

<b>Overview and Scrutiny Committee</b>		
<b>Title</b>	Post Office changes	
<b>Contributor</b>	Executive Director for Customer Services	Item 4
<b>Class</b>	Part 1 (open)	31 October 2017

## **1. Summary**

- 1.1 This report updates the Overview and Scrutiny committee on the changes to New Cross and Sydenham Post Offices and the actions that have been taken.

## **2. Recommendation**

- 2.1 Note the actions taken to date.

## **3. Background**

- 3.1 The Post Office plans to introduce changes to the operation of New Cross and Sydenham Crown Post Offices. The plan is to change these Crown Post Offices to franchises which the Post Office says will allow them to keep these services on the high street.
- 3.2 On 22 February 2017 a motion was adopted at Council calling for New Cross Post Office to remain open and for it to be operated and managed directly by the Post Office.
- 3.3 On 8 March 2017 the Sustainable Development Select Committee considered a report about the Post Offices changes. On the 22 March 2017 the Sustainable Development Select Committee referred their discussions on the Post Office changes to Mayor and Cabinet and asked that:
- The Mayor write to the government minister responsible and the Chief Executive of the Post Office about the potential loss of Sydenham Crown Post Office
  - Officers be tasked with investigating how lease arrangements might be negotiated to retain the Crown Post Office in Sydenham
  - The Mayor writes to Jim Dowd MP about the potential closure
  - The Council requests further information from the Post Office about its strategy to preserve the full range of Post Office services for Lewisham residents.
- 3.4 On the 19 July 2017 a report went back to Mayor and Cabinet outlining the actions that had been taken in response to the request made and confirmed all actions had been completed. This report went to the Sustainable Development Select Committee on the 13 September 2017 where the updates were noted.

3.5 The Executive Director for Customer Services was asked to provide a further update. This report provides that update.

#### **4. Update**

4.1 The Mayor has written to Ellie Reeves MP, the Chief Executive of the Post Office and the minister responsible opposing the changes to the Sydenham Post Office. The Post Office Chief Executive has also been asked for further information about their strategy to preserve the full range of Post Office services for Lewisham residents.

##### Update - Sydenham

4.2 The Post Office occupy the ground floor of 44 Sydenham Road. Terms for the proposed lease renewal have now been agreed and solicitors instructed to draw up the new lease.

4.3 The Post Office timetable was to complete the consultation on 26 May 2017 and to make the changes in August 2017. The Post Office say that they are still at the decision making stage. Once a decision is made they will communicate this to staff at the branch, then to locally elected stakeholders, then to customers. The communication would include details of the feedback they received and how this was considered in the process.

##### Update – New Cross

4.4 The Post Office timetable was to complete the consultation on the 18 October 2017 and implement the changes in February 2018. The Post Office say that the consultation will help them take all relevant factors into account when making their final decision on whether to make the proposed changes. A period of review will commence after the 18 October 2017 and a decision will be made as soon as possible. The process for communicating the decision will be the same as for the Sydenham branch.

##### Other Post Office changes

4.5 In their update the Post Office wanted to make the Council aware of the new agreement they have with UK banks which came into effect in January 2017. The agreement brings together the Post Office's existing arrangements with individual banks into a single set of services available to customers of virtually all UK banks which allows personal and business customers to withdraw cash, deposit cash and cheques and make balance enquiries at all Post Office branches.

4.6 The Post Office say that currently there are not any changes proposed to the remaining branches in Lewisham and that any future changes would be communicated to the elected MP and the Council in line with their code of practice.

## **5. Financial Implications**

- 5.1 There are no financial implication arising out of this report per se; but there may be financial implications arising from carrying out the actions.

## **6. Legal Implications**

- 6.1 The constitution provides for select committees to refer reports to Mayor and Cabinet who are obliged to consider the report and the proposed responses from the relevant Executive Director and report back to the committee within 2 months (not including recess).
- 6.2 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.3 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - advance equality of opportunity between people who share a protected characteristic and those who do not.
  - foster good relations between people who share a protected characteristic and those who do not.
- 6.4 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above.
- 6.5 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 6.6 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice". The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to

do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

- 6.7 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

[The essential guide to the public sector equality duty](#)

[Meeting the equality duty in policy and decision-making](#)

[Engagement and the equality duty: A guide for public authorities](#)

[Objectives and the equality duty. A guide for public authorities](#)

[Equality Information and the Equality Duty: A Guide for Public Authorities](#)

- 6.8 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

<https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

## **7. Equalities Implications**

- 7.1 There are no direct implications arising from this report. However, access to Post Office services for the community has equalities implications that the Post Office should be considering.

### **Background papers**

Meeting of Council 22 February 2017:

<http://councilmeetings.lewisham.gov.uk/ieListDocuments.aspx?CIId=138&MIId=4255>

Sustainable Development Select Committee agenda 8 March 2017:

<http://councilmeetings.lewisham.gov.uk/ieListDocuments.aspx?CIId=136&MIId=4176>

Sustainable Development Select Committee agenda 13 September 2017:

<http://councilmeetings.lewisham.gov.uk/ieListDocuments.aspx?CIId=136&MIId=4639>