

Witness name: Benjamin Andrew Foat

Statement No.: 0100

Dated 23 March 2023

THE POST OFFICE HORIZON IT INQUIRY

**WITNESS STATEMENT OF BENJAMIN ANDREW FOAT ON BEHALF OF POST OFFICE LIMITED
IN THE POST OFFICE HORIZON IT INQUIRY**

1. I, Benjamin Andrew Foat of Finsbury Dials, 20 Finsbury St, London EC2Y 9AQ, am Group General Counsel of Post Office Limited ("**POL**").

A. INTRODUCTION

2. This witness statement has been prepared in response to the Notice dated 16 March 2023 issued by the Inquiry pursuant to Section 21 of the Inquiries Act 2005 (the "**Section 21 Notice**") [BAF_1/1]. By the Section 21 Notice, the Inquiry required that POL take the following steps by no later than 4pm on 23 March 2023:

- a. Produce copies of all relevant outstanding documents responsive to Rule 9 Request No. 34 and paragraph 16 of Rule 9 Request No. 10.
- b. Provide a witness statement in accordance with the Inquiry's Protocol on Witness Statements addressing: **(i)** why the documents disclosed to the Inquiry on 27 February 2023 were not located and/or disclosed previously; and **(ii)** why the shared network drive referred to in Herbert Smith Freehills LLP's ("**HSF**") letters of 16 February 2023, 27 February 2023 and 14 March 2023 was not searched, and related enquiries regarding the same were not undertaken, in response to Rule 9 Request No. 10.

B. INTRODUCTION

3. The purpose of this witness statement is to provide POL's response to the two questions set out at paragraph 2 of the Section 21 Notice.
4. I am the appropriate person to give this witness statement on behalf of POL, particularly in the light of the fact that (a) I made the First, Second, Third and Fourth Interim Disclosure Statements (to which I refer in this statement) and (b) as explained therein, following the Board's appointment of HSF as POL's solicitors, I am ultimately responsible for instructing HSF in respect of POL's response to each of the requests made to POL by the Inquiry under Rule 9 of the Inquiry Rules 2006 ("**Rule 9 Requests**") (or under Section 21 of the Inquiries Act 2005, as the case may be), based on the instructions that I and POL's in-house lawyers, under the supervision of POL's Inquiry Director, receive from our colleagues in the business and ultimately the POL Inquiry executive steering committee and Board.
5. In this statement, I refer to:
 - a. Steps and/or decisions taken by POL in connection with the Rule 9 Requests, including with the assistance of HSF (and POL's other legal representatives). POL's communications with HSF (and other legal representatives) were and remain by their nature privileged. For the avoidance of doubt, any reference to discussions should not be taken as a waiver of that privilege, whether expressly or impliedly; and
 - b. Steps taken on behalf of POL by HSF and POL's other legal representatives in connection with the Rule 9 Requests. For the avoidance of doubt, any reference to steps taken by HSF and/or POL's other legal representatives should not be taken as a waiver of privilege, whether expressly or impliedly.

6. The facts in this witness statement are true, complete and accurate to the best of my knowledge and belief. Where I refer to my beliefs and recollections, these beliefs and recollections are based on the information provided to me by colleagues at POL, by HSF and by others that have assisted POL in providing disclosure to the Inquiry. This witness statement has been prepared with the assistance of colleagues in POL's in-house legal team and HSF, the law firm appointed to act on behalf of POL in the Inquiry ("**POL's legal team**").
7. Where I refer to specific documents in this statement, copies of those documents are exhibited to this statement (as set out in the index below) in a series of exhibits marked "[BAF_1/X]" and identified by the Inquiry's unique reference number for that document (where available).

C. OVERVIEW

8. POL's response to the two matters raised in the Section 21 Notice is set out below in this statement. I am conscious that this statement is relatively lengthy and goes into considerable detail, including in relation to steps taken over a number of years. This has been necessary in order to address the Inquiry's questions properly and fully. At the outset, by way of summary and to assist the Inquiry, I would therefore make the following observations based on the advice and information I have received:
 - a. the NBSC Knowledge Base was and is intended to be a comprehensive repository of the guidance and instructions provided to NBSC operators for answering calls;
 - b. POL's approach to locating guidance and instructions responsive to Question 16 of Request No. 10 was focused on repositories which it knew

- to contain the NBSC Knowledge Base documents. Specifically, POL focused on documents which had been disclosed in the Group Litigation, and documents stored on the NBSC Knowledge Base itself (either on SharePoint or Dynamics); and
- c. At that time, given the nature of the NBSC Knowledge Base, which was accessible to, and accessed by, NBSC Helpline operators, POL did not anticipate that searches conducted over mailbox data would yield additional responsive documents (as contrasted to duplicative material, and/or drafts that were not provided to operators and other technically non-responsive material).
 - d. In responding to Request No. 34, POL broadened its enquiries to account for differences in scope compared to Request No. 10 (which was not limited to guidance, training and instructions provided to NBSC Helpline operators), including by running searches across certain mailbox data, and identified the documents disclosed on 27 February 2023. The majority of these documents derived from three emails, and based on a review conducted by HSF, I understand that many of the documents were not in fact responsive to either Request No. 10 or Request No. 34, following clarification from the Inquiry provided on 16 March 2023.
 - e. In broadening its enquiries, the P:Drive was identified as a potential repository of documents responsive to Request No. 34 and/or Question 16 of Request No. 10. At this time, POL was unable to confirm whether steps taken to harvest documents from the P:Drive in 2018/2019 had resulted in these materials being fully uploaded to the GLO Relativity Database, and so took urgent steps to harvest documents from the P:Drive for the purpose of

responding to the Inquiry's requests. HSF has reviewed all documents from a set of folders which appeared capable of holding relevant documents (excluding duplicates). I understand that 156 documents harvested from these P:Drive folders have been identified as responsive to Question 16 of Request No. 10 and are being provided to the Inquiry on the same date as this witness statement.

- f. POL remains fully committed to responding to the Inquiry's requests in a timely and transparent manner and apologises for the inconvenience caused on this occasion.

D. DOCUMENTS DISCLOSED TO THE INQUIRY ON 27 FEBRUARY 2023

9. In this section D, I address the matters raised in Paragraph 2(a) of the Notice, namely why the documents disclosed by POL to the Inquiry on 27 February 2023 in response to Request No. 34 were not located and/or disclosed to the Inquiry previously (in particular, in response to Request No. 10). I have structured this part of my statement as follows;

- a. The approach that was taken to locate documents responsive to Request No. 10 (paragraphs 10 to 32 below).
- b. The approach taken to locate documents responsive to Request No. 34, and why it differed from the approach to Request No. 10 (paragraphs 33 to 41 below).
- c. The nature of the additional documents disclosed on 27 February 2023 (paragraphs 42 to 49 below).

Approach to Rule 9 Request No. 10

10. On 18 February 2022, POL received Request No. 10 containing 29 questions covering a wide range of issues of relevance to Phases 2 and 3 of the Inquiry [BAF_1/2]. Question 16 of Request No. 10 asked POL to "*Please provide details of any guidance, training or instructions given to those responsible for operating the Network Business Support Helpline ("Helpline") since the commencement of the national roll out.*"
11. POL was required to respond to Question 16 of Request No. 10 by 15 April 2022 (together with questions 5-15 and 17-24, whereas the balance was due on 18 March 2022). POL submitted its response to Question 16 of Request No. 10 on 14 April 2022. The searches that POL performed for the purpose of identifying documents and information of relevance to Question 16 of Request No. 10 are set out at page 62 of POL's first interim disclosure statement dated 27 May 2022 (the "**First Interim Disclosure Statement**") [BAF_1/3].
12. In devising its approach for responding to Request No. 10, POL's legal team noted that Question 16 of Request No. 10 sought details of materials that were actually '*given to*' those responsible for operating the NBSC as opposed to, for example, materials that were created or prepared in relation to the NBSC more broadly. This feature of Question 16 of Request No. 10 informed POL's approach to responding to the request.
13. POL's starting point for identifying guidance, training or instructions given to those responsible for operating the Helpline since the commencement of the national roll out was to consider the disclosure previously made during the proceedings conducted pursuant to a Group Litigation Order made on 22 March 2017 (the "**Group Litigation**").

14. As I described in the First Interim Disclosure Statement, I am advised that in or around 2017 POL arranged for copies of the data held on its file servers (totalling approximately 9.5 TB of compressed zip files) to be copied and placed onto a separate Network Attached Storage ("**NAS**") Drive (see paragraph 18 of the First Interim Disclosure Statement).
15. POL then used a Relativity database to collate documents which were harvested from the NAS to allow for searches and reviews to be conducted for the purposes of disclosure in the Group Litigation (the "**GLO Database**"). The GLO Database contains in excess of 20 million documents.
16. Disclosure in the Group Litigation was made in stages. In the second stage ("**Stage 2**"), the Claimants sought a copy of the 'NBSC Knowledge Base'. As I have mentioned, I understand that guidance and instructions were (and are) provided to Helpline operators through the Knowledge Base, which was (and is) used by Helpline operators when answering questions from end users of the Horizon IT system ("**Horizon**"). I understand that the Knowledge Base was intended to be a comprehensive repository of the guidance and instructions used by Helpline operators when answering calls.
17. In response to that request in a letter to Freeths LLP dated 18 May 2018 [BAF_1/4], Womble Bond Dickinson ("**WBD**"), on behalf of POL, explained that they had searched the SharePoint Site "Branch and Customer Information" for relevant documents by "*reviewing all Visio files (which Post Office typically uses to generate process maps) and searching for documents which contain "NBSC" in the document title.*" They explained that POL had collated 903 articles which it believed to have been referred to by the NBSC but noted that "*due to the nature of the documents it is unclear if they were final versions which were referred to, if they*

relate to the NBSC or another function, or when they were in use". I am advised that these documents were tagged "10. NBSC" in the GLO Database by WBD prior to disclosure in the Group Litigation.

18. In the fourth stage of disclosure ("**Stage 4**") the Claimants sought Knowledge Base Articles ("**KBAs**") from between January 2000 and December 2011, and on 30 August 2019 [BAF_1/5] POL gave disclosure of KBAs, together with other documents which may have been of interest to the Claimants (as set out at paragraph 20 below). In a letter to Freeths LLP dated 30 August 2019, WBD, explained that "*Knowledge Base Articles (KBAs) form the NBSC call handler's Knowledge Base*". WBD went on to explain that they had been informed by Kendra Dickinson, a Senior Service and Performance Manager in POL's Branch and Customer Support who had worked with the NBSC team for over 10 years, that KBAs may have been stored within two SharePoint sites: "Branch and Customer Information Team" and "NBSC KBA".

19. WBD explained that of the 29,437 documents on the Branch and Customer Information Team SharePoint site, 16,020 had already been disclosed in POL's Stage 2 Disclosure. According to WBD's letter of 18 May 2018 (as referred to in paragraph 16 above), 903 of these were disclosed in relation to the NBSC Knowledge Base, while approximately 15,000 were Horizon Online Help HTML files. Of the remaining 13,417 undisclosed documents on the Branch and Customer Information Team SharePoint site, 3,905 fell within the relevant date range (1 January 2000 to 31 December 2011), of which 2,171 were disclosed in Stage 4 after a review for privilege and relevance. The NBSC KBA SharePoint site (which I am advised was harvested on 15 May 2019) contained a further 3,304 documents, of which 2,882 were disclosed in Stage 4 after a review for privilege

and relevance. All documents harvested and disclosed from these two SharePoint sites were uploaded onto the GLO Database.

20. WBD also stated that POL had included within its disclosure documents which were not strictly KBAs but which may have been of interest to the Claimants.

21. Overall, POL's disclosure in the Group Litigation in respect of KBAs (and other documents included in that class which were not strictly KBAs but may have been of interest to the Claimants) covered a period from January 2000 until 15 May 2019 (when the NBSC KBA SharePoint Site was harvested) and comprised 4,993 documents (many of which were not in fact KBAs). I am advised that these documents were tagged "26. KBAs" in the GLO Database by WBD prior to disclosure in the Group Litigation.

22. I therefore understand that the documents disclosed in the Group Litigation relating to the Knowledge Base (whether disclosed in Stage 2 or Stage 4 of the disclosure exercise in the Group Litigation) were tagged as either "NBSC" or "KBAs".

23. For the purpose of responding to Question 16 of Request No. 10 POL conducted keyword searches across the documents disclosed in the Group Litigation with these tags, and all 2,857 keyword responsive documents (including family documents) were manually reviewed to identify documents responsive to Question 16 of Request No. 10.

24. As POL's disclosure in the Group Litigation only went up to May 2019, for the purpose of responding to Question 16 of Request No. 10 (which covered the relevant period for the Inquiry's Completed List of Issues i.e. from the first pilot of the Horizon system until 1 June 2021), in order to understand how KBAs were accessed by Helpline operators and to identify KBAs created or amended since

2019, POL's legal team spoke to the Senior Service and Performance Manager who, as I note in paragraph 18 above, had assisted in respect of POL's disclosure on this aspect in the Group Litigation. POL's legal team also spoke to the Service and Support Knowledge and Information Manager, who had been responsible for managing KBAs on behalf of the BSC (as the NBSC has been known since 2018). These discussions informed the basis of POL's response to Question 16 of Request No. 10, including the narrative response contained in the appendix to the third letter from HSF to the Inquiry dated 14 April 2022 [BAF_1/6].

25. As explained in that response, the NBSC Helpline was run by the Royal Mail Group (and/or its predecessors) ("**RMG**") from its inception until 2014, and prior to 2014, KBAs and other guidance for the NBSC were accessed through an RMG system called 'Remedy'. I understand that RMG has stated that it has not retained any data from Remedy (as explained in a disclosure note dated 10 June 2022 prepared by POL's criminal law solicitors, Peters & Peters, shared with the Inquiry on 4 July 2022 [BAF_1/7]).

26. POL also explained that in 2014, the KBAs that were on Remedy (at that date) were transferred to POL's NBSC KBA SharePoint site and from then onwards they were accessed through a platform called 'Microsoft Dynamics'. Since 2018, any new KBAs that were created were created and managed directly in Dynamics, while KBAs stored on the NBSC KBA SharePoint site were transferred to Dynamics in December 2021. I understand that the NBSC KBA SharePoint site remained live following the transfer.

27. Accordingly, as I explained in the First Interim Disclosure Statement, in order for POL to respond to Request No. 10 the NBSC KBA SharePoint site was harvested again in April 2022, to capture KBAs created since 2019.

28. The Branch and Customer Information Team SharePoint site was not re-harvested at this stage as POL understood from the Service and Support Knowledge and Information Manager that KBAs created since 2018 were stored either on the NBSC KBA SharePoint site or directly on Dynamics, meaning that any responsive documents would be identified from those repositories.
29. In total, POL produced 286 documents to the Inquiry in response to Question 16 of Request No. 10 on 15 April 2022 (including the Excel spreadsheet which, as explained in the narrative response, contained the text of the 465 distinct KBAs identified as relating to the use and/or operation of Horizon as at April 2022). These documents covered a date range from 22 August 2005 to 1 June 2021, and topics including balancing and investigating discrepancies. This was as part of a broader set of 6,582 documents that POL produced to the Inquiry in response to Request No. 10.
30. On 24 November 2022, POL produced one further document in response to Question 16 of Request No. 10 (together with other documents relevant to other questions within Request No. 10) [BAF_1/8]. This document was identified by conducting searches across a further 12 SharePoint sites that had subsequently been identified as potentially containing documents responsive to the 'Advice and Assistance' questions in Request No. 10 (further details of which are set out at Annex I to this statement). This followed an audit of all active and archived SharePoint sites on POL's network. One further document was identified and disclosed on 3 March 2023 as part of a hard copy document assurance exercise being carried out over documents at POL's Chesterfield site [BAF_1/9].

31. POL did not at the time of undertaking its work to respond to Question 16 of Request No. 10 conduct keyword searches across custodian mailbox data in respect of Question 16 of Request No. 10. POL's legal team understood from their discussions with the Senior Service and Performance Manager and the Service and Support Knowledge and Information Manager that Helpline operators accessed guidance, training and instructions directly through the Knowledge Base. While POL's legal team anticipated that emails might have contained drafts of guidance, training and instructions, POL's legal team considered that it was unlikely that mailbox data would contain details of guidance, training and instructions actually given to Helpline operators. Where mailbox data was considered likely to contain material responsive to other questions in Request No. 10, searches were carried out for the purposes of these questions (as set out in the First Interim Disclosure Statement).

32. In all the circumstances, and based on what POL knew at the time (though I was not personally involved), I believe that POL's searches in respect of Question 16 of Request No. 10 were reasonable and proportionate in identifying guidance, training and instructions given to Helpline operators.

Approach to Rule 9 Request No. 34

33. On 26 January 2023, POL received a request from the Inquiry in the following terms:

"Copies of relevant scripts provided to members of (a) the NBSC (b) the BSC (c) any other person or team within the Post Office who provided advice, assistance or support to end-users of the Horizon IT System, between 1999 and 2014.

For this Rule 9 Request, the definition of a script includes (a) instructions and (b) other written guidance to Post Office staff on how to handle calls from end-users of the Horizon IT System..." (Request No. 34) [BAF_1/10].

34. In devising its approach to responding to Request No. 34, POL noted that, although Question 16 of Request No. 10 and Request No. 34 overlap, they are different in scope, in that Request No. 34 sought scripts provided to any other person or team within the Post Office who provided advice, assistance and support, not just those provided to the NBSC/BSC (in contrast to Request No. 10). In addition, Request No. 34 referred to members of the NBSC/BSC broadly, not just those responsible for operating the Helpline.

35. I understand that, at the time, POL's legal team was not aware of relevant scripts, guidance and instructions having been shared with people and teams within POL who gave 'advice, assistance or support to end-users of the Horizon IT' other than the NBSC. However, if such scripts, guidance and instructions had been shared with people other than the NBSC, POL considered that they would have likely been shared by email as individuals other than those responsible for operating the NBSC Helpline would have been unlikely to have access to the SharePoint sites where KBAs were held. POL therefore considered that Request No. 34 warranted broader searches, including over mailboxes, to identify any scripts, guidance or instructions given to other people or teams which might be responsive to Request No. 34.

36. Searches were carried out over five custodian mailboxes, four email distribution lists, and 24 SharePoint sites (including, for completeness, the version of the Branch and Customer Information Team site held on the GLO Database) in order to respond to Request No. 34. POL's index of hard copy documents stored at Oasis was also considered. A full account of the searches carried out in response to

Request No. 34 is set out at Annex II to this statement. Although these searches were carried out in respect of Request No. 34, where POL identified documents that were also or otherwise responsive to Request No. 10, these were disclosed too.

37. While conducting checks in relation to documents identified through these searches, POL identified three host emails from 2013/14 which attached large sets of documents. Those emails are [BAF_1/11] [BAF_1/12] [BAF_1/13]:

Document ID	Date	Email	Attachments
POL-0113548	26 April 2013	John Cawthorn to Kendra Dickinson. Subject: <i>POLO Training</i>	174 in two zip files (and junk image files). A zip titled 'NBSC Brief' contains 103 documents.
POL-0113549	3 April 2014	Kendra Dickinson to POL Core Info Management Team. Subject: <i>FW: NBSC processes</i>	A zip file with 257 documents described in the email as 'Kb Process Maps'.
POL-0113550	29 April 2014	POL Core Info Management Team to Kendra Dickinson. Subject: <i>FW: NBSC processes</i>	A zip file with 201 documents described in the email subject as 'NBSC process's'

38. These host emails are not themselves responsive to Question 16 of Request No. 10 or Request No. 34 as they are not scripts or guidance 'given to' the NBSC, and 324 of the attachments did not contain the keywords set out in Annex II to this statement. For this reason the host emails themselves were not disclosed on 27 January 2023, but they are exhibited to this statement and separately produced to the Inquiry today for completeness.

39. Two of these host emails (POL-0113549 and POL-0113550) indicate that the attachments had been given to NBSC Helpline operators, even though the host

emails themselves were not directed to NBSC Helpline operators. It is not clear to me whether the first email (POL-0113548) was sent in relation to training *about* the NBSC, as opposed to training *given to* the NBSC, but POL erred on the side of caution and (to the extent the documents were not duplicates) produced documents in the zip file attached to this email titled 'NBSC Brief'.

40. Cumulatively, these three host emails attach 632 documents, of which 502 documents were produced to the Inquiry (the balance of the attachments were either duplicates, or attachments to POL-0113548 which were not responsive). Accordingly, the attachments to these three emails account for the large majority of the 707 documents produced by POL on 27 February 2023.

41. I further note:

a. in addition to the 502 email attachments described above, 160 documents produced on 27 February 2023 were emails and/or attachments, bringing the total number of mailbox documents to 662. Of the 160 additional mailbox documents I note:

- i. approximately 70 documents were drafts and/or email discussion – meaning these 70 documents were not technically responsive to Request No. 10 and/or Request No. 34. I explain why these documents were provided at 43.a; and
- ii. 15 documents did not relate to *'the Horizon IT [system] nor any other aspect of the issues which the Inquiry is considering'* meaning that these documents were also not technically responsive to Request No. 10 and/or Request No. 34. The Inquiry confirmed in its letter dated 16 March 2023 that it did not wish to be provided with such documents [BAF_1/14];

- b. 11 documents were identified through the review of hard copy documents stored at Oasis; and
- c. the remaining 33 documents originated from SharePoint sites and were identified through the searches set out in Annex II to this statement.

This further reflects that the three emails discussed at paragraph 37 account for the large majority of the 707 documents produced by POL on 27 February 2023.

Responsiveness of documents produced on 27 February 2023

42. POL produced **707** documents to the Inquiry on 27 February 2023 in relation to Request No. 10 and/or Request No. 34. I note that:

- a. 71 documents provided to the Inquiry on 27 February 2023 (and marked 'Example Documents') consisted of draft documents and secondary records such as emails discussing possible changes to scripts. These documents were not responsive to either Request No. 10 and/or Request No. 34, and were identified as such at the time of production, but they were nonetheless produced to the Inquiry in case of interest or assistance; and
- b. a further 41 documents produced on 27 February 2023 were exact duplicates (based on MD5 hash value and/or 100% textual near duplicate analysis) of other produced documents, as identified in POL's letter to the Inquiry dated 14 March 2023 [BAF_1/15]. Of these:
 - (i) 36 documents were 100% textual duplicates of at least one other document within the production. These 36 documents could be divided into 11 duplicate groups – meaning 11 documents were 'unique' whereas the other **25** were duplicative;

- (ii) **3** documents had the same MD5 hash value as documents that have been previously produced to the Inquiry, and so were duplicative; and
- (iii) **2** documents were 100% textual duplicates of documents that had been previously produced to the Inquiry, and so were duplicative.

43. Taking into account the examples and duplicates described in paragraph 42, ultimately **621** unique documents were produced by POL to the Inquiry on 27 February 2023 in response to Question 16 of Request No. 10 and/or Request No. 34 (this number reflects that there was overlap between the 71 examples described in paragraph 42.a and the duplicates described in 42.b).

44. As noted in the letter from HSF to the Inquiry dated 27 February 2023, when producing documents to the Inquiry on that date POL adopted a broad approach to relevance [BAF_1/16].

45. The production list dated 27 February 2023 includes various documents which are technically responsive to Question 16 of Request No. 10 (in that they constituted guidance, training or instructions given to those responsible for operating the Network Business Support Helpline), but which do not relate in any way to the Horizon IT system nor any other aspect of the issues which the Inquiry is considering. Examples of such documents are exhibited hereto and marked [BAF_1/17] [BAF_1/18] [BAF_1/19] [BAF_1/20], namely:

- a. POL-0111734 – which relates to travel insurance;
- b. POL-0111745 – which relates to identification checking services;
- c. POL-0112129 – which relates to alarm systems; and

d. POL-0111689 – which relates to notification of non-critical unplanned branch closures.

46. POL identified the above example documents to the Inquiry in its letter dated 14 March 2023, and sought clarification as to the scope of documents to be produced in relation to the then ongoing review of documents from the P:Drive (the P:Drive is discussed in Section E of this statement). By letter dated 16 March 2023, the Inquiry confirmed that it did not wish to be provided with documents that “*do not relate in any way to the Horizon IT [system] nor any other aspect of the issues which the Inquiry is considering*”.

47. In the interests of assisting the Inquiry, POL has conducted a review of the 621 documents produced on 27 February 2023, with a view to assessing which of these would not have been produced in response to Question 16 of Request No. 10 in the light of the Inquiry's clarification provided on 16 March 2023 (a 'post-production' review). When conducting this post-production review POL took a broad approach and erred on the side of relevance.

48. The results of POL's post-production review are reflected in Annex III to this statement. These results are provided to assist the Inquiry in its consideration of the matters discussed in this statement and the documents produced on 27 February 2023.

49. As Annex III shows, if POL had limited its production of documents on 27 February 2023 to exclude documents that “*do not relate in any way to the Horizon IT [system] nor any other aspect of the issues which the Inquiry is considering*”, only 316 documents would have been produced. Of these 316 documents, approximately 204 documents contain substantive information about the Horizon IT system and/or

other relevant issues, and approximately 112 documents contain only peripheral or passing references to the Horizon IT system and/or other relevant issues. This means that approximately 305 documents (that is, around half of the documents produced on 27 February 2023) are not responsive to Question 16 of Request No. 10 as clarified by the Inquiry on 16 March 2023.

E. THE SHARED DRIVE REFERRED TO IN HSF'S LETTER OF 16 FEBRUARY 2023

50. In this section E, I address the matters raised in Paragraph 2(b) of the Section 21 Notice, namely why the shared network drive referred to in HSF's letters of 16 February 2023, 27 February 2023 and 14 March 2023 was not searched, and related enquiries regarding the same were not undertaken, in response to Request No.10.

51. I understand that certain personnel and teams within POL have had access to and use of specific network shared drives for the purpose of storing documents. One such network shared drive, which is generally referred to as the 'P:Drive' and/or the 'N:Drive' (**'the P:Drive'**), could be accessed and used by the NBSC.

52. At paragraphs 11-32 of this statement I have outlined the approach which POL adopted in order to respond to Question 16 of Request No. 10. In summary, this was to focus on documents contained in the NBSC Knowledge Base which had been disclosed in the Group Litigation, and documents stored on the NBSC Knowledge Base (either on SharePoint or Dynamics) since the Group Litigation disclosure (for the reasons given in paragraph 13 above). POL did not undertake specific searches focused on the P:Drive for the purpose of Question 16 of Request No. 10.

53. When Request No. 34 was received on 26 January 2023, POL's legal team reflected on the work that had previously been undertaken in respect of Request No. 10, specifically Question 16, and (given the difference in scope between Request No. 10 and Request No. 34) considered whether it was necessary to conduct additional searches to locate documents that might be responsive to Request No. 34. POL's legal team identified that the P:Drive was used to store documents by members of the NBSC and that steps had been taken to harvest documents from the P:Drive for the purposes of the Group Litigation.

Steps taken in respect of the P:Drive for the purposes of the Group Litigation

54. As I set out at paragraph 14 above, and described in POL's First Interim Disclosure Statement, I am advised that copies of the data held on POL's file servers (totalling approximately 9.5 TB of compressed zip files) were copied and placed onto the NAS Drive, which included documents from network shared drives.

55. I am advised that between February and September 2018, as part of the broader document harvesting exercise undertaken for staged disclosure in the Group Litigation, WBD took steps to obtain and upload to the GLO Database three network shared drives from the NAS Drive – namely, the P:Drive (which, as noted above, was also known as the N:Drive), the L:Drive (also known as the Y:Drive) and the T:Drive. By a letter dated 23 July 2018 from WBD to Freeths LLP, WBD stated that the P:Drive had been located and that work had begun to extract it [BAF_1/21].

56. These three network shared drives amounted to approximately 350GB of the 18TB data held on the NAS Drive. In September 2018, Consilio (who was POL's e-Discovery provider in the context of the Group Litigation) informed POL that it was

seeking to confirm whether and how these shared drives could be harvested in isolation for the purposes of the Group Litigation, as opposed to harvesting all data held on the NAS Drive (that is, the full 18TB of data from POL's servers).

The P:Drive and Request No. 34

57. While preparing to respond to Request No. 34, POL consulted its records and identified (following a review of analysis prepared by WBD for POL in September 2022 in relation to the harvesting exercise undertaken in the context of the Group Litigation) that WBD had been unable to confirm whether the harvesting of the P:Drive was undertaken and/or had been successfully completed in 2018 and 2019, nor whether documents from this drive had been uploaded (whether in full or in part) to the GLO Database.

58. In light of this information, when responding to Request No. 34 in early February 2023, POL's legal team sought to verify whether documents from the P:Drive had been harvested for the Group Litigation and, if so, whether they were held in the GLO Database. POL drew this issue to the attention of the Inquiry in a letter dated 16 February 2023 [BAF_1/22].

59. Throughout February 2023, POL's legal team consulted with relevant third party providers (including KPMG, WBD and Consilio) with a view to confirming whether documents from the P:Drive had been harvested for the Group Litigation and/or transferred to the GLO Database. I understand that, in order to try to answer this question, POL, KPMG, WBD and Consillio variously conducted searches over historical records relating to the Group Litigation, attempted to check file paths on the NAS Drive and ran searches in the GLO Database.

60. By mid-to-late February 2023, despite these enquiries, no further light had been shed on the question. However, in the course of the enquiries, POL was able to confirm that the documents from the P:Drive had been harvested and stored on the NAS Drive, as I have described above at paragraph 54. In these circumstances, POL arranged for the NAS Drive to be transferred to KPMG so that KPMG could isolate, harvest and process documents from the P:Drive afresh before uploading them to POL's Relativity Databases.

61. The following correspondence was subsequently exchanged between POL and the Inquiry in relation to Request No. 34, Request No. 10 and/or the P:Drive:

- a. By letter dated 27 February 2023, POL provided an update to the Inquiry and sought an extension of time until 13 March 2023 for the specific purpose of harvesting, processing, uploading to Relativity, running searches over and reviewing documents from the P:Drive.
- b. At approximately 13:51 on 13 March 2023, via email, the Inquiry responded to POL's letter dated 27 February 2023 and requested that any further documents responsive to Request No. 34 be provided no later than the end of that day. A copy of that email is exhibited at [BAF_1/23] and a reply sent to the Inquiry by HSF at approximately 17:03 on the same date is exhibited at [BAF_1/24].
- c. By letter dated 14 March 2023, POL responded to the Inquiry's email dated 13 March 2023 providing an update on the steps outlined above at paragraphs 57-60 and seeking an extension until 23 March 2023.
- d. On 16 March 2023, POL received the Section 21 Notice.

Documents harvested from the P:Drive for Request No. 34 and/or Request No. 10

62. In February to March 2023, POL arranged for a total of 17,882 documents stored across 16 folders on the P:Drive to be harvested and uploaded onto its Relativity platform. These folders (which are listed at Annex II to this statement) were the folders which POL anticipated based on their description would be most likely to contain documents of potential relevance to Question 16 of Request No. 10 and/or Request No. 34. The documents from these (16) folders were uploaded onto POL's Relativity platform on 7 March 2023. Based on analysis POL's eDiscovery provider has undertaken since 7 March 2023, I understand that:

- a. approximately 3,658 of the 17,882 documents harvested in February to March 2023 were exact duplicates (with the same MD5 hash values) as other documents within the harvested folders; and
- b. a further unique 2,289 of the 17,882 documents harvested in February to March 2023 were exact duplicates (with the same MD5 hash values) as other documents already stored in POL's Relativity Databases (meaning that POL had already harvested copies of at least 2,289 documents of the 17,882 documents).

63. Accordingly, of the 17,882 P:Drive documents harvested in February and March 2023, no more than 11,875 were potentially 'new' to POL's Relativity Databases. I say 'no more than' 11,875 because the de-duplication exercise described above was based on MD5 hash value only. No textual duplicate analysis nor any other form of deduplication was applied, to avoid delaying the review of documents for relevance. The actual number of documents that contain new content may be lower than 11,875. It is unclear whether any of duplicates already in the GLO Database had been harvested from the P:Drive for the GLO – they may originate from another source.

Documents to be produced from the P:Drive

64. After the documents harvested from the P:Drive were uploaded to Relativity Databases, POL's legal team checked the contents of each folder (by scanning the document lists and reviewing a sample of documents) and ascertained that only three of 16 folders appeared likely to hold documents potentially responsive to Question 16 of Request No. 10 and/or Request No. 34. These folders are entitled: "365 Dynamics Categories ARCHIVE " (specifically the Branch KBA subfolder), "Core K Base" and "Dynamics SME" (specifically the Branch KBA subfolder). Following de-duplication and the exclusion of an irrelevant subfolder, these three folders contain approximately 7,180 documents.

65. All of the approximately 7,180 documents described in the preceding paragraph have been subject to manual review by HSF for relevance in relation to Question 16 of Request No. 10 and/or Request No. 34. Of these documents, POL has produced approximately 156 documents in response to Question 16 of Request No. 10 on 23 March 2023. No documents will be produced in response to Request No. 34. I make the following observations in relation to the produced documents in case these observations might be of assistance to the Inquiry:

- a. All but two of the documents have metadata dates in 2017 and 2018 (one document is dated in each of 2012 and 2013) – this is after the period of time relevant to Request No. 34;
- b. Some of the documents may be drafts, but as it is not clear from the face of the documents, POL has taken a cautious approach and produced them in any event;

- c. POL has had regard to the clarification provided by the Inquiry on 16 March 2023, while also construing Question 16 of Request No. 10 and Request No. 34 broadly; and
- d. The intended audience of approximately 45 documents appear to be end-users of the Horizon IT system themselves, rather than the NBSC (for example, some documents state that the reader themselves should do certain things, eg '*check that you have*' done x). POL can identify these for the Inquiry if it would be considered useful.

66. I am not aware of any documents responsive to Question 16 of Request No. 10 and/or Request No. 34 which are yet to be produced. For completeness, I note that POL is continuing to carry out general assurance exercises over various document repositories, as explained in POL's second, third and fourth interim disclosure statements dated 18 October 2022, 30 November 2022 and 12 January 2023 [BAF_1/25] [BAF_1/26] [BAF_1/27] [BAF_1/28] [BAF_1/29] [BAF_1/30]. While I have no reason to believe that documents responsive to Question 16 of Request No. 10 and/or Request No. 34 would be contained in those repositories, any documents that are subsequently identified will be produced to the Inquiry as soon as reasonably possible.

67. POL is committed to ensuring that its disclosure exercise in the Inquiry is sufficiently thorough to ensure that relevant documentation can be provided to the Inquiry. To that end, POL is well advanced in the hard copy data assurance it indicated it was carrying out in the Third Interim Disclosure Statement and Fourth Interim Disclosure Statement and has provided a number of additional responsive documents to the Inquiry. I anticipate that POL will be in a position to provide an update to the Inquiry with further details of the work that has been carried out in

relation to the assurance exercise (and any work that remains to be done) in advance of the recommencement of the phase 3 hearings in May.

68. Also, in circumstances where POL has not been able to confirm whether documents were harvested and uploaded to Relativity from the P:Drive in the context of the Group Litigation, POL intends to conduct additional searches over the folders uploaded from the P:Drive to ascertain whether any documents might be responsive to Rule 9 Requests (to the extent that any such documents have not already been disclosed).

69. Further, based on updates provided by HSF, I understand that the remaining folders on the P:Drive will also be harvested and uploaded to Relativity and considered for relevance to the Rule 9 Requests that POL has to date received from the Inquiry. Specifically, POL proposes to:

- a. Exclude folders which are plainly likely to be irrelevant (such as the folders titled 'Annual Leave' and 'Staffing Issues'), process the documents from remaining folders from the P:Drive, deduplicate this material against the documents already in POL's Relativity Databases, and upload any new documents to the Inquiry Database;
- b. Check a sample of documents from each newly harvested P:Drive folder to confirm what types of documents they hold, and whether they may potentially hold documents responsive to one or more Rule 9 Requests. This step is intended to act as a safety check and to ensure that any potentially relevant folders are considered as a priority. It will also inform the keyword searches that POL anticipates will be necessary to conduct across each

such folder. At least one folder, titled 'RM Archive Folders' will be prioritised based on the title; and

- c. Run searches over the P:Drive as informed by (and prioritising any folders identified in) the exercise described at step b above.

Conclusion

70. I can understand why the Inquiry has sought a full explanation of the circumstances which gave rise to the two issues in respect of which this statement has been sought.

71. So far as the additional disclosure made in response to Request No. 34 is concerned, I apologise on behalf of POL for any adverse impact that the disclosure of documents on that date which fell within the scope of Question 16 of Request No. 10 had on the Inquiry and those participating in the Inquiry. In particular, I apologise on behalf of POL for the fact that this disclosure was provided at a point in the hearings where witnesses were about to give evidence on matters to which the documents disclosed may have been relevant. I have explained why POL considers that its approach to disclosure at the time of responding to Question 16 of Request No. 10 was reasonable in all the circumstances, but I recognise the potential difficulty that POL's disclosure on 27 February 2023 created for the Inquiry's schedule. I have highlighted the challenges about POL's existing data repositories to the executive and appropriate board forums. POL will, of course, do all that is required to assist the Inquiry with steps required as a result, such as the provision of any additional witness statements or assistance.

72. As for the P:Drive, I also apologise on behalf of POL for any adverse impact that may be caused to the Inquiry, core participants or any other persons by virtue of

the late disclosure of the 156 documents produced today. It is difficult to provide a firm estimated timeframe for completion of the exercise described above at this stage (that is, before the volume of any potentially relevant documents has been ascertained). However, POL will endeavour to complete this exercise as promptly as is reasonably practicable, and by 28 April 2023 if possible. POL will provide the Inquiry with updates in relation to the results of the steps outlined at paragraph 69 on an ongoing basis and will provide any updated estimated timeframe for the completion this exercise at the earliest opportunity.

73. Within the same timeframe, POL will also continue, together with WBD, to look into the circumstances in which it appears that the P:Drive may not have been uploaded to the GLO Database, and make enquires in relation to other potential network shared drives harvested for the GLO to ensure that none were overlooked (although POL is not currently aware of any issue in this respect).

74. Consistent with my offer in the Second Interim Disclosure Statement in relation to the documents that were the subject of that statement (the Omnidox documents), were the Inquiry to wish to be provided with access to the full contents of the P:Drive responsive to the search term 'Horizon', prior to the review for relevance being complete, POL would be willing to provide the Inquiry with full access, following receipt of a Rule 9 Request in relation to the same.

Statement of Truth

I believe the content of this statement to be true:

GRO

Signed:

Dated: 23 March 2023

**Index to the First Witness Statement of Benjamin Andrew Foat on behalf of
Post Office Limited**

No.	URN	Document Description	Control Number
1		Section 21(2) Notice of the Inquiries Act 2005 (16 March 2023)	
2		Request No. 10 - Request pursuant to Rule 9 of the Inquiry Rules 2006 (18 February 2022)	
3		Interim Disclosure Statement on behalf of Post Office Limited (27 May 2022)	
4		Letter from Womble Bond Dickinson to Freeths LLP re Stage 2 Disclosure List (18 May 2018)	POL-0038268
5	POL00037060	Letter from Womble Bond Dickinson to Freeths LLP re Stage 4 Disclosure List (30 August 2019)	POL-0033995
6		Appendix to the Third Letter to the Inquiry (14 April 2022)	
7		Further Disclosure Note: NBSC Logs (10 June 2022)	

8		Third Letter to Inquiry re Request No. 10 (24 November 2022)	
9		Letter from Herbert Smith Freehills LLP to the Inquiry re Supplemental Production of Documents pursuant to Rule 9 (3 March 2023)	
10		Request No. 34 - Request for Information pursuant to Rule 9 (26 January 2023)	
11		Email Correspondence between Kendra Dickinson and John Cawthorn re POLO Training (26 April 2013)	POL-0113548
12		Email Correspondence between Kendra Dickinson and the POL Core Info Management Team re NBSC Processes (28 January 2014 – 3 April 2014)	POL-0113549
13		Email Correspondence between Kendra Dickinson and the POL Core Info Management Team re NBSC Processes (29 April 2014)	POL-0113550
14		Letter from the Inquiry to Gregg Rowan re Section 21 Notice (16 March 2023)	
15		Letter from Herbert Smith Freehills LLP to the Inquiry re Request No. 34 (14 March 2023)	

16		Letter from Herbert Smith Freehills LLP to the Inquiry re Request No. 34 (27 February 2023)	
17	POL00106280	Questions re Travel Insurance	POL-0111734
18	POL00106291	Post Office Identity Checking Service Form	POL-0111745
19	POL00106674	Alarm System Protocol	POL-0112129
20	POL00106235	Notification of a Non-Critical Unplanned Branch Closure Flowchart	POL-0111689
21		Letter from Womble Bond Dickinson to Freeths LLP re General Comments on Disclosure (23 July 2018)	POL-0038341
22		Letter from Herbert Smith Freehills LLP to the Inquiry re Request No. 34 (16 February 2023)	
23		Email from the Inquiry to POL re Request No. 34 (13 March 2023)	
24		Email from Herbert Smith Freehills LLP to the Inquiry re Request No. 34 (13 March 2023)	
25		Second Interim Disclosure Statement on behalf of Post Office Limited (18 October 2022)	
26		Annex 1 to the Second Interim Disclosure Statement - Hard Copy Document Repositories (18 October 2022)	

27		Annex 2 to the Second Interim Disclosure Statement - Approach for responding to Requests No. 12 to No. 23 (18 October 2022)	
28		Annex 3 to the Second Interim Disclosure Statement - Summary Chronology of Key Events (18 October 2022)	
29		Third Interim Disclosure Statement on behalf of Post Office Limited (30 November 2022)	
30		Fourth Interim Disclosure Statement on behalf of Post Office Limited (12 January 2023)	

Annex I – Additional searches in respect of Rule 9 Request No. 10

1. The purpose of this Annex I is to provide an overview of the additional searches that POL carried out across newly identified SharePoint sites following an audit of all active and archived SharePoint sites on POL's network which led to the production of a further 213 documents relevant to Questions 11-20 of Request No. 10 on 24 November 2022, one of which was responsive to Question 16. The initial searches that POL carried out when Request No. 10 was first received are set out in the First Interim Disclosure Statement.

2. POL reviewed a list of all active and archived SharePoint sites to identify those which, based on their name, appeared as though they might contain documents responsive to Question 16 of Request No. 10. A full list of the searches performed by POL in this context, and the SharePoint sites over which these searches have been conducted, is set out below. All documents responsive to these searches were subject to manual review. One document was identified as responsive to Question 16 of Request No. 10 and was produced to the Inquiry.

SharePoint sites	Searches
Branch Support Advisor Updates Knowledge Article Update Service and Support Knowledge Base	<u>Search terms:</u> "Horizon" OR "Discrepanc*" OR "Shortfall" OR "Helpline" OR "Transaction Correction" <u>Date range:</u> Before 1 January 2021
BSC Coaching BSC Team BSC Team Leaders	<u>Search terms:</u> "Guidance" OR "Guide" OR "Training" OR "Instructions" <u>Date range:</u> Before 1 January 2021

Emma BSC Team Sept 21 Emmas BSC Team Nicks BSC Team Service Support Contact Centres Contact Centre 145 Contact Centre	
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Annex II – Searches in respect of Rule 9 Request No. 34

1. INTRODUCTION

1.1 The purpose of this Annex II is to provide an overview of the approach that POL has adopted for responding to Rule 9 Request No. 34 dated 26 January 2023.

2. REQUEST NO. 34

2.1 By Request No. 34, the Inquiry requested that POL produce copies of relevant scripts provided to members of (a) the NBSC (b) the BSC (c) any person or team within the Post Office who provided advice, assistance or support to end-users of the Horizon IT System, between 1999 and 2014, by no later than 4pm on 9 February 2023.

2.2 In paragraph 2 of Request No. 34, the Inquiry specified that for the purpose of this request the definition of a script includes (a) instructions and (b) other written guidance to Post Office staff on how to handle calls from end-users of the Horizon IT System. That paragraph also set out (in subparagraphs 2(a) to 2(f).) examples of such materials falling within the scope of Rule 9 Request No. 34.

2.3 On page two of Request No. 34, the Inquiry also asked POL not to provide documents that have already been provided to the Inquiry in response to previous Rule 9 requests, and to instead list by title and URN (or control number) any documents that had already provided to the Inquiry.

2.4 In total, POL has identified 253 documents which POL considers are responsive to Request No. 34, copies of which were produced to the Inquiry on 27 February

2023 and 3 March 2023.

2.5 A full list of the searches performed by POL in this context, and the repositories over which these searches have been conducted, is set out below. All documents responsive to these searches were subject to manual review (save for those responsive to search 3 (keywords search) across the email distribution lists) and relevant documents were produced to the Inquiry.

Mailboxes	Searches
<p>Kendra Dickinson Alison Clark</p>	<p>Search A (Script search) <u>Search terms:</u> "script" AND "NBSC" OR "BSC" OR "Helpline" OR "Helpdesk" OR "Horizon" OR "call" <u>Date range:</u> 1 Jan 1999 to 31 Dec 2014 inclusive <u>Other:</u> N/A</p> <p>Search B (KBA search) <u>Search terms:</u> "KBA" OR (knowledge w/2 base*) OR "Guidance" OR "instructions" AND "NBSC" OR "BSC" OR "Helpline" OR "Horizon" OR "Helpdesk" OR "call" <u>Date range:</u> 1 Jan 1999 to 31 Dec 2014 inclusive <u>Other:</u> Exclude documents responsive to search A (script search)</p> <p>Search C (Keywords search) <u>Search terms:</u> "Call Categorisation Information" OR (call* w/5 NBSC) OR (customer w/2 call*) OR (contact w/2 NBSC) OR (NBSC w/2 actions) OR ((FAQ* OR "Frequently Asked Questions") w/10 NBSC) OR (Advisor w/2 advice) OR "branch calls" OR (NBSC w/2 advisor*) OR</p>

	<p>("counter colleague" w/10 NBSC) OR (NBSC w/2 Resol*) OR ("Calls have been logged" AND NBSC) OR (NBSC w/5 "what to do") OR (NBSC w/10 escalat*) OR ("Branch Contacts NBSC") OR ("advise the branch") OR ("Branch Support Centre" w/5 FAQ*) OR ("Branch Support Centre" w/5 guidance) OR ("Branch Support Centre" w/5 "receiving calls") OR (handling w/5 calls) OR (difficult w/5 calls)</p> <p><u>Date range:</u> 1 Jan 1999 to 31 Dec 2014 inclusive</p> <p><u>Other:</u> Exclude documents responsive to search A (script search) and search B (KBA search)</p>
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Additional Mailboxes	Searches
<p>Gayle Peacock Andrew Kenny Anne Allaker</p>	<p>Search A (Script search) <u>Search terms:</u> "script" AND "NBSC" OR "BSC" OR "Helpline" OR "Helpdesk"</p> <p><u>Date range:</u> N/A</p> <p><u>Other:</u> N/A</p> <p>Search B (KBA search) <u>Search terms:</u> "KBA" OR (knowledge w/2 base*) OR "Guidance" Or "instructions" AND "NBSC" OR "BSC" OR "Helpline" OR "Helpdesk"</p> <p><u>Date range:</u> N/A</p> <p><u>Other:</u> Exclude documents responsive to search A (script search)</p> <p>Search C (Keywords search) <u>Search terms:</u> "Call Categorisation Information" OR (call* w/5 NBSC) OR (customer w/2 call*) OR (contact w/2 NBSC) OR (NBSC w/2 actions) OR ((FAQ* OR "Frequently Asked Questions") w/10 NBSC) OR</p>

	<p>(Advisor w/2 advice) OR "branch calls" OR (NBSC w/2 advisor*) OR ("counter colleague" w/10 NBSC) OR (NBSC w/2 Resol*) OR ("Calls have been logged" AND NBSC) OR (NBSC w/5 "what to do") OR (NBSC w/10 escalat*) OR ("Branch Contacts NBSC") OR ("advise the branch") OR ("Branch Support Centre" w/5 FAQ*) OR ("Branch Support Centre" w/5 guidance) OR ("Branch Support Centre" w/5 "receiving calls") OR (handling w/5 calls) OR (difficult w/5 calls)</p> <p><u>Date range:</u> N/A</p> <p><u>Other:</u> Exclude documents responsive to search A (script search) and search B (KBA search)</p>
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SharePoints	Searches
<p>Branch Support Advisor Updates BSC Coaching Contact Centre Knowledge Article Update Service Support Contact Centres PSIP – Improving Postmaster Information NBSC Knowledge Base Articles Knowledge Centre Knowledge Centre Files Knowledge Centre Refresh Old Training Material Branch & Customer Support Management Team HM Operations Lead Team Horizon Queries Horizon Quick Wins and Transaction Corrections Network Support Team Onboarding Gold Library</p>	<p>Search A (Script search) <u>Search terms:</u> "script" AND "NBSC" OR "BSC" OR "Helpline" OR "Helpdesk" <u>Date range:</u> N/A <u>Other:</u> N/A</p> <p>Search B (KBA search) <u>Search terms:</u> "KBA" OR (knowledge w/2 base*) OR "Guidance" Or "instructions" AND "NBSC" OR "BSC" OR "Helpline" OR "Helpdesk" <u>Date range:</u> N/A <u>Other:</u> Exclude documents responsive to search A (script search)</p> <p>Search C (Keywords search) <u>Search terms:</u> "Call Categorisation Information" OR (call* w/5 NBSC) OR (customer w/2 call*) OR (contact w/2 NBSC) OR (NBSC w/2 actions) OR ((FAQ* OR "Frequently Asked Questions") w/10 NBSC) OR (Advisor</p>

<p>One Day Basic Transactions: Distance Learning Policy PolicyHub Postmaster Account Support Team Horizon Issues Remediation Hub Learning Design Team – Projects Branch and Customer Information Team</p>	<p>w/2 advice) OR "branch calls" OR (NBSC w/2 advisor*) OR ("counter colleague" w/10 NBSC) OR (NBSC w/2 Resol*) OR ("Calls have been logged" AND NBSC) OR (NBSC w/5 "what to do") OR (NBSC w/10 escalat*) OR ("Branch Contacts NBSC") OR ("advise the branch") OR ("Branch Support Centre" w/5 FAQ*) OR ("Branch Support Centre" w/5 guidance) OR ("Branch Support Centre" w/5 "receiving calls") OR (handling w/5 calls) OR (difficult w/5 calls)</p> <p><u>Date range:</u> N/A</p> <p><u>Other:</u> Exclude documents responsive to search A (script search) and search B (KBA search)</p>
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Email Distribution Lists	Searches
<p>Emails sent from or to (including copied):</p> <p>nbsc.admin.team GRO</p> <p>nbsc.customer.relations GRO</p> <p>NBSCEnquiries GRO</p> <p>agentadvicesupport GRO</p>	<p>Search A (Script search)</p> <p><u>Search terms:</u> "script" AND "NBSC" OR "BSC" OR "Helpline" OR "Helpdesk" OR "Horizon" OR "call"</p> <p><u>Date range:</u> N/A</p> <p><u>Other:</u> Relativity Native Type: is like Word OR PDF OR PowerPoint</p> <p>Search B (KBA search)</p> <p><u>Search terms:</u> "KBA" OR (knowledge w/2 base*) OR "Guidance" Or "instructions" AND "NBSC" OR "BSC" OR "Helpline" OR "Horizon" OR "Helpdesk" OR "call"</p> <p><u>Date range:</u> N/A</p> <p><u>Other:</u></p> <ul style="list-style-type: none"> - Relativity Native Type: is like Word OR PDF OR PowerPoint - Exclude documents responsive to search A (script search)

	<p>Search C (Keywords search)</p> <p><u>Search terms:</u> "Call Categorisation Information" OR (call* w/5 NBSC) OR (customer w/2 call*) OR (contact w/2 NBSC) OR (NBSC w/2 actions) OR ((FAQ* OR "Frequently Asked Questions") w/10 NBSC) OR (Advisor w/2 advice) OR "branch calls" OR (NBSC w/2 advisor*) OR ("counter colleague" w/10 NBSC) OR (NBSC w/2 Resol*) OR ("Calls have been logged" AND NBSC) OR (NBSC w/5 "what to do") OR (NBSC w/10 escalat*) OR ("Branch Contacts NBSC") OR ("advise the branch") OR ("Branch Support Centre" w/5 FAQ*) OR ("Branch Support Centre" w/5 guidance) OR ("Branch Support Centre" w/5 "receiving calls") OR (handling w/5 calls) OR (difficult w/5 calls)</p> <p><u>Date range:</u> N/A</p> <p><u>Other:</u></p> <ul style="list-style-type: none"> - Relativity Native Type: is like Word OR PDF OR PowerPoint (exclude Excel/Outlook emails) - Exclude documents responsive to search A (script search) and search B (KBA search)
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2.6 In addition to the above searches, POL made a number of further enquiries with a view to identifying documents of potential relevance to Request No. 34. In particular:

2.6.1 **Oasis documents:** POL considered the extent to which relevant hard copy documents may be held in its various archives (including, for example, Winchester Oasis). POL conducted searches across its Oasis indices of hard copy documents and identified 1 file / box that it

anticipated may contain documents of potential relevance to Request No. 34. POL made enquiries with Oasis, who confirmed this box was already at HSF's premises. HSF conducted a full manual review of this box. No documents relevant to Request No. 34 were identified for production.

2.6.2 **Shared network drive ('P:Drive')**: POL has made a number of enquiries in relation to the extent to which the P:Drive might hold material relevant to Request No. 34 (and Request No. 10, in light of POL being unable to confirm whether WBD's harvesting of the P:Drive at the time of the Group Litigation was completed).

2.6.3 The full detail of the investigations made by POL into the documents held on the P:Drive are set out within the statement itself at 64-65. In total, 156 documents of relevance to one or both of Request No. 10 and Request No. 34 were produced to the Inquiry on 23 March 2023. These documents were identified following a manual review of documents held in the following folders within the P:Drive: (i) "365 Dynamics Categories ARCHIVE ", (ii) "Core K Base" and (iii) "Dynamics SME". POL has also harvested and uploaded onto Relativity the following additional folders from the P:Drive but, following an initial sample review of the materials held in these folders, concluded that these were unlikely to contain documents of relevance to Question 16 of Request No. 10 and/or Request No. 34:

- (A) 1 POEX VOICEMAIL RECORDINGS DO NOT DELETE
- (B) AEI
- (C) Audit folder
- (D) Coach Team
- (E) Cust
- (F) Customer Care Email Log 2017
- (G) Customer Care Email Log 2018
- (H) Letter Templates
- (I) Manual Call Logs
- (J) NBSC Call Monitoring 2017
- (K) NBSC Call Monitoring 2018
- (L) nbsc update folder
- (M) BT Cloud Call Scripts.rar

Annex III – 27 February 2023 Production

1. On 16 March 2023 the Inquiry clarified that it *'does not wish to be provided with documents that "do not relate in any way to the Horizon IT [system] nor any other aspect of the issues which the Inquiry is considering' and that the Inquiry 'expects providers of documents to consider the Inquiry's Terms of Reference and List of Issues when disclosing documents to the Inquiry.'*
2. Following receipt of this guidance HSF conducted a reconsideration of the **621** unique documents produced on 27 February 2023¹ to identify how many (if any) of the produced documents were not in fact responsive Request No. 10 and/or Request No. 34 in light of this this clarification.
3. This reconsideration involved manual review of the 621 documents by two Senior Associates (locums), to divide them into three groups namely:
 - a. documents which contain substantive information about, or which substantively relate to, the Horizon IT system and/or other issues relevant to the Inquiry's Terms of Reference and/or List of Issues ("**Relevant Matters**") ("**Tier 1 – Relevant**");
 - b. documents which contain ancillary / peripheral (e.g. passing references) information about, or which are peripherally related to, Relevant Matters ("**Tier 2 – Ancillary**"); and
 - c. documents that neither contain information about, nor relate to, Relevant Matters ("**Tier 3 – Not relevant**").

¹ Namely, the documents produced on 27 February 2023 excluding the 71 'examples' identified in the production list on that date and the 30 duplicates identified in Annexure A to HSF's letter dated 16 March 2023. POL notes a typographical error in this letter at P4, insofar as it states that Annexure A itemised the 41 documents listed above and have shaded in grey the 34 documents which may be disregarded as duplicates. The number of duplicates shaded grey in Annexure A was 30.

4. The results of the reconsideration are reflected in the following table:

Tier 1 – Relevant	Tier 2 – Ancillary	Tier 3 – Not Relevant
204	112	305

5. 'Tier 2 – Ancillary' was construed broadly – meaning that documents which *might* be capable of relating to the Horizon IT system and/or other aspects of the issues considered by the Inquiry were included. In order to illustrate the breadth of this category, I note that they include:
- a. General guidance on how to handle calls (e.g. POL-0111677);
 - b. Guidance on products which include passing references to the use of Horizon, for example guidance on postage labels produced on Horizon (e.g. POL-0111696); and
 - c. Processes to follow in relation to calls about Horizon equipment, but not its use or operation (e.g. POL-0111979).
6. The documents identified as 'Tier 2 – Ancillary' would have been produced following receipt of the clarification provided on 16 March 2023, in the interests of construing relevance (as clarified) broadly.
7. The documents identified as 'Tier 3 – Not Relevant' would not have been produced in response to Request No. 10 Question 16 and/or Request No. 34 based on the clarification provided on 16 March 2023. The documents identified as 'Tier 3 – Not Relevant' concern a variety of subject matters which *'do not relate in any way to the Horizon IT [system] nor any other aspect of the issues which the Inquiry is*

considering'. The following table divides these documents into 10 general subject matters and provides examples:

	Subject matter	Number of documents
1.	Operational matters – eg changes to opening hours, unplanned closures, health and safety	16
2.	Stock and Equipment– eg safes, A-Frames, till DVDs, scales, data coverage, power cables, telephone lines, name badges and CareerWear	54
3.	Fleet / mobile outreach branch issues	24
4.	Emergencies – eg hostage situations, bomb alerts, robbery, hospital admission of SPMR, theft by public, abusive customers	16
5.	Changes to branch details – eg service cut off times	4
6.	Product information – eg customer banking accounts, travel cards, Identity checking services, DVLA products, travellers cheques, DX items, Lottery, local schemes (eg Meals on Wheels) and Drop & Go	31
7.	Escalations (not related to relevant issues) – eg processes for escalations to other teams in POL, suppliers or product owners	47
8.	Complaints (not related to relevant issues) – eg complaints about other branches, stationary orders, equipment or products, and complaints on behalf of customers	67
9.	Miscellaneous subject matter (eg suspicious parcel reporting, product network nominations, counterfeit notes, cash deposits)	14
10.	Documents which, on reflection, are not 'scripts' nor 'instructions, training or guidance' relevant to the NBSC helpline – eg network support admin and ESG notes	32