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Monthly Monitoring Meeting Readout 05 October 2023

Attendees

- Carl Creswell (CC) – Director, Business Resilience, DBT
- Simon Recaldin (SR) – Director, Remediation Unit, POL

Post Office

- Catherine Connolly (CCo)
- Evelyn Hocking (EH)
- Jamie Tebbutt (JT)
- Ken Kyriacou (KK)
- Madeleine Dematteis (MD)
- Matthew Hilton (MH)
- Neil McDaid (NM)
- Pamela Heap (PH)
- Paul Murray (PM)
- Sarah Lambert (SL)
- Simon Atkin (SA)
- Victor Turner (VT)

UKGI

- James Gourlay (JG)
- Sisi Zhang (SZ)

DBT

- Ciara Lawrence (CL)
- Eleri Wones (EW)
- Harry Fallowfield (HF)
- Foysul Hoque (FH)
- Paul Harding (PH)

HSS

1. Overall progress

There are only three claimants from the original HSS cohort still awaiting an offer. POL hope to issue those this month. POL received 18 late applications this month, 9 of which were referrals from the Suspension Remuneration Review (SRR). POL expect to continue to receive late apps through from the SR disclosure process. There are still 1000 letters to go out to the SRR population.

Currently forecasting around 450 late applications and mindful that there may be an influx of late claims in the final days before the closure date (once announced).

Carl congratulated POL on the progress for the original claims. Additionally, he noted that DBT have prepared advice on HSS closure date, following engagement with the Advisory Board, and he expected this to go up shortly.

2. Tax top-ups

Paul M updated the group on POL's readiness to start issuing top-ups. The team is now in place and have prepared a stock of around 300 cases where the calculations have been completed. By mid-October this should be 450 cases. External assurance on the calculator has also been completed. Cases are being prioritised according to whether they are in the critical category – e.g. postmasters in financial difficulty, > 80 etc.

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Top-up team are also considering whether they may be able to support DRP with revised offers that may help settle claims.

Highlighted that following the funding letter, POL were only waiting for DBT on confirmation of treatment of Scottish and corporate taxpayers.

Harry F responded that a decision had been made and DBT would follow up in writing after the call. [This has now been actioned].

3. Dispute Resolution Process

Sarah noted that 149 disputed cases have now settled to date. However, progress is currently quite slow with lots of cases sitting with legal representatives. POL are meeting bi-weekly with Hudgells to talk through their cases and how they can be progressed more quickly. These cases are now starting to flow back into the process but there has been a six-month lag.

Carl noted that DBT are open to proposals that may help to speed up the settling of cases in dispute.

4. Discussion of HSS appeals

The group discussed the Advisory Board's recommendation to introduce an independent appeals process on the HSS. Carl noted that there was a risk that as envisaged, the appeals process would effectively be a re-running of HSS and would be very challenging on vfm grounds. That is why DBT are suggesting to the Minister that a review of the Case Assessment Principles is a sensible first step.

Simon R noted that POL would provide DBT with a formal account of its views. He noted some concern about whether the review would sufficiently address Sir Wyn's comments about the legal representation on the scheme and the availability of consequential loss guidance.

James G outlined that the review would be necessary in any event and that DBT/POL could take stock at that point with better information.

OC

5. Fixed Sum offer of £600k

CC thanked POL for engaging with the claimant representatives on the fixed sum offer and said that DBT Ministers were pleased with how the announcement went. CC said DBT will be consulting the Advisory Board on areas that need to be tightened (e.g. the period the offer will be available) and expect further clarity to be provided to POL in November. In the meantime, POL can fulfil offers subject to obtaining agreement on legal costs.

SR raised that the Operational Agreement would need to be updated to reflect the changes and POL will be working with DBT on this.

6. Principles - Independent Assessor (IA) determination

Neil McDaid (NM) said POL is not expecting any further feedback or changes to the principles once they go out and are close to resolving the loss of earnings matter. They will be standing up the IA who will help determine the difference of opinions on a case by case basis. NM said they plan to make the ToR and process public. NM mentioned the following timelines:

- W/C 9/10 – share the approved final version of the principles.
- Working with Sir Gary to appoint him – appointment to be confirmed on 31st October.
- Put through cases to the IA by the end of November.

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CC recommended sharing the principles with the Advisory Board once finalised and SR confirmed that this was the plan.