



# LETTER TO BRANCHES

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No. 368/2018

26<sup>th</sup> June 2018

Dear Colleagues

## **POST OFFICE: INAPPROPRIATE USE OF THE DISCIPLINE PROCEDURE FOR COUNTER LOSSES – EMERGENCY MOTION E1**

Further to LTB 200/18 dated 6<sup>th</sup> April. Branches will be aware that earlier this year we received numerous reports from our Representatives with regards to Post Office management's inappropriate use of the Conduct Code rather than the Losses & Gains procedure for counter losses. As a consequence, the following Emergency Motion (E1) was admitted to the Agenda pad and carried unanimously at this year's Postal Conference:

*This Conference is deeply concerned by the contents of LTB 200/18, which was issued on 6th April 2018. In particular, the abuse of the Conduct Code in the Post Office, and the breach of the Losses and Gains Procedure, as outlined in the Crown Office Staffing Agreement are issues that Conference believes cannot be tolerated. Whilst Conference accepts that there may be elements of the agreements that could be updated, Conference believes that this should happen by negotiation and agreement, and not by allowing breaches of these existing agreements that have served our members well for many years.*

*Therefore, Conference instructs the Postal Executive that it takes steps to ensure that:*

- 1. The Post Office reaffirms its commitment to, and abides by the Nationally Agreed procedures in the Conduct Code and the Losses and Gains Procedure until such time as they are renegotiated and any replacement or amended version is agreed.*
- 2. The £30 trigger contained in the Losses and Gains Procedure be updated to take into account inflation since the level was set in 2001.*
- 3. There is an amnesty for any disciplinary penalties that members have already received through this abuse of the Conduct Code, so they are expunged from their records.*

*Glasgow and District Amal  
Plymouth and East Cornwall Amal*

Following the carriage of Emergency Motion E1, several meetings were held with the Post Office with the aim of putting arrangements in place to immediately halt the inappropriate use of the Conduct Code by managers. As a consequence of our further representations, together with formal correspondence, good progress has been made in respect of the conference policy.

### **Confirmation that the Conduct Code will NOT be Used for Losses**

I am pleased to report that we have now received a letter from Lee Kelly, Senior Employee Relations Manager (attached) dated 12th June confirming the following:

- 1) The Conduct Code will only be used in circumstances related to losses and gains where there is a reasonable suspicion of theft, dishonesty or false accounting.*
- 2) There will need to be however a meeting held between a Manager and Colleague in relation to any loss or gain over £30 to establish the circumstances around that loss and address any capability issues as remedial action. This meeting will not be referred to in relation to being a 'fact-find' under the auspices of the Conduct Code.*
- 3) Following the meeting to establish the reason for the loss or gain, all actions (other than in cases of theft, dishonesty or false accounting) will follow as described in the Losses and Gains Escalation Process.*

Lee Kelly has also requested dates for meetings to take place to begin formal negotiations with a view to establishing a revised Losses & Gains Collective Agreement. In our view, the current Agreement is in general terms fit for purpose and the problems our members have encountered was simply down to the fact that managers were bypassing the Losses & Gains procedure and inappropriately going down the discipline route. There may however be areas which can be improved, especially as the language contained within the L&G Agreement may be out of date in some areas due to the passing of time since the Agreement was last reviewed in 2001. Additionally, the balancing cycle has changed from weekly balancing to once every 4 weeks. Therefore we are happy to commence a joint review of the current arrangements.

In conclusion, it is clear we have made good progress on this issue since the carriage of the Emergency Motion at annual conference. Feedback from our members is also positive as they are now experiencing a reversal in the approach by management to Losses & Gains. There is though the issue of disciplinary warnings that have been issued previously that our policy requires to be expunged and this position will be pursued further.

We have updated the Postal Executive on the above progress and further developments will be reported as appropriate.

Yours sincerely

Andy Furey

Assistant Secretary



Lee Kelly 2018.06.12  
- Collective Agreemer

