

People Management Framework changes and communications that have been made following the introduction of the Dispute Resolution Regulations.

The Conduct Code has also been amended to reflect that all precautionary suspensions will be with pay.

PRECAUTIONARY SUSPENSION FROM DUTY

There are circumstances in which it is necessary to suspend an employee from duty. The main reasons to justify suspensions include:

Suspected, alleged or admitted dishonesty

Drunkenness/being under the influence of non-prescribed drugs

Refusal to obey a reasonable instruction

Violent or abusive behaviour

Alleged wilful delay of the mail

In addition there may be other circumstances in which a serious breach of conduct will appear to have occurred and it is clearly in the interests of all concerned to remove the employee from duty. If an employee in his or her private capacity has been arrested, or charged with or convicted of a criminal offence, he or she may also be suspended where the circumstances warrant it. Where the individual has refused to carry out a reasonable instruction he/she should be given 5-10 minutes 'cooling off' time to reconsider his/her actions before being precautionarily suspended. The individual should be encouraged to see his/her local representative during this period when possible.

In normal circumstances suspension will only be carried out by a unit manager, such as a Shift Manager or Delivery Office Manager. Also POSIS can suspend employees on the authority of an appropriate manager. However, there are times when a manager other than the Unit Manager may have to act quickly, for example in cases of drunkenness or violent behaviour.

Where possible the relevant senior manager will be consulted first, and in all cases suspension should be reported immediately to senior management – if necessary by telephone at home.

Suspension should only occur when it is necessary to prevent the risk of further breaches of conduct, to protect employees, property or mail, or to protect Royal Mail's good image and standing in the community. It should only last as long as is genuinely necessary and will be reviewed after 48 hours and at reasonable periods thereafter.

Precautionary suspension will be with pay. Following the introduction of the Dispute Resolution Regulations on 1st October 2004 the option of precautionary suspending without pay has been removed.

7 PRECAUTIONARY SUSPENSION FOR WILFUL DELAY OF MAIL

Precautionary suspension is not automatic. The decision to suspend should only be taken after careful consideration and investigation of the explanation for delay has been carried out.

The decision must be made only on available evidence relevant to the incident/s and only if it is considered that by allowing the individual to continue on duty, the mail and its due delivery, the individual, or other employees or Royal Mail's good image could be at risk.

If a decision is made to suspend, the suspension will be with pay. From 1st October 2004 the Dispute Resolution Regulations 2004 came into force and the option to suspend without pay has been removed.

The Conduct Code letters referring to precautionary suspension have also been amended to reflect precautionary suspensions will be with pay.

(See attached file: Letter 22.rtf)(See attached file: Letter 21.rtf)

A new procedure has also been introduced to deal with the termination of employees on temporary employment contracts and this is reproduced below:

10.5 Termination Of Temporary Employment Contracts Procedure

Following the introduction of the Dispute Resolution Regulations on 1st October 2004, there is now a new procedure to follow to ensure consultation with employees whose fixed term employment contracts are to be terminated or due to expire. This procedure does not apply to casuals, situations where the contract is coming to an end because the employee cannot continue to work without breaching a legal duty or restriction (e.g. his/her work permit or visa will expire), or when the termination is part of a collective redundancy exercise.

Initially you will need to write to the employee and invite them to a meeting to discuss the reasons behind the termination of their contract. As part of the Dispute Resolution Regulations, the employee has a right of appeal against your decision.

It is important that you follow this procedure, as failure to do so will result in the dismissal being automatically unfair.

Don't forget that you will still also need to comply with general principles of fairness, including seeking alternative work.

Please follow the steps outlined below prior to terminating an employee on a temporary contract:

People & Organisation Services will e-mail Line Managers approximately 6 weeks prior to an employee's contract expiry date. In plenty of time before the date on which the contract is due to come to an end, the following steps need to be followed:

Step One (Statement of grounds for intended dismissal and invitation to meeting)

1. The manager sends a letter in the form of Letter A to the employee inviting him/her to a meeting to discuss the reasons behind the termination of the contract. The reasons why termination of employment is being contemplated must be set out in that letter.
2. Prior to the meeting the manager will have considered whether there is a possibility for the employee continuing in employment with Royal Mail Group plc if that is what the employee would like, in accordance with general resourcing policies.

Step Two (Meeting)

3. A meeting must be arranged to discuss the matter at a reasonable time and location and with reasonable notice.
4. The employee is entitled to be accompanied at that meeting by a Union representative or a work colleague from within Royal Mail Group plc. The work colleague should not be geographically remote from you.
5. The purpose of the meeting is to discuss the intended termination of employment and consider any issues raised by the employee in this respect, including suggestions as to how it might be possible to continue to employ him/her.
6. The employee must take all reasonable steps to attend the meeting.
7. After the meeting, and having considered all that the employee has said, the employer must inform the employee of his/her decision in writing and of the right to appeal against that decision (see Letter B).

Step Three (Appeal)

8. If the employee wishes to appeal he/she must inform the relevant manager.
9. If the employee exercises his/her right to appeal, he/she must be invited to attend a meeting to be held by the next-in-line manager (Letter C).
10. The employee is entitled to be accompanied at that meeting by a Union representative or a work colleague from within Royal Mail Group plc. The work colleague should not be geographically remote from you.
11. The purpose of the meeting is to reconsider the decision made at the first meeting and decide whether the decision is unfair, new evidence has come to light or whether the procedure was not followed correctly.
12. The employee must take all reasonable steps to attend the meeting.

13. After the meeting, and having considered all that the employee has said, the manager who heard the appeal must inform the employee of the final decision in writing (see Letter D).

Standard letters are also attached to assist you with this process.

(See attached file: STANDARD LETTERS - FTEs.doc)

Resolving Our Differences

Managers will be aware that it is to the benefit of individuals and Royal Mail generally that when someone raises a complaint we try to resolve it as soon as possible internally. Hopefully initially by face-to-face discussion and agreement but if this proves impossible by following our internal formal complaints or grievance procedures. We also strive to treat our people fairly in disciplinary situations or other key employment policies by following procedures such as the Conduct Code and Attendance Procedure.

The Government also recognises that resolving complaints internally is good practice and on 1 October 2004 the Disputes Resolution Regulations come into effect. The Regulations prevent employees from making an Employment Tribunal claim unless they have first raised their complaint in writing. On the other hand, if we fail to follow the required procedures for resolving complaints and conducting dismissals then there will be implications in terms of increased compensation.

Importance of following current procedures

The Regulations therefore support Royal Mail current policies and practices but it is important that we follow these properly and stick to the time limits wherever possible to ensure we are acting lawfully.

Ex-employees may also raise grievances after they have left the business and these should be dealt with under the usual grievance or complaints procedures.

Complaints where no applicable procedure exists

If an employee raises a complaint with you and you do not think there is any Royal Mail Group policy that allows them to do this ring the P & OS Contact Centre on 0845 6060603 or 5456 7100.

Suspensions without pay discontinued

With effect from 1 October 2004 any suspension of an employee will be with pay. If an employee complains about being suspended this should be considered under the appropriate Conduct Code.

Fixed-term employees

A new procedure exists which must be followed when the contracts of fixed-term employees are terminated, except where this is part of a collective redundancy exercise, the employee is a casual or a situation where the contract is coming to an end because

Date 18/10/06

Ref

Employer Number (---/----)

Address

In Confidence

Dear

I am writing to confirm that you were placed on precautionary suspension with full pay on (date) for alleged misconduct (provide details).

NOTE TO MANAGER

Ensure reason(s) for precautionary suspension is/are stated

You will be contacted in due course, but in no circumstances should you attend for duty or visit Royal Mail premises unless instructed to do so. You should note that your suspension will be reviewed after 48 hours from the date the suspension took place and at reasonable periods thereafter.

Please acknowledge receipt of this letter by signing one copy and returning it to me in the envelope provided within three working days of receipt. The second copy is for your retention.

Yours sincerely

Signature
(MANAGER'S NAME IN FULL AND IN BLOCK CAPITALS)

REPLY SLIP

TO (MANAGER'S NAME):

.....

I acknowledge receipt of this letter and understand its contents.

SIGNATURE:

.....

DATE:

.....

DRAFT STANDARD LETTERS

Letter A

Dear.....

Date.....

Your fixed-term contract of employment with Royal Mail Group plc is due to expire on [DATE] when it is expected that your employment will terminate because [INSERT DETAILS].

You are invited to attend a meeting onatam/pm which is to be held inwhere this will be discussed.

You are entitled, if you wish, to be accompanied by another work colleague or a trade union representative.

Yours sincerely

Signed.....Manager