

# CAMPAIGN AGAINST CROWN OFFICE PRIVATISATION



Dear Member

By now the initial shock of the Post Office's announcement in October regarding their plans to franchise (privatise) 74 Crown Offices to WHSmith will have been replaced with anger. It is only natural if you're feeling angry as clearly the Post Office does not value our members' excellent contribution and would rather your jobs be performed by exploited workers on minimum wage. You should quite rightly be feeling let down by the Post Office.

The Union has been extremely busy since the announcement by mounting a media campaign and by engaging with politicians to expose what is happening to this great institution. I have addressed a number of meetings of MPs and met with numerous MPs individually.

There is no doubt the only people who think franchising 74 Crown Offices to an ailing WHSmith is a good idea is the Post Office and the government who evidently support Post Office's plans.

## [www.saveourpostoffice.co.uk](http://www.saveourpostoffice.co.uk)

All members are encouraged to visit our Microsite and to complete two simple tasks which will take just two minutes of your time. Firstly, please send the model letter via email to your MP – this will take just a minute as by inputting your postcode, your MP's name will appear and you just need to enter your details and click "send". Secondly, please add your name to the petition to Greg Clarke, the Cabinet Minister.

In a short space of time we have already got 4,577 signatures on the petition and 1,457 emails sent to MPs. With over 800 members directly impacted by the franchising plans, we should be able to get these numbers increased. In fact, please ask your family, friends and neighbours to support you and our campaign.

# WWW.SAVEOURPOSTOFFICE.CO.UK

## **TUPE Consultation – Minimum 90 Days**

The Post Office is obliged legally under TUPE to consult with the Union with a view to reaching an agreement regarding any “measures” that are envisaged. Additionally, the TUPE regulations stipulate that the Post Office has a **“Duty to inform and consult representatives”**.

Consequently I wrote to both the Post Office and WHSmith on 6th November seeking to instigate without delay formal negotiations with myself in regard to the TUPE terms. I have offered a series of meeting dates with a view to reaching a single Agreement covering all 74 Crown Offices. To enable meaningful consultation to take place there is a minimum 90 days consultation period.

I would ask members to be patient in this exceptionally complex matter which will undoubtedly take some time to resolve.

## **You are Strongly Advised NOT to Sign Away Your TUPE Rights at This Stage**

The Union strongly recommends members do not at this stage object either in writing or verbally to transferring to WHSmith as this would leave members without any rights i.e. against the Post Office or WHSmith and members would be treated as having not been dismissed. Should the Post Office want to discuss the terms of a potential Settlement Agreement during one-to-ones then members are advised an objection to TUPE transfer to WHSmith could leave you with no rights at all.

Members obviously need to know the full details of compensation payments (Settlement Agreement) and potential redeployment opportunities before taking such a drastic step that leaves them with no rights. At most, members should only indicate their interest in taking a Settlement Agreement without formally objecting to the TUPE transfer. If a member puts in writing an objection to TUPE transfer they effectively lose all leverage. Management must be prepared to make a formal offer for a Settlement Agreement including the full financial terms and the member, if they want to take a package to go, should accept this offer before objecting to the TUPE transfer.

Given that we don't know at this point what TUPE “measures” WHSmith may wish to take and whether they amount to a material detriment, a formal objection to transferring is not a safe course to take. Indeed an objection can potentially be held to have taken place verbally so members should also be careful what they say during the one-to-ones and must ensure they cannot be said to have objected.

**[WWW.SAVEOURPOSTOFFICE.CO.UK](http://WWW.SAVEOURPOSTOFFICE.CO.UK)**

# Keeping Your Options Open for the Time Being

The Union recommends members sign the note below (which gives you protection) and provide this to management.

## FRANCHISING OF MY CROWN OFFICE TO WHSMITH – TUPE

To Whom It May Concern (Crown Operations Advisor)

### TUPE Consultation - Keeping my Options Open for the Time Being

I understand that the union will be embarking on some serious negotiations in respect of the TUPE "Measures". Consequently as this activity is still work in progress with no outcome at the moment I wish to "reserve my right" to legally TUPE once there is full clarity regarding the TUPE terms.

Obviously it would be inappropriate to sign-away my rights at this early stage especially as the TUPE consultation is scheduled to last a minimum of 90 days.

I don't want to act in haste and repent in leisure and I would expect the PO to respect my position. Clearly it wouldn't be appropriate for the PO to put me under undue pressure at an extremely difficult and stressful time when we are expected to make life-changing decisions. Equally I want to make informed decisions and that is why it is necessary to wait and see what comes out of the TUPE consultation that I'm reliably informed is a legal obligation on the PO.

In closing I require all the information including full sight of the agreed "Measures" letter before making an informed decision about my future. The minimum 90 day TUPE consultation is designed for this purpose. Therefore please respect my decision to keep my options open.

Signed: .....

Date: .....

Name: .....

**Your Representative will have hard copies of this letter and electronic copies can be obtained by emailing [TUPE-Redundancy@cwu.org](mailto:TUPE-Redundancy@cwu.org)**



# **“SAVE OUR POST OFFICE” – NATIONAL CAMPAIGN DAY**

## **SATURDAY 1ST DECEMBER**

The CWU will be leading a nationwide Day of Action in defence of the nation’s Post Office network on Saturday December 1st which will see protests in cities and towns across the UK. These events are designed to raise the public awareness of the vulnerability of the entire Post Office network due to government policies that support the decline of this wonderful service and institution. Additionally, the Union will be engaging with all politicians, including MPs, local councillors and council leaders. Our media strategy will highlight our aims and objectives together with the activities planned and we will connect with community and pensioner groups on the day.

General secretary Dave Ward has stated the Post Office’s announcement of the ‘franchising’ of 74 Crown offices to retailer WHSmith, impacting on some 800 jobs, marked a change in their strategy from **“managed decline to terminal decline and that’s what we’re facing unless we can force a change of direction,”**. Dave sharply criticises **“the wrong decision to separate the Post Office from Royal Mail”** and has pointed out that **“no other government in the world has done this.”**

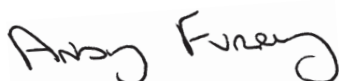
The Union’s campaign will also focus on the need to support postmasters and the sub-post office network as well. Postmasters are also under immense pressure due to the Post Office attacking their income through reductions in transaction fees. This in turn is leading to Sub Post Office closures. The threat to our Crowns and jobs will obviously be the main focal points of the National Campaign Day on 1st December. Consequently all members in the 74 Crowns earmarked for franchising to WHSmith are urged to support our activities on the day. Your Reps will be able to provide full details of the events planned.

### **TUPE and Settlement Agreement – Please Email Questions and Enquiries**

Members are clearly facing an uncertain future and will be considering the options available to them. TUPE is an extremely complex area; therefore members are encouraged to engage with their Representatives regarding this matter. However, if you have specific questions please do not hesitate to contact us on the following email address and we will endeavour to respond to you as quickly as possible.

[TUPE-Redundancy@cwu.org](mailto:TUPE-Redundancy@cwu.org)

Kind regards



**Andy Furey**  
Assistant Secretary

# **PLEASE MAKE SURE YOU SUPPORT OUR NATIONAL CAMPAIGN DAY ON SATURDAY 1ST DECEMBER**