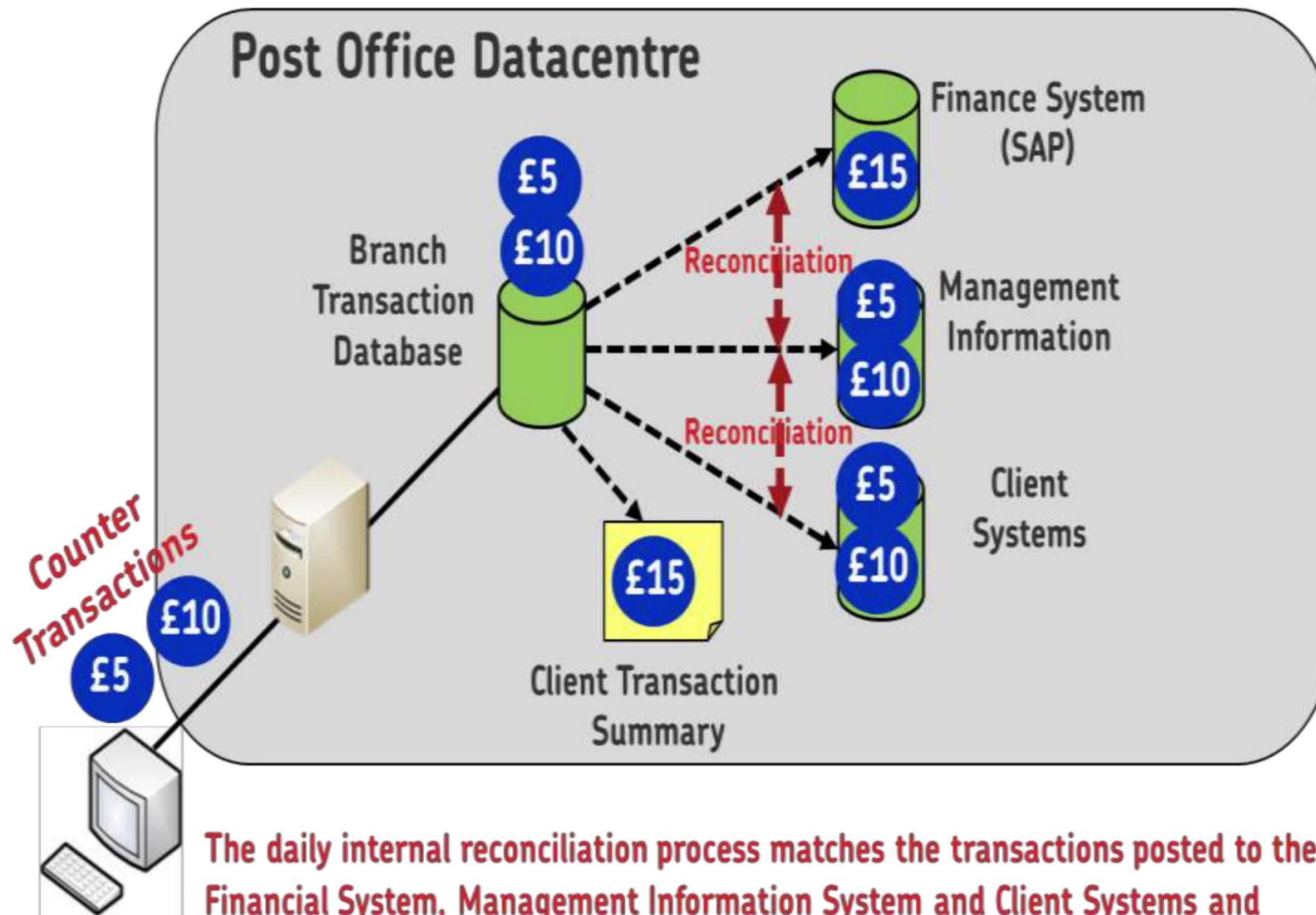
Horizon Online – reconciliation



The daily reconciliation process automatically matches the transactions received by the client with the transactions stored in the Branch Transaction Database. Any exceptions are processed by the Finance Service Centre.



Horizon Online – internal reconciliation



The daily internal reconciliation process matches the transactions posted to the Financial System, Management Information System and Client Systems and ensures that this balances to the Client Transaction Summary report.

Finance Service Centre (FSC)

- The FSC is the behind the scene accounting processing centre providing daily service to clients, branches, multiple partners and customers
- It is structured around core processes of:
 - Settlement
 - Enquiries
 - Debt recovery, and
 - Management reporting
- FSC is often just called Chesterfield by Subpostmasters. Until 2011 it was called Product & Branch Accounting (aka P&BA)



Finance Service Centre (FSC)

FSC's prime purposes are to ensure:

- Timely and accurate settlement to clients for transactions with their customers via POL channels. Up to £250m a day. (Clients eg. Banks, DVLA, local authorities)
- Prompt clearance of funds for all methods of payment in branches (cheques and cards). Around £100m a night.
- Timely identification and resolution of accounting and payments issues in branches . Issuing around 12,000 transaction corrections a month to branches
- In doing so, FSC works closely on a day to day basis with partners across POL, including: Network Business Ser, Network Contract Managers, Trainers, Auditors, Security, Client Managers, Legal, IT and supplier contract managers





FSC – broad types of enquiries

Customer driven enquiries

- Eg. Branch mis-keyed the value or account code in the manual stage of a transaction.
- Eg. Bill payments, banking, licencing.
- In this situation FSC would often have had no way of knowing the branch had made an error. The branch may not always have made a value mistake, but the customer does not get the end service that they had expected (eg. The bill is not cleared at the utility company)

Centrally driven enquiries (open item managed enquiries)

- Primarily detected by the FSC matching and reconciling multiple data streams from a branch (eg. Electronic, paper inc Lottery, ATM).
- Typically the customer is not impacted but the branch will have recorded different values in Horizon to what the actual transactions were (eg. Daily ATM withdrawals)

Branch driven enquiries

- May be for specific customer transactions or more general uncertainty due to balancing issues at close of business.



Discrepancies - examples

Transactional errors

- Errors or omissions in data entry at branch level. Eg. Mis-keys, forgetting to enter data, failure to close a customer basket from previous customer session
- These are typically resolvable by agreement with the customer (which may depend on client / bank engagement for data protection reasons)
- Branches may, however, be held liable in the end due to cash loss being incurred

Method of payment issues

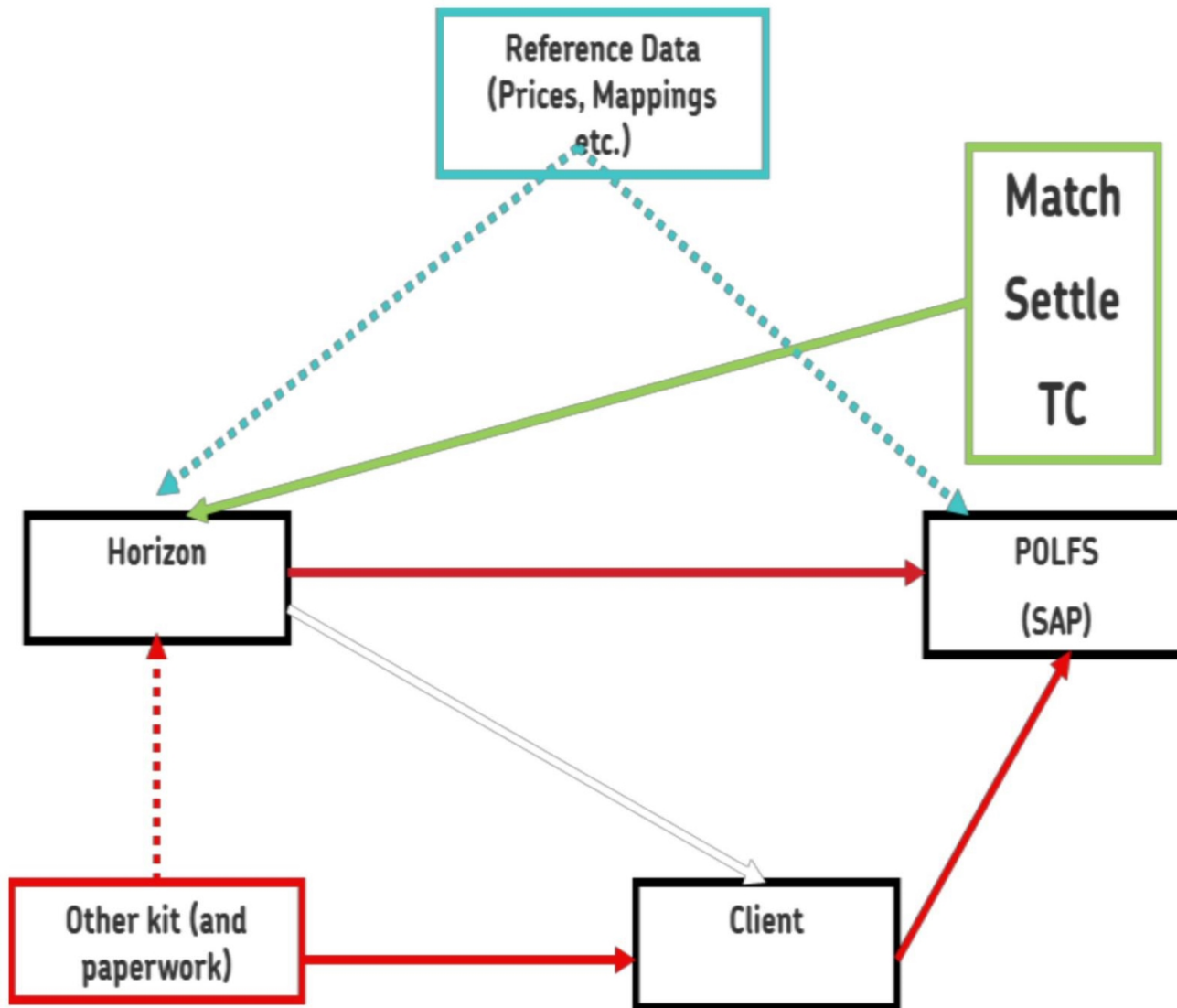
- Delays in sending cheques for processing, incomplete contents of cheque or cash pouches, unpaid / bounced cheques, card payment issues

Balancing issues (surpluses and deficits)

- May be traceable to a transaction, may be cash misplaced behind the drawers, errors in data entry, errors in giving change to customers and in a minority of cases actual theft of cash by someone in branch
- NB. Where cash leaves a branch without any corresponding transaction eg over the counter human error or in the rare cases theft then it is not possible for FSC to define a root cause.



The data journey



Post Office Limited 

Mediation Case Study

Objectives of this Session

- To help you make an informed decision as to your involvement
- To help you understand the Key Issues covered in the Interim Report
- To cover some of the terminology that you'll encounter
- To show you what an incoming Mediation Application will look like
- To give you an idea of the challenges that you'll face
- To ensure that you'll be able to help your new clients from Day 1
- To help you help each SPMR prepare a good Case Questionnaire/Case Submission
- To help you understand what is and is not relevant and compelling
- To help you understand what 2nd Sight will be looking for in each Case Submission
- To answer any remaining Questions
- To hear your thoughts on whether any more help will be needed to ensure your success as an Advisor

Key Issues from Interim Report

- **Wide definition of “Horizon”** which includes:
- the surrounding **Operational Processes**, both at branch level and in POL's central processing centres;
- the **interfaces** between the Horizon system and other systems that are the responsibility of organisations other than POL such as Camelot, the Bank of Ireland, the Co-Op, various Energy Companies and the 'LINK' system for processing Credit and Debit Card payments and withdrawals;
- the **power supply and telecommunications equipment** that connects every Horizon terminal to POL's centralised data centres;
- the **training** available to Sub-Postmasters ('SPMRs') and their staff and whether it was commensurate with the demands of the day-to-day job at the counter;
- the actions need to 'balance' at the **end of each Trading Period** ('TP') and the investigation work needed in dealing with errors and Transaction Corrections ('TCs');
- the level of **support** available to SPMRs and their staff from POL's Helpdesk;
- the effectiveness of POL's **audit and investigative processes**, both in assisting SPMRs who called for help in determining the underlying root cause of shortfalls and in providing evidence for other action by POL such as in Civil and Criminal Proceedings.

Issues frequently reported by SPMRs

- A **multi-product system** that is far more complex and demanding than, for example, that found in a typical high street bank;
- **Multiple transactional interfaces** ('hand-offs') to systems outside of Horizon such as Lottery Scratch Card and Bank of Ireland ATMs that cause repeated and possibly large shortfalls that take undue amounts of time to investigate and resolve;
- Unreliable **hardware** leading to printer failures, screen misalignment (pressing one icon sometimes results in the system selecting an incorrect icon) and failed communications links;
- The complexity of **end of Trading Period ('TP') processes** and the lack of a 'suspense account' option which would allow disputed transactions to be dealt with in a neutral manner;
- Inexperienced trainers and **gaps in training coverage**;
- The lack of some form of on-site **Supervision and Quality Control** similar to that made available to staff employed in POL's Crown Offices;

Continued...

- The receipt of centrally input, overnight 'corrections' and other changes allegedly not input by SPMRs or their staff;
- Inadequate **Helpdesk support**, with responses that are 'script-based' and sometimes cause further or greater problems;
- POL investigation and audit teams that have an asset-recovery or prosecution bias and fail to seek the **root cause** of reported problems;
- A **contract** between SPMRs and POL that transfers almost all of the commercial risk to the SPMRs, but with decreasing support being provided. In its risk reward decision making, POL benefits from any savings, while SPMRs may suffer increased risk.

Findings from the Interim Report

- We have so far found no evidence of system wide (systemic) problems with the Horizon software;
- We are aware of 2 incidents where defects or 'bugs' in the Horizon software gave rise to 76 branches being affected by incorrect balances or transactions, which took some time to identify and correct;
- Occasionally an **unusual combination of events**, such as a power or communications failure during the processing of a transaction, can give rise a situation where timely, accurate and complete information about the status of a transaction is not immediately available to a SPMR;
- When individual SPMRs experience or report problems, POL's response can appear to be unhelpful, unsympathetic or simply fail to solve the underlying problem. The lack of a 'user forum' or similar facility, means that SPMRs have little opportunity to raise issues of concern at an appropriate level within POL;
- The lack of an effective '**outreach' investigations function** within POL, results in POL failing to identify the root cause of problems and missing opportunities for process improvements;
- The **end of Trading Period processes** can be problematic for individual SPMRs, particularly if they are dealing with unresolved Transaction Corrections ('TCs'). The lack of a 'suspense account' option means that it is difficult for disputed TCs to be dealt with in a neutral manner.

Concept of 'Spot Reviews'

- A Spot Review is a discrete issue, event or 'Incident' reported by a Subpostmaster
- We reported on 4 Spot Reviews in our Interim Report
- A case may have multiple Spot Reviews
- However, the concept of Spot Reviews is less relevant now as the Mediation process will look at the TOTALITY of the Subpostmaster's contact with Post Office Ltd and the Horizon system as broadly defined

Other work performed

- 2nd Sight has already initially 'Fast-track' reviewed 43 cases reported to MPs or JFSA
- We have so far identified 14 thematic issues that are common to many of the cases seen so far... others may yet emerge
- We expect the same pattern to apply to cases submitted for Mediation
- We categorise these as:
 - Type 1 (Transaction-related) or...
 - Type 2 (Process-related) issues...

Type 1 Issues (Transaction-related)*

- Transactions or Transaction Corrections not entered by the Sub-postmaster or staff
- Transaction anomalies following telecommunication or power failures
- Transaction anomalies associated with ATMs
- Transaction anomalies associated with Scratch Cards
- Transaction anomalies associated with Motor Vehicle Licensing ('MVL')
- Transaction anomalies associated with Bank / GIRO / Cheques
- Transaction anomalies associated with Stamps or Postage Labels or Phone Cards
- Hardware issues e.g. printer problems, PIN pads and touch screens
- Failure to follow correct procedures

*** These are 'themes' that have emerged from our initial 'Fast-track' Review of the 43 MP/JFSA Cases but are subject to further investigation and are consequently not proven**

Type 2 Issues (Process-related)*

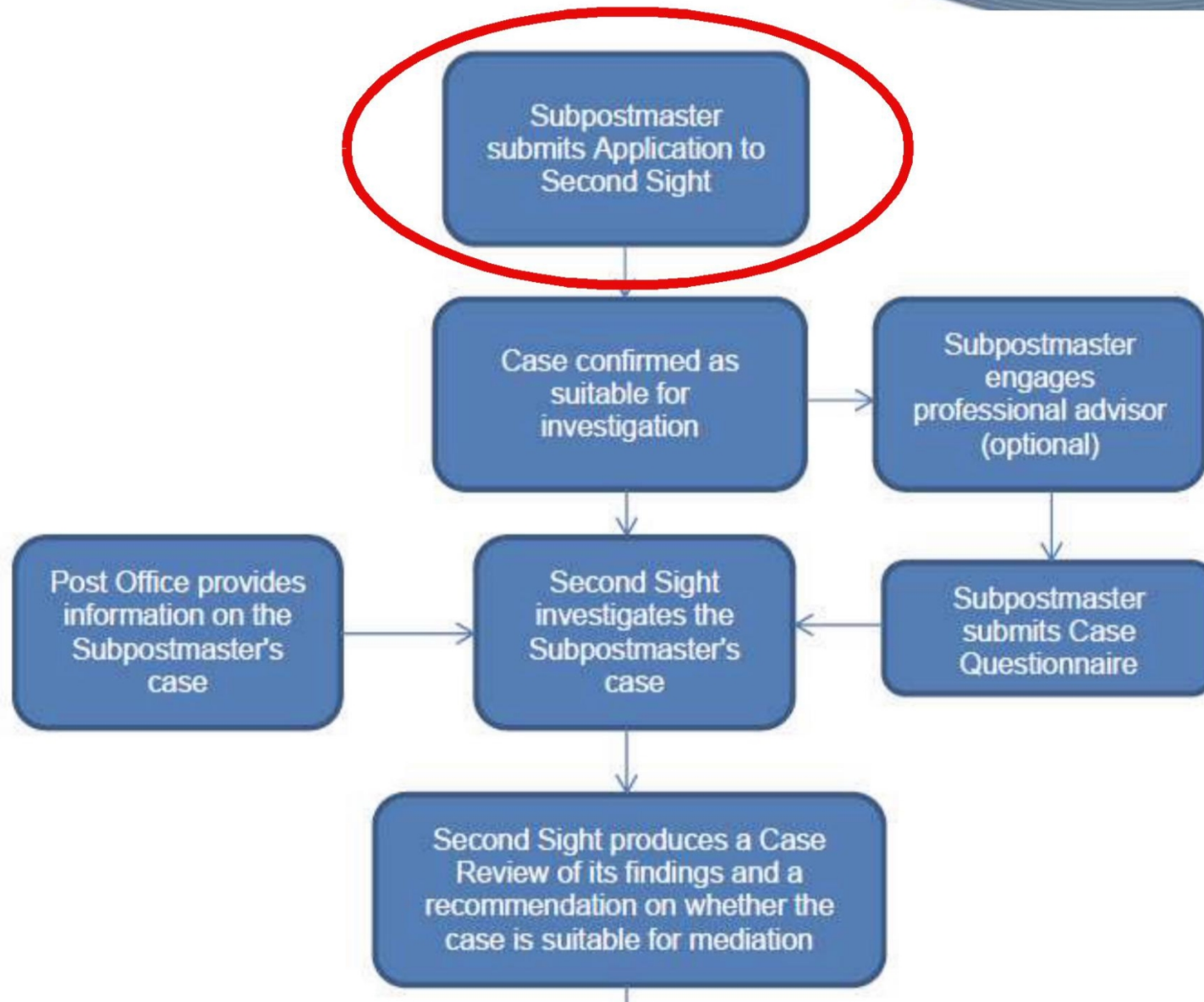
- Training and Support issues including HelpLine and Audit
- Limitations in the Transaction Audit Trail available to Subpostmasters
- Process issues at the end of each Trading Period
- The contract between the Post Office and Subpostmasters
- The lack of an outreach investigations function

*** These are 'themes' that have emerged from our initial 'Fast-track' Review of the 43 MP/JFSA Cases but are subject to further investigation and are consequently not proven**

Thematic Issues Grid

Type 1 Thematic Issues										Type 2 Thematic Issues				
CASE / INCIDENT	Transactions or Transaction Corrections not entered by the Sub-postmaster or staff	Transaction anomalies following telecommunication or power failures	Transaction anomalies associated with ATMs	Transaction anomalies associated with Scratch Cards	Transaction anomalies associated with MVL	Transaction anomalies associated with Bank / Giro / Cheques	Transaction anomalies associated with Stamps or Postage Labels or Phone Cards	Hardware issues e.g. printer problems, PIN pads and touch screens	Failure to follow correct procedure	Training and Support issues including help line and Audit	Limitations in the Transaction Audit Trail available to Subpostmasters	Process issues at the end of each Trading Period	The contract between the Post Office and Subpostmasters	The lack of an outreach investigations function
1		X				X	X	X	X	X	X	X	X	
2	X	X			X	X	X	X	X	X	X	X	X	
3	X						X		X	X	X	X	X	
4						X	X	X		X	X	X	X	
5			X	X					X	X	X	X	X	
6	X	X	X			X	X	X	X	X	X	X	X	
7			X											
8				X										
9	X	X	X	X				X	X	X	X		X	
10	X			X		X		X	X	X	X		X	
11								X	X	X				
12								X		X			X	
13	X						X		X					
14														
15	X			X	X	X				X		X	X	
16														
17								X					X	
18		X						X		X		X	X	
19	X	X		X		X	X	X		X	X	X	X	
20														
21														
22										X				
23														
24														
25										X	X			
26			X											
27									X	X	X	X	X	
J1	X							X		X				
J2		X				X			X	X				
J3	X					X		X		X				
J4			X							X				
J5						X	X			X	X	X		
J6	X						X							
J7	X					X			X	X	X		X	
J8						X								
J9														
J10										X				
J11						X	X							
J12						X	X			X				
J13	X													
J14	X									X				
J15	X													
J16		X								X				
J17		X								X	X			
J18		X		X		X		X		X	X			
J19		X												

The Mediation Process



Initial Application

- Provides basic Contact Information, Branch Location, Post Office 'FAD' Code, etc.
- Includes the 'Initial Case Overview' (based on 10 Key Questions)
- See examples...
- Take a quick look at each example and decide:
 - What 'Thematic Issues' does it raise?
 - Is it crystal clear?
 - If not, why not?
 - Does it include irrelevant material?
 - Is it full of POL acronyms and jargon?
 - Does it generate more questions than it answers?
 - Does it refer to the existence of evidential material?
 - In answering the question about the monetary value, has the Applicant referred to the amount of the shortfall as of the date of his/her suspension... or to an estimate of his/her consequential loss... or to both?

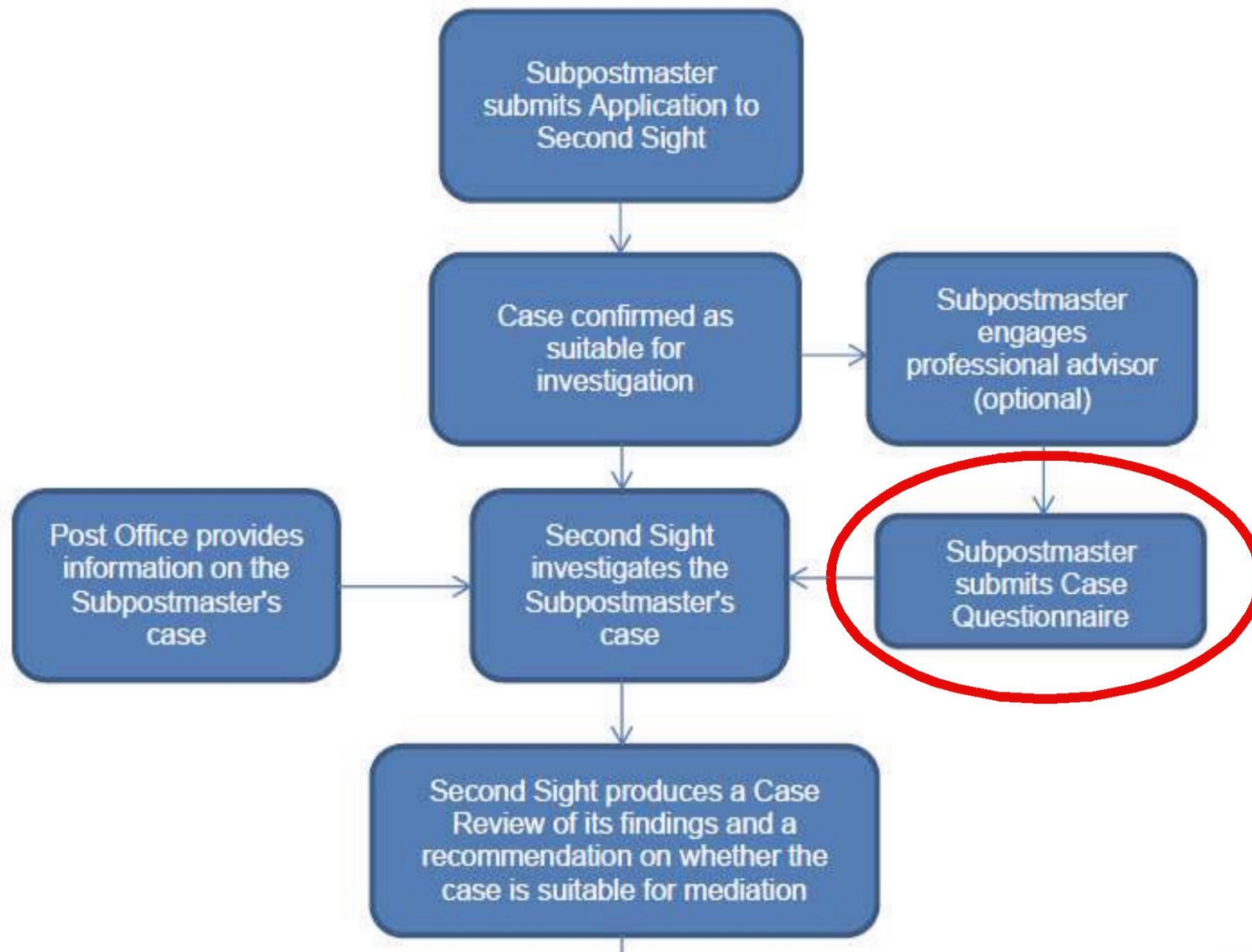
Thematic Issues Grid (for participants' use)...

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A														
B														
C														

Thematic Issues Grid (for participants' use)...

Type 1 Thematic Issues										Type 2 Thematic Issues				
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A						X	X	X		X		X		
B				X				X		X				
C								X		X			X	X

The Mediation Process



Case Questionnaire/Case Submission

- This is at the centre of the Mediation Procedure and forms the basis of the matters that may go forward to Mediation
- It is important that the issues raised by Subpostmasters are supported by **evidence**. A key role of the Advisor is to ensure this occurs
- The greater detail that should be provided at this point will be of assistance when the case is considered, both by 2nd Sight and when it is later looked at by Post Office Ltd and by the Mediator
- What Questions does the Case Submission need to answer?... This is all about clearly summarising the “**Who, What, When, Where, Why and How**” of the SPMR’s Case

Case Questionnaire/Case Submission

- The **10 Key Questions** answered by each Applicant in the Application Form should again be addressed... but this time with the Professional Advisor's help to ensure that:
 - the Case Questionnaire, which is at the core of the Case Submission to 2nd Sight, describes only those complaints and 'Incidents' (where the SPMR asserts that Post Office Ltd was in some way deficient) that are **relevant** to the Mediation process
 - each of those relevant complaints or incidents is described in the form of a clear, easy-to-understand and compelling '**story**'... and that each story is **jargon-free** and **flows without 'leaps of unexplained logic'**... such that it will later be **easily understood** by a person not having a detailed technical knowledge of Horizon or of Post Office/counter practices
 - it contains **answers to the Additional Questions** posed by 2nd Sight after its review of the Initial Application

Case Questionnaire/Case Submission

- What is the main issue or issues you wish us to consider that relate to Horizon or its associated processes?
- When did the incidents relating to the main issue or issues occur?
- What prior contact have you had with the Post Office in regard to the incidents/issues that you are now reporting?
- How was the issue or issues resolved at the time they occurred?
- What is the monetary value of the issue or issues you are now reporting?
- Were you the subject of either civil recovery action or criminal prosecution regarding the main issue or issues you are now reporting?
- How were these actions against you (if any) resolved?
- What is your explanation for the events forming the main issue or issues you are now reporting?
- Did you request assistance from the Post Office regarding the issue or issues you are now reporting?
- What assistance if any was provided?
- **So... what will a good Case Submission look like?...**

What will a good Case Submission look like?...

- A good Case Submission will go a long way towards ensuring that the SPMR's story is understandable and compelling. In terms of **presentation**, it will be:
 - complete (in having answers to the 'Ten Key Questions' and any further questions posed by 2nd Sight after its review of the Initial Case Overview)
 - clearly articulated (don't sacrifice clarity for brevity)
 - flowing and devoid of disconnected leaps from one statement to another
 - understandable (by people who don't understand POL 'jargon')
 - one where the SPMR's 'story' includes properly described 'Incidents' (see 'Spot Reviews' in 2nd Sight's Interim Report as examples) that are each convincingly described and backed up by the best evidence available
 - one that provokes relatively few further/follow-up questions from 2nd Sight
 - one where assertions that cannot be proved by supporting evidence may be included... but must be disclosed as such and distinguished from those that do have evidential support

Continued...

- A good Case Submission will go a long way towards ensuring that the SPMR's story is understandable and compelling. In terms of **content**, it will be:
 - heavy on relevant Incidents (where POL is alleged to have failed) and light on emotional 'chatter'
 - factually correct and... HONEST (deception will not be rewarded)
- 2nd Sight will also expect each Case Submission to include:
 - a **Timeline** that shows when important Events/Incidents occurred
 - 3rd party **Evidence** that ties in with the reported Events/Incidents
 - a clear statement showing what the Applicant is looking for by way of **Remedies**

Objectives of this Session – did we achieve them all?

- To help you make an informed decision as to your involvement
- To help you understand the Key Issues covered in the Interim Report
- To cover some of the terminology that you'll encounter
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- To help you understand what 2nd Sight will be looking for in each Case Submission
- To answer any remaining Questions
- To hear your thoughts on whether any more help will be needed to ensure your success as an Advisor

Will you need any more help?

Q & A...