

## Open Debate

### Losses/Audit/Suspensions

This proved to be a wholly meaningful and worthwhile debate that attracted twenty five speakers all of whom made well researched and thought provoking contributions, this is the material which helps the EC identify the serious problems within the membership and assists in the formulation of the correct policies to improve the terms and conditions of working relationships with POL.

We must understand from the outset that all instructions and regulations issued by POL must be in accordance with the sub-postmasters/POL's contract.

The facts are that POL's approach to losses has changed significantly and consequently are less favourable to sub-postmasters. POL has encountered serious financial constraints on the business. POL obtains legal advice on all matters pertaining to the sub-postmasters contract and endeavours to work in accordance with the terms contained therein.

What the Federation accepts is that rules, regulations and contracts are open to interpretation and the main theme throughout the debate is that legal advice must be sought as a natural progression in some cases.

Losses – Sub-postmasters Contract Section 12, paras 12-19 refer

The questions that were asked during the debate and have to be answered are:-

- a) Are sub-postmasters responsible for all losses incurred by assistants due to negligence, carelessness, error and fraud (theft)?
- b) Could the Horizon System be more user-friendly to prevent fraud?
- c) Should POL take more responsibility for taking action timeously when the first signs of a problem are highlighted on the Horizon system? Is POL building a case against the sub-postmaster?
- d) Does everyone understand the "Settle Centrally" procedure?
- e) Is POL acting within the law and terms of the contract to recover funds from the sub-postmaster's salary without agreement?

### Audit

The role of Audit has improved recently now that a training aspect has been added to procedures. POL has stated that a copy of the audit branch report cannot be provided at the time of the audit as the report is regarded as a "legal document" which requires research and meticulous, accurate detail and further reports required are not available within the branch.

Suspensions – Sub-postmasters Contract Section 19 Para 4

The decision by the contracts manager to suspend a sub-postmaster is made in accordance with the sub-postmasters contract. The operative word in para 4 is "may" be suspended. It does not state "will" be suspended.

From evidence and practical experience POL's policy has hardened over the past 2 years with regard to the decision to suspend.

Whenever a sub-postmaster admits to using POL funds for private use an automatic suspension will follow. The disciplinary procedures of the RTU and appeal hearings are much more stringent and

there is little to no room for manoeuvre from POL's decision to terminate the sub-postmaster's contract.

The next stage in procedures is to refer the branch to the Network Change Team for a decision as to the suitability to convert the branch to core/outreach or Essential then ultimately locate the branch at or near the present location.

A recent development in the suspension procedures is the complication of appointing a temporary sub-postmaster – who takes responsibility for the staff and their employment entitlements?

#### Transaction Corrections

When the sub-postmaster disputes a transaction correction all evidence should be gathered and an appeal made to Chesterfield to resolve the matter. The amount disputed on the correction notice may be settled centrally.

555 words