



Date:

To:

Re: [insert member's name] - Issuing of [insert penalty]

Further to my previous letters objecting to the use of the Conduct Code, I understand that you have written to [insert name] on [date] issuing [him/her/them] with a penalty of [insert penalty] following a charge of [insert charge, including amount of loss and the date it occurred].

As you will be aware, the correct procedure to deal with such losses is the Losses and Gains Procedure, which is not only agreed with the CWU; it is also contractual, being part of the Crown Office Staffing Agreement (COSA). Please find enclosed a copy of the agreed Losses & Gains Procedure for your reference.

May I draw your attention in particular to the following:

- The Conduct Code is clear that it applies to matters of conduct, and not capability. It specifies the use of the Losses and Gains Procedure instead.
- The Losses & Gains Procedure states *"Any colleague whose balancing record falls below the standard will need to be dealt with under the 'escalation process'"* it then goes on to clarify what is considered to be below standard in the Escalation Process (i.e. 3 losses of £30 or more in a 13 week period).
- It further states *"To ensure there is a consistent approach across the whole Crown Office estate, all offices will comply with the actions matrix, without exception. In that way Managers ensure all offices are delivering a consistent approach to loss management within their respective offices"*.

I must make it clear that on behalf of our member I fundamentally object to the inappropriate use of the Conduct Code instead of the agreed Losses & Gains Procedure. Indeed, Martin Rouse, former Regional Manager, committed at a recent meeting with the Union to ensuring that all managers use the collectively agreed Losses and Gains Procedure as **"their first port of call"**. I would therefore urge you to rescind the penalty that you awarded. I would be grateful if you could confirm as a matter of urgency that you will do so, and instead of using the Conduct Code, that the Losses & Gains Procedure will be used.

If, despite this letter, you confirm the award of a disciplinary penalty, please note I will have no hesitation in supporting our member at an Appeal. I will naturally make it clear that you are acting outside of the agreed procedures. I will also be reporting this breach of the Losses & Gains Procedure to our Headquarters who have already been in discussions with senior Post Office management regarding our concerns in this matter. Furthermore I will be encouraging our member to lodge a formal grievance against the inappropriate use of the Conduct Code.

In view of the above, I look forward to you rescinding the disciplinary penalty.

Yours sincerely

[Name]

[Position]

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