

Message

From: Andrew Parsons [GRO]
Sent: 25/07/2018 08:33:23
To: Angela Van-Den-Bogerd [GRO]; Jane MacLeod [GRO]; Rodric Williams [GRO]
CC: Mark Underwood [GRO]
Subject: RE: Draft Board Report on Contingency Planning - DO NOT FORWARD - SUBJECT TO LEGAL PRIVILEGE [WBDUK-AC.FID26896945]
Attachments: Contingency Planning Mitigation Table 24th July 2018 (005).docx

Angela

I'm happy with your recommendations. Updated version attached – I've tidied up some typos and formatting.

I've also removed reference to the Judgment being "issued in November", because the Judgment likely won't come out until December, but perhaps January or even February. I didn't want the Board getting the wrong impression.

Andy

Andrew Parsons
Partner
Womble Bond Dickinson (UK) LLP

d: [GRO]
m: [GRO]
t: [GRO]
e: Andrew.Parsons [GRO]

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From: Angela Van-Den-Bogerd [GRO]
Sent: 24 July 2018 23:40
To: Jane MacLeod; Rodric Williams
Cc: Andrew Parsons; Mark Underwood
Subject: RE: Draft Board Report on Contingency Planning - DO NOT FORWARD - SUBJECT TO LEGAL PRIVILEGE

All

Please find attached the mitigation paper with my view on recommendations to action now/ahead of November. Please let me have your thoughts?

Jane – I have made recommendations on 'best practice' but I'm mindful that these haven't as yet had sufficient airtime with AI, Debbie and their teams so would appreciate your thoughts on my recommendations and the wording I've used. I have a session with Julie and Tom on Friday to discuss these especially in light of the ongoing Retail review.

Thanks,
Angela

Angela Van Den Bogerd
People Services Director



1st Floor, Ty Brwydran,
Atlantic Close, Llansamlet
Swansea SA7 9FJ

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From: Jane MacLeod

Sent: 24 July 2018 22:11

To: Rodric Williams <[redacted] GRO>; Angela Van-Den-Bogerd <[redacted] GRO>
<[redacted] GRO>

Cc: Andrew Parsons <[redacted] GRO>; Mark Underwood <[redacted] GRO>

Subject: Re: Draft Board Report on Contingency Planning - DO NOT FORWARD - SUBJECT TO LEGAL PRIVILEGE

Rod

Thanks for this. The papers have gone to the Board already - attached is an update of what I sent in as a holding paper; we can hand round the updated mitigations paper in the meeting. We only have 20 mins on the agenda on Tuesday, so this will be a very high level discussion. The key focus will be the mitigations paper and we can work on that over the next few days.

Speak tomorrow.

Jane

Jane MacLeod
Director of Legal Risk & Governance
Post Office Limited

GRO

From: Rodric Williams

Sent: 24 July 2018 19:49

To: Jane MacLeod; Angela Van-Den-Bogerd

Cc: Andrew Parsons; Mark Underwood

Subject: Draft Board Report on Contingency Planning - DO NOT FORWARD - SUBJECT TO LEGAL PRIVILEGE

Jane, Angela

Please find attached a draft "starter for 10" Board Report on the Contingency Planning Work, which I hope is going in the right direction and on which all comment and guidance will be gratefully received

I think the draft Report covers where we have got to so far, but I have left blank the "Input Sought" and "What do we need to do next to progress?" sections as I'm not sure if this should be a noting paper (which is what it feels like to me), or whether we want a specific decision/action from the Board.

I am conscious that AI wants to call out for the Board the need to start acting now if we want to mitigate a potentially adverse finding in the Common Issues trial by proactively changing the postmaster contract. The Report seeks to address this through the "DRAFT Mitigation Actions" document (also attached) which:

- identifies contract change as one of four categories of mitigation action;
- sets out (as it does for all other possible mitigation actions) the pros and cons of taking that action; and
- will provide a recommendation on whether that action should be taken now.

I attach the latest version of that document. Angela will look to populate the final, "Recommendations" column tomorrow, with whatever support she may need from the lawyers. The draft Report anticipates that this document will be Appendix 2 once finalised.

The specific recommendation on the contract change mitigation will be not to change the contract now, but to prepare suggested amendments with a view to implementing them if necessary after Judgment on the Common Issues is received. That recommendation is based on Counsels' written Advice dated 12 July 2018, which I attach for your consideration. I do not propose appending the Advice to the Board paper given it is summarised in the Mitigation Actions document, and I would prefer to restrict circulation of this type of document. Please do not forward the Advice to anyone else, but let me know if you think anyone else should see it.

I look forward to your comments, and otherwise remain available to support finalising this Report.

Rod



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Rodric Williams

Head of Legal - Dispute Resolution & Brand
20 Finsbury Street
London EC2Y 9AQ

T: [REDACTED]

E: [rodric.williams](mailto:rodric.williams@postoffice.co.uk)

[REDACTED]

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